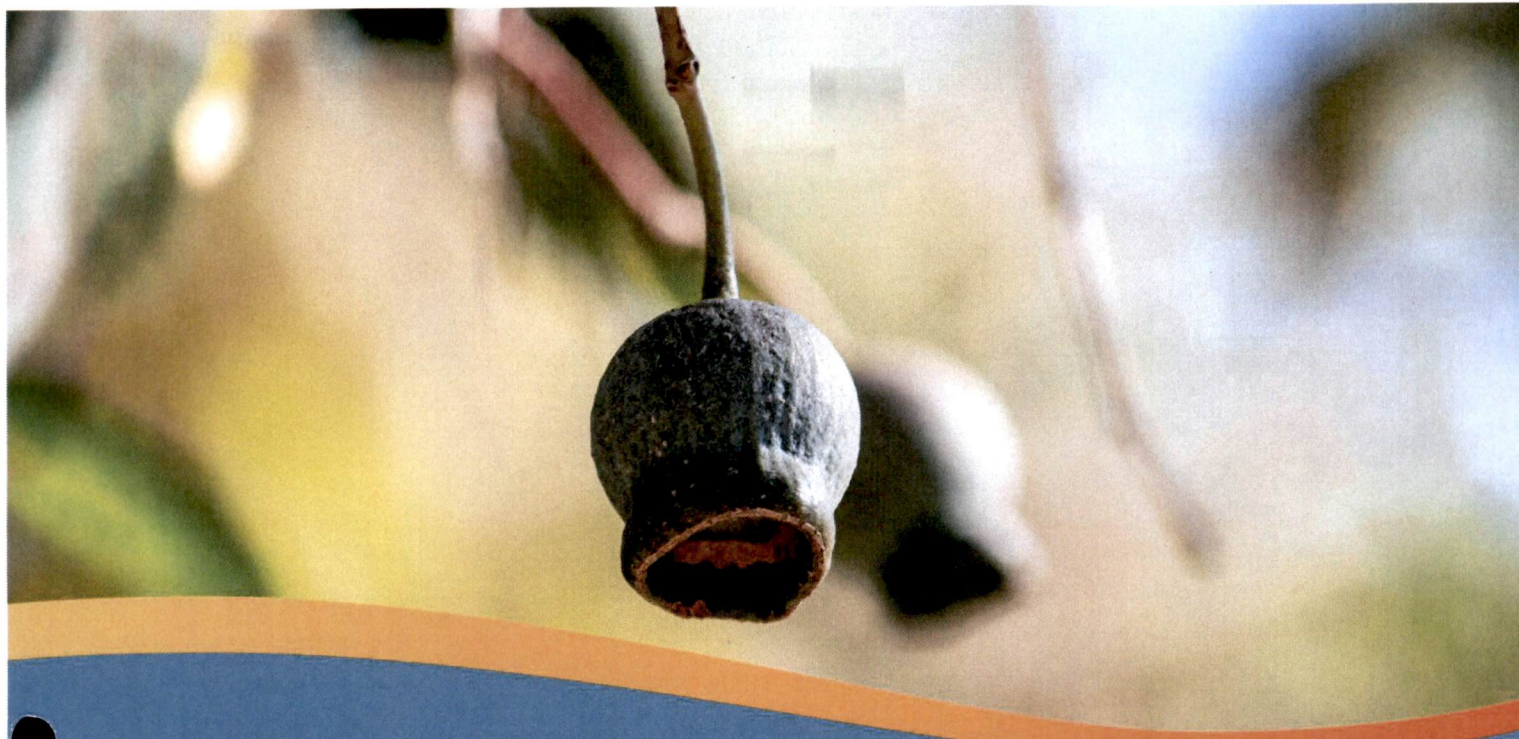




Ordinary Council Meeting

MINUTES

Tuesday 23 June 2026

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1. Official Opening

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

2. Attendance, Apologies and Leave of Absence Previously Approved

Mayor

Margaret Thomas JP (Presiding Member)

Councillors

South East Ward

John Giardina

David Modolo

South West Ward

Brooke O'Donnell

North West Ward

Sue Bilich

Lisa Cooper

North Ward

Josh Clark

Kathy Ritchie

Members of Staff

Chief Executive Officer

Anthony Vuleta

Executive Team

Gary Ticehurst – Director Corporate

Nathan Ritchie - Director Development

Luke Ellis – Director Community

Chris Thompson – A/Director Infrastructure

Management Team

Rhonda Bowman - Manager Governance

Chris Lodge – Manager Strategic Planning and Property

Rajesh Malde – Manager Financial Services

Tim Parry – Manager Community Hubs and Safety

Jane Hogeveen – Manager People and Culture

Anjali Parmar – Coordinator Strategic Planning

Administration Team

Molly Rogers-Thomson - Executive Officer to the CEO

Cat Commander – Executive Assistant: Director Development

Members of the Public 80

Members of the Press Nil

Apologies Cr Mary Cannon

3. Public Question Time

3.1. Questions Taken on Notice at Previous Meeting

3.1.1 Michael Ryan, High Wycombe (Ordinary Council Meeting 26 May 2026)

Q1. The Statutory Planning Committee SPN 2173M-1 on 11 October 2022 pre dates the appointment of the CEO. Please advise if the City of Kalamunda advised the Statutory Planning Committee that the City conducted a secret zero buffer policy along the interface on Sultana Road West, and the City had no permanent in situ noise or fume monitoring system to ensure it observed compliance with the LPS3. If the SPC was not advised, will the CEO ask the WAPC to recall the SPC to urgently re-assess the decision, at a meeting within the next 6 weeks.

A1. The Statutory Planning Committee (SPC) were provided with the City's recommendation adopted at the Ordinary Council Meeting on 24 May 2022. It is not necessary to request further consideration of the SPC in relation to its 11 October 2022 decision.

Q3. The hybrid 800 house development is a get out of jail card. 7 years and everything completed. I presented this to Council at the PABF 9 September 2025 Item 10.1.1 Market Led Proposal. There is no record of this document in Council Minutes, nor any response from the City. Why? What does the CEO say to the question that the draft LSP

- is being prepared in secret from affected stakeholders & City of Kalamunda Ordinary Council Meeting – 26 May 2026
- ignores humanitarian grounds given the age of the population
- is a breach of a duty of care and
- promotes a wither and die or succumb scenario

A3. The City requires time to prepare a Local Structure Plan amendment (LSP amendment) and stakeholders are aware of the key issues and reasons for undertaking the amendment. Updates regarding the project were provided to landowners at an information forum on 14 May 2026. Further engagement processes will occur in conjunction with the initiation and public advertising of the LSP amendment, planned in early 2027.

Q4. Can the Director Development Services please provide a map displaying the boundary dimension of the proposed buffer for the interface along Sultana Road West that was determined by the Working Group. This map should be handed to me tonight at the OCM.

- A4. The City is preparing preliminary material to guide the LSP amendment process, which is proposed to be presented to the Ordinary Council Meeting on 23 June 2026.

3.1.2 Kelly McDonald, High Wycombe (Ordinary Council Meeting 26 May 2026)

- Q1. Has City of Kalamunda given approval to clear the trees within the new development areas located to the west side of Stewart Rd near intersection with Brae Rd High Wycombe?

- A1. Subdivisions are ultimately issued by the Western Australian Planning Commission, not the City.

The LSP requires at the subdivision stage for the developer/applicant to submit a detailed tree retention plan and earthworks plan as well as proposing a site responsive design to maximise tree retention where possible. The Administration in its recommendation to the WAPC advised that the proposed subdivision layout, as well as the information provided (tree retention and earthworks plan) did not have enough detail to ensure that trees on site would be able to be retained. The WAPC have conditionally approved the subdivision on the western side of Stewart Road (corner of Brae and Stewart Road) which will result in all of the trees on this lot being removed.

The City is seeking off-set replanting through the subdivision precinct on the new and upgraded roads and is working with the WAPC for future subdivisions to demonstrate tree retention.

- Q2. Has the City of Kalamunda given approval for EVERY tree to be removed within the new development areas located to the west side of Stewart Rd near intersection with Brae Rd High Wycombe?

- A2. Answered above in A1.

- Q3. Has a review of the arborist report been completed by City of Kalamunda does City of Kalamunda see no value in retaining any of the mature trees?

- A3. The City thoroughly reviews all information submitted with subdivision proposals, including arborist reports. As noted, there is limited potential for tree retention due to site works.

- Q4. Why does the City of Kalamunda not consider both existing residents and the many future residents desire to maintain a treed streetscape?

- A4. Trees are an important part of streetscapes and are expected to be planted by developers in accordance with conditions of their subdivision approvals.

3.1.3 Sue Dowson, Kalamunda (Ordinary Council Meeting 26 May 2026)

- Q1. How is it that an area suggested for daytime parking only last year was rejected on environmental reasons, but this year is somehow classified to be suitable for nighttime parking?

- A1. The area of land referenced is not being used for parking for the event at Jorgensen Park, therefore was not considered suitable for daytime or nighttime parking.

3.1.4 Maryanne Hancock, Kalamunda (Ordinary Council Meeting 26 May 2026)

- Q1. The public needs to see the piece of paper that shows the WAPC has endorsed the 2008 Jorgenson Park Management Plan.

- A3. The Council resolved in 2008 to send the Management Plan to the Western Australian Planning Commission (WAPC) requesting endorsement, seeking a management order from the WAPC for a portion of the land (now Lot 503). In 2010, the City received confirmation that the WAPC transferred the Jorgensen Park to the State of WA, with a management order to the then Shire of Kalamunda. The Management Plan itself includes the recommendation to seek a management order to the then Shire of Kalamunda.

While the City does not have on record written endorsement of the Management Plan from the WAPC, decisions regarding tenure, management and future use of the reserve were implemented in accordance with the Management Plan, by the WAPC. This, together engagement with the Department of Planning, Lands and Heritage for concurrence has satisfied the City that the exemption for development approval is valid.

The Management Plan recognises that the environment of the park is sensitive and prone to degradation because of historic land use activities unsuited to the environment. Consequently, the management plan places emphasis on the marriage of alternate land uses with areas (eg: events) of the park that can support those alternate land uses, without experiencing degradation of their natural and cultural values. The proposal seeks to achieve this through promotion of the venue itself, and the delivery of works that actively seek improvement to the land, which are consistent with the Management Plan.

3.1.5 Victoria Laurie, Gooseberry Hill (Ordinary Council Meeting 26 May 2026)

Q1. Residents were told that the City were working to reduce the number of event nights to lessen the impact on residents in the area but the first week of the event is running for seven nights. Can you explain that?

Secondly, will the City clarify whether the commercial terms of the lease had already been substantially settled at the time of delegation to the CEO in February 2026? Had the lease already been signed before Council formally considered public submissions on the 28th of April OCM? How does the city consider that sequence that I've outlined in any way consistent with the intended purpose of the public section 3.58 consultation?

A1. At the time of the Council meeting, discussions were ongoing regarding a range of operational arrangements for the event, including the length of the lease, the operating days and hours. As part of this process, the City worked with the proponent to explore opportunities to minimise impacts on nearby residents wherever possible.

The event approval allows the event to operate for up to seven days per week, provided all approval conditions are met. While the event commences with an initial seven-day operating period, the schedule varies throughout the season and is managed in accordance with the approved Event Approval and associated conditions.

Further information regarding event operations, approval conditions and management measures is available on the City's website here: Harry Potter: A Forbidden Forest Experience – Community Information & FAQs

Q2. With regards to the number of nights, the City has leased the space and issued an event approval. The number of nights that they run ultimately is that they're their determination, not ours, as long as they operate in accordance with the event approval. At this time um their first week, as you mentioned, is seven nights uh and then it falls into a pattern, I think, of five. Um but ultimately, that is up to them unless the city were to engage with them and review the event approval

A2. With regard to the Letter of Support issued in November 2025, the purpose of the letter was to confirm the City's support for the proponent to further investigate the opportunity. The letter also made clear that further approvals and compliance obligations would be required. It should not be interpreted as approval for the event to proceed.

While the principal commercial terms were identified and considered as part of Council's decision-making process, legal documentation, due

diligence, approvals, consents and operational requirements continued to be progressed following the Council resolution.

The City complied with section 3.58(3) and (4) of the Local Government Act 1995. At its Ordinary Council Meeting on 24 February 2026, Council resolved, in accordance with section 5.42(1) of the Local Government Act 1995, to delegate authority to the Chief Executive Officer to:

- Give local public notice under section 3.58(3)(a) and (4) of the Act for the proposed partial disposition of Reserve 50554 (Jorgensen Park) by way of lease to Kzemos Australia Pty Ltd for the period on or about 6 April 2026 to 31 July 2026.
- Consider submissions received in response to the notice in accordance with section 3.58(3)(b).
- Subject to consideration of submissions, negotiate and execute a lease, and any ancillary licences for parking, in accordance with the confidential attachment.
- Report all submissions to Council at its Ordinary Council Meeting on 28 April 2026.
- Note that aspects of the proposal were confidential under a Non-Disclosure Agreement.

Public submission themes and volumes were provided to Councillors in advance of the 28 April 2026 Ordinary Council Meeting when the CEO advised Councillors of the intention to proceed with execution of the lease following consideration of submissions and completion of relevant due diligence. This provided Councillors with visibility of the submission themes and volumes before the lease was executed.

3.1.6 Janelle Sewell, Bickley (Ordinary Council Meeting 26 May 2026)

Q1. What statutory authority, delegation instrument, or execution framework was relied upon for execution of the lease? Was it executed under common seal, did the City obtain legal advice confirming the execution formalities were legally sufficient for Crown Reserve land arrangements requiring ministerial approval? Has the City assessed any legal or insurance implications should the lease or approved process later to be found procedurally defective or legally ineffective?

A1. At its Ordinary Council Meeting on 24 February 2026, Council resolved, in accordance with section 5.42(1) of the *Local Government Act 1995*, to delegate authority to the Chief Executive Officer to:

1. Give local public notice under section 3.58(3)(a) and (4) of the Act for the proposed partial disposition of Reserve 50554 (Jorgensen Park) by way of lease to Kzemos Australia Pty Ltd for the period on or about 6 April 2026 to 31 July 2026.

2. Consider submissions received in response to the notice in accordance with section 3.58(3)(b).
3. Subject to consideration of submissions, negotiate and execute a lease (and any ancillary licences for parking) in accordance with the confidential attachment.
4. Report all submissions to Council at its Ordinary Council Meeting on 28 April 2026.
5. Note that aspects of the proposal are confidential under a Non Disclosure Agreement (NDA).

Yes, the City sought legal advice. The leased area is Crown land, supported by a management order, which allows the City to lease the reserve (or part) for a term no longer than 21 years, subject to Minister consent.

3.1.7 Alan Malcolm, Bickley (Ordinary Council Meeting 26 May 2026)

Q1. Can you tell me what the current parking arrangement is? Are you not using any of those areas that have already been specified in a lease agreement?

A1. On-site event parking is limited to the gravelled lease area. Earlier working documents showed other potential parking areas; those areas do not form part of the current formal event parking arrangement. The Traffic Management Plan includes rideshare/drop-off locations near the Kalamunda Community Centre and a controlled access point from Mundaring Weir Road to allow safe and orderly movement of event-related traffic. Any use of City-controlled land outside the leased premises is managed through the event approval, traffic management arrangements, and any ancillary licence or operational authorisation required by the City.

3.1.8 Bev Dornan, Wattle Grove (Ordinary Council Meeting 26 May 2026)

Q1. Can the City please explain why it then put the community through a sham consultation process when the decision had already been taken to give approval to the totally inappropriate use of a community-owned natural space?

A1. The City followed the process required under Section 3.58 of the *Local Government Act 1995*. As part of this process, Council resolved on 24 February 2026 to delegate authority to the CEO to undertake the public consultation process, consider submissions received, negotiate the lease and associated licence arrangements, and execute the relevant agreements if satisfied that all requirements had been met.

Public submissions received during the advertising period were collated, reviewed and presented to Council at the 28 April 2026 Ordinary Council Meeting. The process formed an important part of the City's decision-making and assisted in identifying matters that required further consideration and management as the project progressed.

3.1.9 Toni Warden, Kalamunda (Ordinary Council Meeting 26 May 2026)

Q1. Can you clarify what legal authority the councillors relied upon to permit the CEO to execute the Jorgensen Park lease before council formally considered public submissions on the 28th of April OCM? Did the city obtain specific legal advice confirming that Section 5.43 of the Local Government Act did not constrain delegation in these circumstances?

A1. The *Local Government Act 1995* contains the statutory authority to delegate powers and functions of that Act, which includes the ability to lease or give effect to the sale of property, inclusive of execution of the lease document. Council considered the matter, the legislative functions involved, including legal advice obtained by the City and resolved to exercise the statutory authority available to it and delegate to the CEO, noting that section 5.43 of the Act does not constrain Council's ability to do so in these circumstances.

Information relating to Council's consideration of the matter, including the relevant Council resolutions and reports, is publicly available on the City's website.

3.1.10 Heidi Saunders, Kalamunda (Ordinary Council Meeting 26 May 2026)

Q1. Did the City adequately assess whether there would be any profit to ratepayers from the estimated direct income of the Kzemos arrangement of approximately 150,000 to 185,000 after deducting costs, associated months of controversy, substantial public resource expenditure, environmental risk, and long-term rehabilitation obligations potentially expected to be in the hundreds of thousands?

A1. As part of its assessment, the City considered a range of factors, including financial, environmental, operational and community impacts, as well as the potential economic benefits associated with increased visitation and local spending. The City also implemented a range of measures to manage potential risks, including environmental assessments, independent reviews, approval conditions, monitoring requirements, insurance provisions and rehabilitation obligations.

Q2. Is the city able to give further detail about what the economy.id report shows specifically about how these numbers were calculated and what they reveal about where the money will be flowing to, from and who to? I would love to know whether once the report was received, did anyone in the City of Kalamunda go through the report to check if it was reflective of our circumstances? I would like to know how the council is planning to measure the effects of this event on our local economy? Can we demonstrate whether this kind of event is a good way to encourage tourism that benefits our city economically and socially, or are we just being used by a big corporation?

A2. The initial economy.id modelling was based on assumptions available at the time. As the event has progressed, the City has updated or is updating the modelling using known event parameters, including confirmed event days, expected attendance and revised spend assumptions, this updated modelling and further information regarding the economic impact assessment is available on the City's website under 'Economic & Community Benefit'

3.1.11 Hannah Lill, Kalamunda (Ordinary Council Meeting 26 May 2026)

Q1. Can the City clarify precisely the date of the written documents from the qualified ornithologist in regard to the review and assessment of the impact of the events, particularly on the black cockatoos? So, will the independent review be released as well as the specialist advice? And if it won't be released, can you please confirm the outcome of that advice, especially around the end date for the event when it comes to considering the black cockatoo breeding cycle commencing in July? So, have we got expert advice that says that extending beyond the original end date of July is suitable given the breeding season will be in full swing then?

A1. Since the meeting, the City has clarified that the ornithologist's role was broader than indicated in the verbal response. The ornithologist was provided with the Practical Ecology report, undertook an early review and site visit, and considered the fauna assessment and mitigation measures.

A Summary of the Ornithologist Assessment has been published on the City's website under 'Event Approvals & Process'. The summary addresses black cockatoo breeding and roosting considerations, including the updated event timing. In relation to Carnaby's Cockatoos, the summary notes that breeding-season data from across the species' broader range is not necessarily applicable to Jorgensen Park or Kalamunda, and that the ornithologist was not aware of data indicating Carnaby's Cockatoos commence breeding in the City of Kalamunda before August. The summary identifies roosting disturbance, rather than nesting disturbance,

as the key issue for Carnaby's Cockatoos, and notes that known roosting areas do not overlap with the event site.

In relation to Forest Red-tailed Black Cockatoos, the summary notes that the species may breed during autumn and/or spring and is currently breeding in the Perth Hills. Three potential nest trees were inspected, and none were active at the time of inspection. Further inspections and observations are to continue, with monitoring and adaptive management to respond if any impacts are identified.

3.2. Public Question Time

3.2.1 Tilai Clifford, Kalamunda

Q1. What documented records and reports or evaluations has the City relied on specifically on whether to reject the WALGA Policy and the aligned Bassendean LP13 Policy?

A1. Response from Director Development. With any planning instrument it needs to be bespoke to the community it applies. The process the City has followed is that it has gone through other case examples, the WALGA policy, our previous policy, engagement with the community, feedback from Councillors, feedback from Council as a whole including Electors Meetings and other forums to come forward with what it believes is a reasonable policy position that can be implemented through the planning framework. It considers the technical nature and implementation of that policy in which it sits within the planning framework and ultimately how that policy is implemented is going to be quite important to achieve the objectives of the policy and its integrity in its own right.

Q2. That doesn't clarify if there is a proper evaluation document that shows what has happened in the background and that proper process has been taken.

A2. Response from Director Development. The public facing part is within the report in the Agenda for this meeting. Council has also been provided with a substantial engagement report which provided the details of categorised submissions and raw data which was provided to them to help make an informed decision.

3.2.2 Sue Dowson, Kalamunda

Q1. In the draft register of delegations, there is an absence of conditions on the application of LGA12 – Common Seal. The delegation allows the CEO to affix the common seal on any document.

A1. Response from Manager Governance. The delegation has a note that says the Common Seal of the Local Government is not to be affixed to any document except if authorised by the local government.

Q2. Is there any more information on what requirements there are?

A2. Response from Manager Governance. The authorisation from the local government is a legislative requirement of the *Local Government Act 1995*.

3.2.3 Michael Ryan, High Wycombe

Q1. Will Nathan Ritchie please provide a reply to my two emails asking about 122 Milner Road High Wycombe (Stage 2). It was sold as dual / zoning - industrial and residential. Original email was 23 April 2026.

A1. Taken on notice

Q2. Can I please have answers to outstanding replies to questions asked at previous Council Meetings

- PABF Hatch Court 5 questions
- Questions about zero buffer policy
what were "*..the very different circumstances,*" the City refers to who / what was the intended Beneficiary of the policy
how/when/who notified the City of.. *the very different circumstances.*
who received this information at the City

A2. Taken on notice

3.2.4 Bev Dornan, Wattle Grove

Q1. At the PABF on 9 June 2026, officers advised that the form of the final draft of LPP33 was determined by officers based on 'some conversations with Council'. Which Councillors were consulted, on what dates and on whose authority these informal conversations were used to determine the final form of the policy?

A1. Response from Director Development. There have been numerous engagements with Council over the time period through strategy sessions, briefings and direct feedback from Councillors to participate in the process; like we do with community members. They have provided feedback on the policy. Any good policy works with both the community and those drafting the policy requirements to make sure they have a full and detailed understanding of the provisions as well as the implications of a policy before making any decision.

No Councillor has made a decision on the policy to be put to the meeting however a lot of the input and questioning and interrogation that has occurred has been detailed.

Q2. Will the Councillors who participated in those informal consultations be declaring an impartiality interest under regulation 34B of the Local Government Regulations prior to voting on this item? Can those Councillors who were party to these conversations approach this matter with an open mind?

A2. Response from Director Development. No decision has been made. The policy has been well discussed at length with community and Council, other local government authorities and WALGA. There is a high level of socialisation with the impact and the issues that are afforded with that.

3.2.5 Toni Warden, Kalamunda

Q1. In the draft delegations register, the new delegation titled MISC7 – Acquisition of Land authorises the CEO to acquire land for a public work up to a million dollars and no more than 10% above independent valuation without any requirement to advertise the proposed acquisition or seek Council approval before the transaction is completed. Does the City intend to use the CEO's new acquisition authority under MISC7 in connection with any rationalisation or transfer of crown land whether to acquire parcels freed from reserve status or to acquire adjacent land in support of transfer proposal? If so, will the community consultation commitment set out in the 2018 Public Open Space Strategy continue to apply before any such acquisition proceeds?

A1. Response from Director Development. There are other controls that go through a rigorous process to enable infrastructure delivery. For example, new developments where road acquisitions, truncations and other pieces of information need to be acquired within a threshold to facilitate key pieces of infrastructure. There are cases where it has been through an alternative regulatory process either subdivision or in some cases where there is a development contribution plan (DCP) that would articulate which properties need to be acquired for what purpose and the process in which it goes through. That particular process where it is being enacted has not only Council support by virtue of an amendment, WAPC support and Ministerial support to enable those key pieces of land to be acquitted for the purposes of infrastructure deliver. The intent is not for it to be used for the sale of crown land or private freehold land without going through alternative processes. It does provide the administration with a flexibility in which to act while adhering to those frameworks, without having to come back to council for a specific resolution for that matter. Some landowners, while happy to work with the City privately and confidentially,

are less inclined to have their details made public through a process when their land needs to be given up for infrastructure.

Response from Manager Strategic Planning and Property. It is quite clear within the conditions of that delegation that it applies to public works and it excludes commercial enterprises. There is no intent to introduce those powers referred to in the question. The intent is to streamline the City's ability to move ahead with road projects, drainage projects where those development needs arise.

3.2.6 Maryanne Hancock, Kalamunda

Q1. Exactly how many and which parcels of crown land and City owned reserves is the City planning to repurpose or dispose of and can the public have a list?

A1. Response from Director Development. The City owns approximately 100 freehold land assets and manages over 400 reserves. Proposals will be put to Council on a case-by-case and needs basis to determine what's appropriate and how it might transact moving forward. In addition, the City has sought to undertake a level of additional transparency to make public both the leases and licenses which it has over these land assets as well as the land details themselves. This will be completed in the next few months.

In respect to crown land, there's a lot more work that needs to be done in that space with respect to land management within the City. There's an acknowledgement of a journey and the City is leaning into that with management plans, crown land tenure and working with the Department of Lands. It's an important part for the City moving forward. Effectively one of the key things the City does is land management. There will continue to be improvements in this space; policies, strategies, revised management plans. The City will continue to engage with the community about what that looks like. The City is working diligently behind the scenes to start to bring this material up so there can be a level of transparency over this.

Q2. Is that part of the Enterprise Project Management Office?

A2. Response from Director Development. No it's not. That's a separate piece of work with respect to property and land management. The EPMO is a way the City delivers projects end to end and all the considerations and checks and balances needed to ensure that we have successful projects. It's a way of working within the City; how we engage, how we procure, how we undertake project management, at a much larger level.

Q3. Is the Carmel Schoolhouse site part of that?

- A3. Response from Director Development. This is part of a property initiative but it does follow the provisions within the EPMO and these are part of the checks and balances around what that looks like to produce a good project.

3.2.7 Hannah Lill, Kalamunda

- Q1. At the February Council Meeting, it was advised the Urban Forest Canopy data would be released in June. Has that data been released and if not when and how will it be released?

- A1. Taken on notice.

- Q2. At the November 2025 Council meeting a petition was submitted regarding the Future Forest Policy. It is noted as being received in the minutes. Please confirm for the minutes how many formal signatures were counted on this petition and any action that is planned in response to it.

- A2. Taken on notice.

3.2.8 Janelle Sewell, Bickley

- Q1. How does the Future Forest Policy, which allows for the complete removal of trees on properties including properties more than a thousand square metres, comply with the Kalamunda Advancing 2031 Strategic Plan which was drafted in consultation with the community and endorsed by Council. What community consultation occurred? In light of the Strategic Plan, can a motion formed by a current Council compel future Councils?

- A1. Response by Director Development. Any policy can lean into a portion of what a Strategic Plan looks like. It's a strategic guiding document and the policies, procedures and other operational matters tend to fit into how that would be interpreted. While it's a strategic document that was guiding the Council, a specific question needs to be put to Council on which to endorse a local planning policy under its scheme. They are a little bit different; they sit separate to it, but they are definitely interrelated. They are forming part of the discussion on this item about what's important for the community and one of the key things is how trees are dealt with within the City in a planning framework. The Strategic Community Plan was a bit silent on that, but it did set high level principles about what was important to the community at that time.

The decision before Council is whether or not the policy as put to them is appropriate as a planning control measure for the City.

Council can revoke a planning policy which the community has seen and Council is well within their means to do that. Usually what would happen is a planning policy would be revoked with a new one to replace it. It wouldn't just be left in a hiatus for a period of time.

The decision on the draft Local Planning Policy 33 – Future Forest is being made under the *Planning and Development Act 2005* not the *Local Government Act 1995*. Council reserves its right to make decisions as it sees fit as it moves forward because it needs to. It needs to be contemporary to the changing needs of the community. It needs to come up with policies and ways of working to best meet that need.

3.2.9 Phil Dowson, Kalamunda

Q1. How are the weekly monitoring results of the Harry Potter event being made publicly available?

A1. Response from Director Development. The City has been undertaking ad hoc and scheduled compliance with respect to the approval process. A lot of provisions and compliance is being monitored. The event provider has been asked to, in addition, ensure they are compliant with it and provide a level of assurance from their side to make sure they are equally aware and understanding of the conditions that need to be met. There are two sets of checks and balances – from a regulatory perspective under the health requirements and under approval services and in addition to that self assessment from the lessee.

Q2. Would there be an opportunity to read these results?

A2. Taken on notice.

3.2.10 Alyse Jensen, Forrestfield

Q1. In the draft delegations register, the delegation LGA6 relating to access to local government information is being revoked at the same time the commercial and financial delegations to the CEO are expanding. What is the specific reason for revoking this public access delegation and what arrangements will be in place to ensure that the public inspection requests continue to be processed promptly without requiring a separate council resolution each time?

A1. Taken on notice.

3.2.11 Judy Colley, Kalamunda

Q1. When are we going to have an actual working tree protection policy in our home in the forest? An ancient fig was felled opposite the IGA and there is another special tree on that same site. Please advise this is not going to be felled?

A1. Response from Director Development. The draft Local Planning Policy 33 – Future Forest is before Council at this meeting. There are two Marri trees on the forecast McDonalds and car wash site that are being retained as part of the development approval issued by the state government. There are appropriate controls to ensure the conditions of that approval are met. The balance of the site needed to be cleared for development.

The following questions were received in writing prior to the Ordinary Council Meeting.

3.2.12 Mandy Murphy

Q1. The Engagement Report shows 53% of respondents did not support the draft policy. What process did Council use to evaluate this feedback, and what documented assessment shows how concerns were addressed?

Q2. The Schedule confirms no canopy modelling has been undertaken. What evidence or technical assessment supports the expected canopy outcomes of LPP33?

Q3. Administration notes the broad residential exemptions are “not consistent with the Urban Forest Strategy”. What documented evaluation supports retaining these exemptions?

Q4. There is no public record of the 9 June Agenda Briefing Forum. What formal notes, outcomes, or decision trail exist from that briefing?

Q5. What governance assurance process has Council undertaken to confirm that LPP33 is procedurally ready for adoption?

All questions were taken on notice.

3.2.13 Anneke Borger

Q1. The Engagement Report shows 53% of respondents did not support the draft policy. What process did Council use to evaluate this feedback, and what documented assessment shows how concerns were addressed?

Q2. The Schedule confirms no canopy modelling has been undertaken. What evidence or technical assessment supports the expected canopy outcomes of LPP33?

- Q3. Administration notes the broad residential exemptions are “not consistent with the Urban Forest Strategy”. What documented evaluation supports retaining these exemptions?
- Q4. There is no public record of the 9 June Agenda Briefing Forum. What formal notes, outcomes, or decision trail exist from that briefing?
- Q5. What governance assurance process has Council undertaken to confirm that LPP33 is procedurally ready for adoption?

All questions were taken on notice.

3.2.14 **Lara Ogden**

- Q1. The Engagement Report shows 53% of respondents did not support the draft policy. What process did Council use to evaluate this feedback, and what documented assessment shows how concerns were addressed?
- Q2. The Schedule confirms no canopy modelling has been undertaken. What evidence or technical assessment supports the expected canopy outcomes of LPP33?
- Q3. Administration notes the broad residential exemptions are “not consistent with the Urban Forest Strategy”. What documented evaluation supports retaining these exemptions?
- Q4. There is no public record of the 9 June Agenda Briefing Forum. What formal notes, outcomes, or decision trail exist from that briefing?
- Q5. What governance assurance process has Council undertaken to confirm that LPP33 is procedurally ready for adoption?

All questions were taken on notice.

3.2.15 **Robyn Spencer**

- Q1. The Engagement Report shows 53% of respondents did not support the draft policy. What process did Council use to evaluate this feedback, and what documented assessment shows how concerns were addressed?
- Q2. The Schedule confirms no canopy modelling has been undertaken. What evidence or technical assessment supports the expected canopy outcomes of LPP33?

- Q3. Administration notes the broad residential exemptions are “not consistent with the Urban Forest Strategy”. What documented evaluation supports retaining these exemptions?
- Q4. There is no public record of the 9 June Agenda Briefing Forum. What formal notes, outcomes, or decision trail exist from that briefing?
- Q5. What governance assurance process has Council undertaken to confirm that LPP33 is procedurally ready for adoption?

All questions were taken on notice.

3.2.16 Madeline Zanin, Kalamunda

- Q1. The Engagement Report shows 53% of respondents did not support the draft policy. What process did Council use to evaluate this feedback, and what documented assessment shows how concerns were addressed?
- Q2. The Schedule confirms no canopy modelling has been undertaken. What evidence or technical assessment supports the expected canopy outcomes of LPP33?
- Q3. Administration notes the broad residential exemptions are “not consistent with the Urban Forest Strategy”. What documented evaluation supports retaining these exemptions?
- Q4. There is no public record of the 9 June Agenda Briefing Forum. What formal notes, outcomes, or decision trail exist from that briefing?
- Q5. What governance assurance process has Council undertaken to confirm that LPP33 is procedurally ready for adoption?

All questions were taken on notice.

3.2.17 Anna Cureic

- Q1. Given the strong community feedback regarding the importance of retaining mature trees, and noting that the City previously had a tree retention policy that provided greater protection for mature trees on residential land, can Council please explain why the draft policy retains the broad residential land exemption contained within Clause 6.1(a) and how Council considers this exemption to be consistent with both the objectives of the Urban Forest Strategy and the feedback received during community consultation?
- A1. Taken on notice

3.2.18 Amanda Gamble, Kalamunda

- Q1. The community engagement report indicates that a majority of respondents did not support the draft policy. What documented process was undertaken to assess this feedback, and how did Council determine that the concerns raised did not warrant substantial changes to the policy?
- Q2. The policy continues to allow the removal of significant trees on private land in a range of circumstances. What evidence does Council have that these provisions will achieve the objectives of the Urban Forest Strategy and contribute to a net increase in canopy cover over time?
- Q3. The officer's report notes that the broad residential exemptions within LPP33 are not consistent with the City's Urban Forest Strategy. What assessment was undertaken to justify retaining exemptions that Administration has identified as being inconsistent with that strategy?
- Q4. Given that mature trees provide substantially greater canopy cover, habitat, carbon storage, cooling and stormwater benefits than newly planted saplings, what analysis has Council undertaken to demonstrate that replacement planting requirements will adequately offset the loss of established trees?
- Q5. Before recommending adoption of LPP33, what governance and due diligence processes were undertaken to ensure the policy aligns with the intent of the City's Urban Forest Strategy, relevant planning legislation, and the outcomes sought through community consultation?

All questions were taken on notice.

3.2.19 Donna Gahan, Kalamunda

- Q1. The Engagement Report shows 53% of respondents did not support the draft policy. What process did Council use to evaluate this feedback, and what documented assessment shows how concerns were addressed?
- Q2. The Schedule confirms no canopy modelling has been undertaken. What evidence or technical assessment supports the expected canopy outcomes of LPP33?
- Q3. Administration notes the broad residential exemptions are "not consistent with the Urban Forest Strategy". What documented evaluation supports retaining these exemptions?

- Q4. There is no public record of the 9 June Agenda Briefing Forum. What formal notes, outcomes, or decision trail exist from that briefing?
- Q5. What governance assurance process has Council undertaken to confirm that LPP33 is procedurally ready for adoption?

All questions were taken on notice.

3.2.20 Tilai Clifford, Kalamunda

- Q1. The Engagement Report shows that 53% of respondents did not support the draft policy, with substantive and diverse reasons. What formal process did Council use to evaluate this feedback, and what documented assessment demonstrates how these concerns were addressed prior to recommending adoption?
- Q2. Over 80% of respondents supported stronger incentives for tree retention. What documented analysis or officer evaluation demonstrates how these expectations were considered, and what rationale exists for the level of incentives included in the final policy?
- Q3. Several submissions state that the draft policy is weaker than the re3voked Tree Retention Policy and weaker than the WALGA model. What formal assessment or comparative analysis did Council rely upon to determine whether the final policy meets accepted WALGA standards?
- Q4. The Schedule of Potential Modifications identifies canopy modelling as an optional future action and notes that no modelling has been undertaken. What evidence, modelling, or technical assessment did Council rely upon to determine the likely canopy outcomes of LPP33?
- Q5. Administration notes that it is a "misconception" that a tree based policy alone can meet urban Forest Strategy targets. What documented evaluation demonstrates how LPP33 aligns with, supports, or impacts the City's adopted Urban Forest Strategy?

All questions were taken on notice.

4. Petitions/Deputations

- 4.1 Sandra Tinari
Presented a deputation as an update on the progress at the Perth Sky Sculpture Park.
- 4.2 Bev Dornan, Wattle Grove
Presented a deputation on the Carmel Schoolhouse item on the agenda.

- 4.3 Michael Ryan, High Wycombe
Presented a deputation on High Wycombe South
- 4.4 Professor Kingsley Dixon AO, City Beach
Presented a deputation on the draft Local Planning Policy 33 – Future Forest

The Presiding Member allowed two minute statements from the following:

- 4.5 Hannah Lill, Kalamunda
Made a statement on the draft Local Planning Policy 33 – Future Forest.
- 4.6 Kelly McDonald, High Wycombe
Made a statement on the draft Local Planning Policy 33 – Future Forest.
- 4.7 Rachel Davison, Kalamunda
Made a statement on the draft Local Planning Policy 33 - Future Forest.
- 4.8 Joshua Donders, Kalamunda
Made a statement on the Carmel Schoolhouse item on the agenda on behalf of the Rover Scouts.
- 4.9 Fritz Josh, Paulls Valley
Made a statement on the draft Local Planning Policy 33 – Future Forest
- 4.10 Students, Local School
A video was shown from a group of local school children on the draft Local Planning Policy 33 – Future Forest.
4. Anthony Vuleta, Chief Executive Officer, City of Kalamunda
Presented a petition on behalf of Donna Gahan requesting Council to commission an independent probity and governance review of the “Harry Potter: A Forbidden Forest Experience” event at Jorgensen Park and the adjoining Unallocated Crown Land.

5. Applications for Leave of Absence

- 5.1 Nil

6. Confirmation of Minutes from Previous Meeting

RESOLVED OCM 2026/58

That the Minutes of the Ordinary Council Meeting held on 26 May 2026, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: Cr John Giardina

Seconded: Cr Lisa Cooper

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

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 26 May 2026."

7. Announcements by the Member Presiding Without Discussion

As we move into the middle of the year, it has been a privilege to represent the City at a range of meetings, events and community functions across our district and the broader region.

At the end of May, Councillors participated in our Strategic Retreat, providing an opportunity to step back from the day-to-day and focus on the longer-term future of our City. These sessions are invaluable in helping us work collaboratively towards a shared vision for Kalamunda.

I hosted the Local Emergency Management Committee meeting, which was held at the Pickering Brook Sports Club for the first time. It was wonderful to meet in a bushland setting and be reminded of the unique environment we live in and protect. It also highlighted the important work undertaken by the Committee and partner agencies in preparing for and responding to emergencies that can affect our hills communities.

June has been equally busy, beginning with our Strategic Briefing Session and meetings with State Government representatives including Hon Klasey Hirst MLC and Member for Forrestfield, Hon Stephen Price MLA. I also had the pleasure of attending with our CEO the Armadale Civic Dinner, welcoming new Australians at a Citizenship Ceremony, and joining the WALGA East Metropolitan Zone meeting.

Last night, in partnership with the Kalamunda Chamber of Commerce, we held a Small Business Connect Evening at Taste of Italy in Forrestfield. It was wonderful to see local business owners coming together, sharing ideas and building connections. Small businesses are the heart of our local economy and play an important role in creating vibrant and thriving communities. Events like these remind us of the value of collaboration and the strength that comes from working together.

I'd also like to acknowledge some positive news received today – the City has been advised that the High Wycombe South Residential Precinct received an Honourable Mention in the Affordable Housing category at the National Local Government Awards. To receive national recognition for a project of this scale is a significant achievement and reflects the dedication and hard work of many City officers over a number of years. I thank everyone involved for their commitment to delivering positive outcomes for our community. While this recognition is certainly worth celebrating, it also reminds us that there is still much work ahead. High Wycombe South represents a once-in-a-generation opportunity to create a thriving, connected and sustainable community, and we have a long way to go before that vision becomes a reality. The City will continue advocating for solutions to address the \$42.2 million infrastructure funding gap needed to support landowners, METRONET and future residents, while helping unlock much-needed housing supply in our region. While the recognition is encouraging, our focus remains firmly on turning that vision into outcomes for our community.

I'd now like to take a moment to speak about the *Harry Potter: A Forbidden Forest Experience*, which officially opened in Jorgensen Park on 12 June. The event has brought enjoyment to thousands of visitors – myself included and it has been wonderful to see families, friends and visitors spending time in our hills and enjoying what our community has to offer. I was driving up Mundaring Weir Road and seeing some little girls tripping down the street in their fairy costumes so excited about going to this event – how wonderful. I've also been delighted to see our town centre buzzing with the increased visitation.

At the same time, I acknowledge that some members of our community have concerns about potential impacts on the environment, native fauna and the natural values of Jorgensen Park. Those concerns are valid and have been taken seriously throughout the planning, approval and operational phases of the project. The City required detailed environmental assessments as part of the approval process and commissioned an independent review to assess potential impacts and recommend mitigation measures.

Throughout the event period, the City has continued to receive feedback from independent environmental specialists undertaking observations at the site. Those observations have included wildlife continuing to display natural behaviours such as perching, foraging and investigating tree hollows. The feedback provided to the City to date has been encouraging and has not suggested the level of impact that some members of the community feared. While these observations are encouraging, monitoring will continue throughout the event and the City remains committed to responding appropriately should any issues arise.

As Mayor, I believe there is room for all perspectives in this conversation. We can celebrate the enjoyment this event is bringing to many people while also respecting those who are advocating for the protection of our natural environment. I encourage everyone to continue engaging respectfully and constructively, and I thank community members and City staff for their ongoing feedback and involvement.

8. Matters for Which the Meeting may be Closed

- 8.1 Item 10.1.3 Carmel Road Schoolhouse Project – **Confidential Attachment** – HLBC - Carmel Schoolhouse Project DRAFT V 1.1 OCM

Reason for Confidentiality: *"The price, or potential price, for the sale or purchase of property by local government and any information relating to the price or potential price [Act s. 5.23(4)(g), Admin Reg r.4a(a)]."*

- 8.2 Item 10.1.4. 15-21 Edney Road Land Asset Maximisation – **Confidential Attachment** - Confidential Attachment Submissions Received, Business Case Confidential Edney Road, Confidential Attachment Addendum to Business Case 15 21 Edney Road, and Valuation - V P 1572 High Wycombe Final.

Reason for Confidentiality: *Information relating to the personal affairs of an individual [Act s. 5.23(4)(b)] The price, or potential price, for the sale or purchase of property by local government and any information relating to the price or potential price [Act s. 5.23(4)(g), Admin Reg r.4a(a)]*

- 8.3 Item 10.6.4 Adoption of Annual Budget 2026/2027 – **Confidential Attachments** – 2026-27 Capital Expenditure Budget – CONFIDENTIAL and Advertisement of Differential Rates Outcome.

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

- 8.4 Item 10.6.6 Debtors and Creditors Reports for the month of May 2026
Confidential Attachments – Creditor Payments for the Period ended 31 May 2026 (Confidential) and Corporate Purchasing Card Payments 26 March 2026 to 27 April 2026 (Confidential).

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

- 8.5 Item 10.7.2. Audit Reports – **Confidential Attachment** - Fraud Management Review, Governance Framework Review, Business Continuity Plan and Disaster Recovery Report, and Office of the Auditor General (OAG) Audit Plan.

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

9. Disclosure of Interest

9.1. Disclosure of Financial and Proximity Interests

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

- 9.1.1 Nil

9.2 Disclosure of Interest Affecting Impartiality

- a) Members 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*.)

- 9.2.1 Anthony Vuleta, Chief Executive Officer declared an impartiality interest in Item 10.6.8 as the item relates to the conditions of his employment.

- 9.2.2 Anthony Vuleta, Chief Executive Officer declared an impartiality interest in Item 10.6.9 as the item relates to the conditions of his employment.

10. Reports to Council

10.1. Development Reports

10.1.1. Draft Local Planning Policy 33 - Future Forest

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

Previous Items	OCM 2025/108
Directorate	Development
Business Unit	Statutory Approvals
File Reference	3.009297
Applicant	
Owner	N/A

Attachments	1. Engagement Report [10.1.1.1 - 94 pages]
	2. Schedule of Potential Modifications [10.1.1.2 - 17 pages]
	3. LPP 33 Future Forest V1 Track Changes [10.1.1.3 - 18 pages]
	4. LPP 33 Future Forest V1 [10.1.1.4 - 18 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

- 1) The purpose of this report is for Council to consider a revised Draft Local Planning Policy 33 – Future Forest (Policy) for adoption, and feedback received during the consultation period.
- 2) A Local Planning Policy which provides regulatory clarity within the planning framework on how the Administration will make regulatory decisions relating to the removal of trees as ‘development’ is of general benefit to landowners, regardless of the preferred balance of removal, retention, and offsets.

The Administration notes that there is not a requirement for any Local Government to have a Local Planning Policy dealing with the matter of trees.

- 3) The recommendation is for Council to adopt the draft Policy subject to modifications which respond to themes of feedback from the community and Councillors by providing policy settings that facilitate tree removal on residential land, and facilitate offsets for development sites.

BACKGROUND

- 4) The preparation of a local planning policy to protect trees on development sites was identified as a key initiative in the City’s strategic environmental framework, including the Kalamunda Clean and Green: Local Environment Strategy 2019 – 2029 (Clean and Green) and the Environmental Land Use Planning Strategy (2019) (ELUPS).
- 5) The strategy action resulted in the preparation and adoption of Local Planning Policy 33 – Tree Retention (revoked Policy) in December 2022. The revoked Policy was in effect as a planning instrument from January 2023 until it was revoked through a Notice of Motion at the Ordinary Council Meeting of February 2024, which took effect from 1 March 2024.
- 6) In the absence of a Local Planning Policy to guide its use of discretion in making planning delegated planning decisions, since 1 March 2024 the Administration has been dealing with reports of tree removal and development applications involving proposed tree removal on a case by case basis under the default planning framework known as the ‘deemed provisions’ of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 7) A motion at the Annual Electors Meeting in February 2025 requested:

“That the Kalamunda City Council:

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

In response to this motion, at its meeting of 25 February 2025 (OCM 2025/16), Council resolved to:

NOTE the motion.

NOT ADOPT the WA Local Government Association's Tree Retention Model Local Planning Policy.

REQUEST the Chief Executive Officer to prepare a Draft Tree Retention Policy for Councillor consideration by July 2025.

- 8) The reasons associated with this resolution were as follows:

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

The revoked Local Planning Policy 33 – Tree Retention (LPP33) was the result of a significant body of work and included input from individual community members and community/advisory groups.

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

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

- 9) The draft Policy was based on the abovementioned points, and key points made in the February 2024 Notice of Motion, which were:

"There have been reported instances of perverse outcomes to the Policy's implementation and application, particularly regarding the safety of City residents.

It is warranted to repeal the Policy, as the text of the Policy renders it inappropriate and inadequate in balancing the interest of ratepayers, alongside the interest of conservation of our natural assets..."

DETAILS AND ANALYSIS

10) Learning from the revoked Local Planning Policy 33 – Tree Retention

Prior to the February 2024 OCM revocation of the policy, Administration provided a pulse check presentation to Elected Members highlighting the implementation of the former Policy for the preceding 12 months and its impact on development in the City.

11) Noteworthy observations from assessment of applications with the revoked LPP include:

1. There was an estimated 4% increase in telephone enquiries.
2. Of 134 enquiries 56% were able to be exempted, while 37% (49) were advised a development application would be required.
3. 43 Applications received (6% of total Applications)
4. Of the 34 applications that were determined, 32 were approved, 2 refused.
5. Of the 32 approvals
6. 14 required no replanting
7. 15 required replanting
8. 3 required offset payments (\$600)

12) Noteworthy observations of dealing with tree removal which required approval (but not obtained) were:

1. 33 investigations into unapproved tree removal
2. 12 development applications were provided
3. The City prosecuted four landowners/companies resulting in approximately \$90,000 in fines from the Magistrates Court

13) What the numbers above don't capture is the practical realities for landowners, developers, contractors, and the Administration in applying a new planning standards.

14) Landowners

It was noted that as the Administration matured in its application of the revoked Policy, the landowners engaging with it had an improved experience. The Administration did encounter landowners that viewed proposed tree removal which was significant enough to be captured by the former Policy as their right as a landowner, and that the Policy had been unfairly applied.

- 15) Strong reactions were noted when a landowner was repeating historical pruning, and when a particular issue such as safety was obvious to them – but questioned by the Administration in accordance with the revoked Policy.
- 16) Strong reactions also occurred when a tree was observed to be healthy by Administration, but was reported to be unhealthy by the landowner, resulting in a request for a suitably qualified arborist to provide confirmation of the health status of the tree. This was particularly evident as a financial barrier, given the cost of tree removal could be a few thousand dollars, plus an arborist report of similar value, when compared to the future project such as paving or a new patio cost less than what it cost to gain approval.
- 17) The Administration was rebuffed with requests for a ‘common sense’ test from landowners, where the burden of the revoked Policy was perceived as disproportionate. A common occurrence was a lot with over 100 trees being required to seek approval to remove five trees. Given the lot would have expansive canopy cover far exceeding strategy targets, the revoked Policy regularly failed this landowner test of common sense. This example also demonstrated the difficulty in Kalamunda, with a diverse landscape – compared to local governments that are predominantly urban and canopy cover is uniformly low.
- 18) *Developers*
It was noted that developments such as industrial and commercial builds were able to navigate the revoked Policy requirements and were also able to negotiate balanced outcomes. These applications were typically prepared by experienced planning consultants with access to arborists and landscape advice. In contrast, this acknowledges that the experience for mum and dad developers inexperienced in the planning framework (but still developing) were likely to find the revoked Policy difficult to navigate.
- 19) *Contractors*
Administration had mixed experiences dealing with contractors, particularly in the tree lopping and earthworks fields. It was evident that the introduction of the Policy was a significant disruption to their normal process – not being used to asking for permission prior to vegetation removal. When encountering the application processes, these contractors often had difficulty navigating the policy and planning framework that was new to them.

Frustration was often high as contractors had quoted commencement dates for projects that became difficult to meet due to needing to apply for an exemption or approval and obtain suitably qualified advice which was also expensive.
- 20) As the previous Policy was applied, an emerging narrative was the imbalance, or bias, towards tree retention even though the Policy referenced applying a balanced approach. The priority of tree retention was evident in the hierarchy of

mitigation which listed retention and avoidance strategies as preferred, prior to more balanced measures such as offset planting and offset payment.

- 21) Whilst the original intent may have been to achieve a balance, the real experience for those interacting with the revoked Policy was having to deal with tree retention first, before other solutions being tabled as options.

22) *Future Forest*

The new Future Forest Policy has been drafted from the learnings obtained through the implementation of the revoked Policy.

Key elements that led to difficult implementation have been addressed.

- 23) The Future Forest Policy is significantly reduced in its scope and application, to achieve a balance which is more consistent with the view expressed by Council and the landowners that had direct dealings with the revoked Policy.

- 24) Rather than dealing with a range of environmental aspirations, the Future Forest focus has narrowed to be a clear and precise planning instrument dealing with the matter of canopy cover.

- 25) The narrowing of scope enables the requirements and expectations of the Policy to be clearer. This has flowed into the drafting style and terminology – which uses more concise sentences and less environmental terms.

26) *Exemptions*

The scope of exemptions has broadened, particularly regarding land used only for residential purposes.

- 27) The Future Forest Policy is much less likely to catch ‘mum and dad’ landowners in its net – but is expected to still capture commercial and industrial developments.

APPLICABLE LAW

- 28) *Planning and Development Act 2005 (P&D Act 2005)*

The P&D Act 2005 is legislation that establishes Western Australia’s land use planning system and promotes the sustainable use and development of land in the State.

- 29) *Planning and Development (Local Planning Schemes) Regulations 2015*

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."*

APPLICABLE POLICY

30) N/A

STAKEHOLDER ENGAGEMENT

31) Community consultation was undertaken in accordance with the requirements of Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The draft Local Planning Policy 33 – Future Forest was advertised for public comment from 29 August 2025 to 24 October 2025 for a period of 60 days. The advertising was carried out in the following manner:

1. Notification on the City's website through the Engage platform;
2. Marketing in the form of posters, business cards and flyers;
3. Hardcopies of the draft Local Planning Policy were made available at City Administration offices and all libraries;
4. Community pop-ups and library workshops in Kalamunda and Forrestfield shopping centres and libraries;
5. Newspaper notice;
6. Email communication with those subscribed to the City's monthly email update (eNews) and the City's Engage platform; and
7. Direct email notification to those affected by the revoked tree retention policy.

32) Following completion of the advertising period, a total of 148 submissions were received on the engagement portal, with 79 submissions (53%) objecting, 51 submissions (34%) in support and 18 submissions (12%) providing comment only. The submissions raised 9 key themes on

concern, support and improvement. The below table summarises the key themes raised during the submissions period and the City's response.

Theme
<i>Lack of protection of mature trees</i>
While there were some submissions of support on the draft Policy, which acknowledged the draft Policy provides a better balance between tree retention and replacement tree planting, majority of the submissions raised an issue with the lack of protection of mature trees on residential properties. Of note is that the submissions consider the draft Policy does not give sufficient weighting to the protection of mature/significant trees, and favours tree removal and replacement planting. The City considers the sole focus of the draft Policy is not on the removal of mature trees and planting new trees. The draft Policy looks to retain trees worthy of retention in the first instance, as per Clause 7.6 and 9.2 of the draft Policy which notes that the City may request development or lot reconfiguration to facilitate retaining trees worthy of retention. To address this concern, the intent of the Policy would need to be shifted away from exemptions and allow developers/landowners choose how to deal with tree retention and move towards less exemptions and less opportunity for developers/landowners to choose offsets and instead have a greater emphasis on retention. This would revert to the revoked Policy, with the focus being on tree retention.
<i>Policy exemptions</i>
The second leading theme of the submissions is the exemptions under Clause 6 of the draft Policy being too permissive, and in favour of landowners/developers to clear trees worthy of protection if one or more of the exemptions are met. Learnings from the previous revoked Policy saw an issue of imbalance, or bias, towards tree retention even though the Policy referenced applying a balanced approach. The priority of tree retention was evident in the hierarchy of mitigation which listed retention and avoidance strategies as preferred, prior to more balanced measures such as offset planting and offset payment. Thus, the residential exemptions have been prepared with regard to the learnings from the implementation of the revoked Policy, and assist in providing a balanced approach between tree retention and tree replacement planting to enhance canopy cover.

Exemptions within a local government planning policy does not alleviate a landowner's responsibility under other legislation if planning to clear native vegetation.

Concerns that the exemptions are too broad and as worded, there could be potential misuse of the exemptions with no requirement for a technical opinion was also raised in the submissions. The exemptions have been scenario tested and are robust and clear enough for the Administration to apply effectively.

The extent of exemptions is ultimately at Council's discretion to set or adjust. Notwithstanding this, the Administration does acknowledge the potential for misuse of the residential exemptions and considers there is scope for the exemptions to be improved. Improvements could either be by reducing the extent of the exemptions or adding conditions to the exemptions to be more nuanced.

The suggestion of a flow chart is considered likely to be a helpful addition to the draft Policy, particularly as a quick reference guide in determining whether a tree meets the definition of a tree worthy of retention.

Replacement planting fee

These submissions raised an issue with the replacement planting fee capped at \$10,000 per site not adequately capturing the value of a tree worthy of retention being removed. The submissions note ambiguity on how the replacement fee has been calculated and whether the value of a tree worthy of retention being removed has been factored into the fee, such as age of the tree, species, amenity value, habitat value, canopy size.

The cap is based on the cost of replacement tree planting, including planting and maintenance. The loss of amenity or habitat value from removal is not factored in the cap. Amenity and canopy values can be quite high, and the proposed cap seeks to balance offset payments and is considered proportionate to the types of development, particularly in suburbs with more trees.

The Administration notes that it is difficult to set this number, but it is ultimately at Council's discretion to adopt a cap, nor not have a maximum contribution at all.

The Administration notes that further clarification on the contribution cap, to include maximum fee(s) on replaced trees depending on the

value of the tree proposed to be replaced (amenity/habitat value matrix), is an area the draft Policy could be improved.

The Administration also acknowledges some of the submissions suggesting the contribution cap be removed.

Value of replacement trees

Many of the submissions raised concerns with the value of the replaced tree not holding the same value as the mature tree being removed. These submissions also consider it will take many years for a replanted tree to establish and achieve the same canopy cover as the mature tree being removed.

In response to this theme, the City understands the concern regarding planting a new tree to not offer the same immediate impact as a mature tree. The draft Policy does not compare the replanting of a new tree to have the same immediate impact as the retention of a mature tree. The type of replacement tree will need to be to the satisfaction of the City, to ensure the type of tree species is appropriate for the site and its surrounding vegetation to assist with the canopy cover. This also means that the type of suitable tree species may change from one site to another.

The Administration has experience dealing with replanting and will typically identify a 'preferred replanting area' and if upon further investigation that location is not feasible, the replanting would occur in the nearest feasible location to achieve replacement canopy cover as close as possible to the original location of removed vegetation.

The draft Policy has a ratio of 2 new trees for every tree worthy of retention proposed to be removed (2:1 ratio). The suggestion for a greater ratio of replanting to provide a faster return to the replacement level of canopy is noted by the Administration.

Canopy cover target

These submissions questioned the exclusion of a canopy target from the draft Policy.

The draft Policy is aimed at providing a balance to tree removal on residential sites, thus does not set a canopy percentage target, as the Urban Forest Strategy targets require tree retention and replanting across both private and public land. The Administration notes that it is not the role of a Local Planning Policy to set a target, and a draft Policy alone is unlikely to achieve canopy targets. Targets are more appropriately applied through strategies and targets have been set through the City's Urban Forest Strategy, to achieve a canopy target of

30% by 2043. The draft Policy is limited to development and subdivision applications, which occur on private land. Thus, the draft Policy provides only part of the solution to the Council's canopy cover targets.

The reason setting targets at a strategy level is beneficial because there are many actions and mechanisms across a local government which can contribute to reaching a target.

There is capacity for greater incorporation of canopy targets, which would increase alignment with the City's Urban Forest Strategy. This could be in the form of a removal limit for any residential based exemptions.

Change in title

The City notes that some submissions are concerned with the change in title from the previous 'Tree Retention' to 'Future Forest'. The change in title was deliberately to move away from the Policy having a sole focus on tree retention, rather than achieving an appropriate balance.

Tree planting and maintenance on private land

As part of advertising of the draft Policy, the Administration asked the community for comments on whether the Administration should do more to encourage landowners to plant and maintain trees on private land, to meet the objectives of the draft Policy. Majority of the submissions consider there could be more done by the Administrative in this space.

The feedback from the submissions were around the provision of more grants to support landowners in maintaining large/mature trees, rate rebates/reductions, education programs to residents on tree retention, discounted price/vouchers for local fauna and verge planting program.

SAT Zorzi Decision WASAT77

These submissions consider the draft Policy is inconsistent to the findings of the State Administrative Tribunal (SAT) decision in Zorzi and Town of Cambridge [2025] WASAT 77, being that the removal of a tree with significant character and amenity value can constitute development and hence require development approval.

The City notes the SAT decision clarifies that trees are potentially considered as 'development' and does not make any requirements of planning decisions that aren't already in place. The SAT decision indicates that Local Governments would benefit from having clear policies in place, which would better inform landowners/developers of

what level of tree removal constitutes as 'development'. Both the former LPP33 and the current draft LPP33 achieve this planning purpose.

Western Australia Local Government Association (WALGA) tree retention policy model

Some of the submissions referred to the WALGA tree retention policy model and the City's draft Policy should be based on this model.

The Administration considers that the WALGA tree retention model policy is not fit for purpose given the model policy has greater emphasis on tree retention, similar to the threshold of protection by the revoked Policy. The draft Policy aims at providing a fair balance between tree retention and tree replanting to enable residential development.

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

A schedule of potential modifications based on community feedback is attached to this report.

- 33) The Administration has attached a revised draft of the Policy which addresses some themes from community engagement.

Theme	Change
Contribution Cap	Feedback on the cap is mixed, consideration of the amenity and character values of trees – not just their replacement value, is consistent with the objectives of the City's Scheme. The contribution cap has been modified from maximum \$10,000, to maximum of \$50,000.
Replacement/offset ratio	Feedback on the rate of offset/replacement planting is mixed, however – if modified - does represent an opportunity to provide a proportionately increasing incentive not to remove trees. The replacement ratio has been modified to proportionately increase, as the number trees removed increases. The thresholds are based on the broad likelihood of a noticeable amenity/character impact through each band.
Education	There is broad support for additional education on the impact of tree removal and the benefits of

	retention. Action 1.11 of the Urban Forest Strategy refers to the City developing an distributing educational material and programs to highlight the importance of trees in the urban environment and to inform of legal and approval obligations on impacts to trees on public and private land. The Administration notes that this will not affect the draft, but is added as a request of the CEO to ensure material is developed by the City.
Tree List	There is support for provision of a tree list to guide replacement planting. The Administration considers this to sit outside the draft, but it has been added as a CEO direction to establish a City of Kalamunda specific tree planting guide.
Flow Chart	There is support for a policy flow chart, however given the final version of the draft Policy is not known, it is recommended that the flow chart be added as an attachment as part of a future review of the draft Policy, if adopted.
Early Tree Tagging	Feedback has been supportive of an emphasis on earlier tree tagging, to ensure trees for retention are clearly identifiable. If trees are identified through the subdivision they are usually numbered by arborists with a metal pin. The draft Policy has been amended to require tree tagging at the earliest point after a relevant approval has been issued.
Ecological Impact Assessment	Feedback notes the consideration of tree canopy only leaves the Policy narrow in its focus, and does not reflect the broader ecological value of trees. The draft Policy has been amended to introduce the requirement non-exempt development to provide a report on the ecological impact of that development, prior to that development application either being accepted, or being capable of determination.
Wording changes	1. Clause 6.1(a) updated to provide clarity on exemption status. 2. Clause 13.3 deleted in favour of normal compliance measures.

FINANCIAL CONSIDERATIONS

- 34) The draft Future Forest Policy contains provisions for a financial offset for clearing of trees worthy of retention and street trees. The City has two relevant fees in its Schedule of Fees and Charges - \$1000 for replacement planting, and \$2000 for a replacement street tree. The City would need to consider and update the former procedures and account to facilitate the accrual and expenditure of funds.
- 35) It is considered that the Future Forest Policy, or any like policy, can be effectively implemented provided that that function is specifically resourced. The impact is estimated to be up to 1.0 FTE.

SUSTAINABILITY

- 36) The Future Forest Policy emphasises the importance of tree canopy.

It is widely understood that trees help urban areas cool.

The draft Policy directly facilitates the replanting of trees, and the protection of policy-associated replanted trees from future removal.

RISK MANAGEMENT

37)	Risk: Council does not adopt draft Local Planning Policy 33 – Future Forest resulting in decisions on what tree removal does or doesn't require development approval being made on a case-by-case basis.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Provide sufficient information through normal planning processes to inform Council prior to making a decision on the draft Policy, inclusive of community feedback.		

CONCLUSION

- 38) The revised draft Local Planning Policy 33 – Future Forest provides a sound tool within the City's planning framework to guide exemptions, assessment, decisions, and recommendations on proposals that include the removal of trees on private land.
- 39) The revised draft Local Planning Policy 33 – Future Forest is a bespoke planning response fit for the challenges and opportunities which are unique to development within the City of Kalamunda.

- 40) The Administration recommends that the revised draft Local Planning Policy 33 – Future Forest be adopted by Council.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/59

Amendment to the Officer Recommendation:

1. That recommendation 2 be amended to add the following:

“....with a modification to policy provision 6.1a) to add the following bolded words:

6.1 Clearing of one or more trees on private land that meet the definition of a tree worthy of retention, is exempt from development approval if the City is satisfied that:

- a) The tree removal is proposed on land being used for residential purposes
- **with a block size of less than 1000m²,**
 - **with the exception of trees that have been planted as a requirement of a subdivision or development approval, and trees specifically retained through subdivision which are reflected on a planning document such as a Local Development Plan;”**

and an additional point:

- **The tree removal is required for the construction of a pool or an extension to the existing dwelling;”**

2. That Council REQUEST the Chief Executive Officer to report, on an annual basis, the changes to canopy cover including the number of trees retained, the number of trees removed, offsets collected and the number of trees planted, as outcomes of Future Forest Policy 33.
3. That Council AUTHORISE the Chief Executive Officer to make any necessary minor administrative modifications (eg revised numbering) to the draft Policy to accommodate the abovementioned modification.

Moved: Cr Kathy Ritchie

Seconded: Cr Lisa Cooper

Vote: For: **Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie**

Against: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brook O'Donnell, Cr Josh Clark**

AMENDMENT LOST (3/5)

RESOLVED OCM 2026/60

That Council:

1. NOTE the submissions received during the public advertising of draft Local Planning Policy 33 – Future Forest and the responses to those submissions attached to this report.
2. ADOPT Local Planning Policy 33 – Future Forest 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 to develop tree related education resources and tree planting guide to support Local Planning Policy 33 – Future Forest and the City's Urban Forest Strategy.

Moved: Cr Lisa Cooper

Seconded: Mayor Margaret Thomas

Vote: For: **Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie**

Against: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Josh Clark**

SUBSTANTIVE MOTION LOST (3/5)

ALTERNATE MOTION

That Council

1. NOTES the revised draft Local Planning Policy 33 – Future Forest and the submissions received during public consultation, thanking the community for their active engagement and Administration's efforts in preparing this policy for adoption.
2. ACKNOWLEDGES the importance of tree canopy, biodiversity, urban cooling and streetscape amenity and will continue to progress the importance of these elements in other City policies and strategies.
3. NOTES the previous experience of Local Planning Policy 33 – Tree Retention, including the concerns raised regarding cost, uncertainty, inconsistent application,

safety issues and impacts on private landowners, which ultimately led to its revocation.

4. NOTES that since the revocation of the former policy, tree removal and development applications involving tree removal have continued to be assessed case by case under the existing planning framework.
5. NOTES that the State Administrative Tribunal decision in *Zorzi and Town of Cambridge* [2025] WASAT 77 clarifies that significant tree removal may constitute development under the existing planning framework, and that the decision does not of itself require Council to adopt a local planning policy regulating tree removal on private land.
6. DOES NOT ADOPT draft Local Planning Policy 33 – Future Forest.
7. REQUESTS the Chief Executive Officer to prepare a further report for Council on practical, non-regulatory and incentive-based measures to protect and grow canopy across the City, including but not limited to:
 - (a) verge tree planting and planting on City-managed land;
 - (b) support for residents to plant and maintain appropriate trees;
 - (c) opportunities arising from the Tree Nursery Investigation Study; and
 - (d) measurable, achievable and funded actions to support progress toward the Urban Forest Strategy canopy target.
8. REQUESTS that the further report identify how future environmental and canopy objectives can be better integrated into the City's annual budget process, so that Council can consider specific projects, costs, targets and delivery timeframes rather than relying primarily on regulatory controls over private land.
9. REQUESTS that tree retention matters arising through subdivision, structure planning, local development plans, development applications or large-scale clearing continue to be assessed case by case under the existing planning framework, including through conditions of approval and development requirements in accordance with the existing planning framework.
10. REQUESTS that any future proposal to introduce a local planning policy regulating tree removal on private land not be progressed unless Council has first received:
 - (a) documented evidence of specific cases where the existing planning framework was insufficient to prevent significant undesired canopy loss;
 - (b) quantitative modelling of the projected net change in canopy cover attributable to the proposed policy;
 - (c) analysis of costs to residents and the City;
 - (d) comparison with non-regulatory and incentive-based alternatives; and
 - (e) advice on how the implementation problems experienced under the former Local Planning Policy 33 – Tree Retention would be avoided.

REASONS

1. Tree canopy, biodiversity, urban cooling and streetscape amenity are important matters. This motion does not dispute the importance of those outcomes.
2. The question is whether draft Local Planning Policy 33 – Future Forest is the most appropriate mechanism to achieve them. The former Local Planning Policy 33 – Tree Retention demonstrated that regulating tree removal on private land can create practical difficulties, including cost, uncertainty and inconsistent community expectations.
3. Since the former policy was revoked, tree removal and development applications involving tree removal have continued to be assessed case by case under the existing planning framework. Council should be satisfied that any new policy is necessary, proportionate and capable of being implemented fairly before re-entering this regulatory space.
4. The consultation response to the draft policy does not provide a clear mandate for adoption. Feedback appears to have come from different perspectives, including concerns that the policy remains too burdensome on landowners and concerns that it does not go far enough to protect trees. That division suggests Council should proceed cautiously before adopting the policy.
5. A more practical approach is to focus on measurable and funded canopy initiatives, including planting on verges and City-managed land, resident incentives, maintenance support, improved tree supply and budget-aligned environmental outcomes.
6. Tree retention issues associated with subdivision, structure planning, local development plans, development applications and large-scale clearing can continue to be considered through the existing planning framework on a case-by-case basis.
7. For these reasons, Council should not adopt the draft policy and should instead redirect effort toward practical, measurable and community-supported canopy measures.

RESOLVED OCM 2026/61

Amendment to the Alternate Motion

“That point 10 be removed from the Alternate Motion”.

Reason: This point is putting hurdles in place and trying to stop any future policy coming to Council.

Moved: Cr Sue Bilich

Seconded: Cr Kathy Ritchie

Vote: For: **Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie**

Against: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Josh Clark**

AMENDMENT LOST (3/5)

RESOLVED OCM 2026/62

Moved: Cr David Modolo

Seconded: Cr Josh Clark

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Josh Clark**

Against: **Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie**

ALTERNATIVE MOTION CARRIED (5/3)

The meeting adjourned at 9.11pm for a short break.

The meeting reconvened at 9.18pm.

10.1.2. Development Application for Tree Removal - Lot 823 (No.16) Brenda Road, Maida Vale

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

Previous Items	N/A
Directorate	Development Services
Business Unit	Statutory Approvals
File Reference	DA26/0165
Applicant	SARAVANA KUMAR GUNASEKARAN
Owner	SARAVANA KUMAR GUNASEKARAN & ANJANA ARUMUGHAM
Attachments	1. Arboricultural Impact Assessment Report April 2026 [10.1.2.1 - 34 pages] 2. DA Cover Letter 10 April 2026 [10.1.2.2 - 2 pages] 3. Site Plan-16 Brenda [10.1.2.3 - 1 page] 4. Lot-170-(44)- Maida- Vale- Road- Maida- Vale- Bloom-Estate LDP [10.1.2.4 - 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 direction setting and oversight (eg accepting tenders, adopting plans and budgets)
	Information	For Council to note
	Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops

Objective3.1: To plan for sustainable population growth

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

EXECUTIVE SUMMARY

1. The purpose of this report is to consider a development application for the proposed removal of one (1) tree at Lot 823 (No.16) Brenda Road, Maida Vale.
2. The tree proposed to be removed is required to be retained via the Bloom Estate Local Development Plan, and therefore its removal requires a development application determination by Council.
3. Given the protection through the planning framework the Administration recommends Council refuse the application for tree removal.

BACKGROUND

4. Land Details:

Land Area:	400sqm
Local Planning Scheme Zone:	Residential
Metropolitan Regional Scheme Zone:	Urban

5. Locality Plan:



Figure 1

6. The subject site is zoned Urban under the Metropolitan Region Scheme (MRS) and Residential R12.5/R30 under the City of Kalamunda Local Planning Scheme No.3 (LPS3) and has a lot size of 400m².
7. In 2023 the Western Australian Planning Commission (WAPC) approved a 34-lot subdivision (WAPC Ref:163380) across the parent lot (formerly addressed as Lot 170

(No. 44) Maida Vale Road, Maida Vale). As part of the subdivision approval the WAPC imposed the following conditions on the subdivision approval:

Condition 2:

"A Local Development Plan being prepared and approved for the proposed lots that:

- a) Explains that the Local Development Plan has been prepared to fulfill a condition of subdivision approval with an objective of ensuring that dwellings are located with portions of the lots that would enable the retention of trees identified for protection;
- b) Identifies tree protection zones/ building exclusion zones for trees identified or protection within which buildings are generally to be excluded;"

Condition 4 of the WAPC approval for the 34-lot subdivision (WAPC Ref: 163380) required:

"prior to the commencement of subdivisional works, measures being undertaken to identify any vegetation on the site worthy of retention, including any potential habitat or foraging trees for threatened fauna species and protection measures implemented to ensure such vegetation is not impacted by subdivisional works"

8. Prior to subdivision approval being granted by the WAPC in 2023, the parent lot (formerly addressed as Lot 170 (No. 44) Maida Vale Road, Maida Vale) comprised of a single residential dwelling and ancillary structures, and featured a mix of retained vegetation. The aerial below dated September 2022 shows the extent of vegetation on the parent lot prior to commencement of subdivision works.



Figure 2 – Parent Lot Aerial (orange) and Subject Lot (yellow) showing pre-subdivision vegetation - 2022

9. Condition 2 of the WAPC subdivision approval required the developer to prepare a Local Development Plan (LDP) to guide the development and ensure appropriate measures are in place for tree retention on site. The applicant prepared an arborist report to demonstrate which trees were deemed as significant and were located within suitable locations on a lot to ensure a standard deemed to comply dwelling could still be facilitated. The LDP was subsequently approved by the City of Kalamunda on October 2024 achieving compliance with condition 2 of the WAPC approval.
10. For the preparation of LDP, the applicant engaged an arborist to prepare an arboriculture assessment and total of 186 trees being assessed and only 24 trees identified as to be retained as part of the LDP. This has been approved as part of the subdivision clearance process.

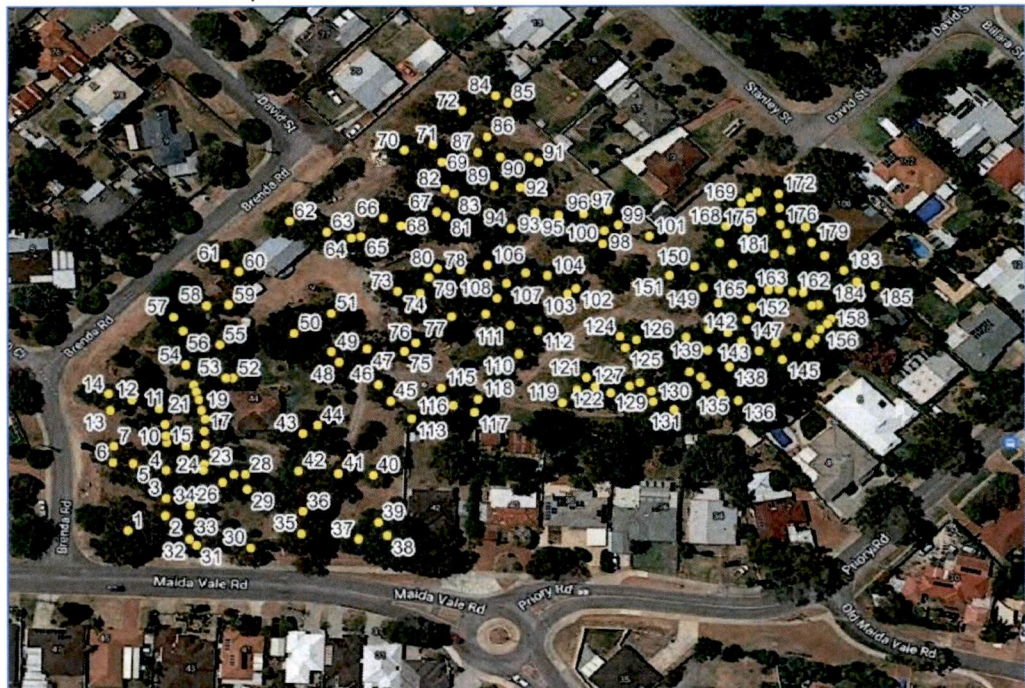


Figure 3: Arborist report (2022) indicating subject trees (186)

11. The subject site which is part of this development application - DA26/0165 (No. 16 Brenda Road) is a lot within the [Bloom Estate LDP](#) area and is subject to provisions of the LDP. Site has a tree to be retained with a Tree Protection Zone (TPZ) in accordance with the Arborist Report that was approved as part of the WAPC subdivision approval.

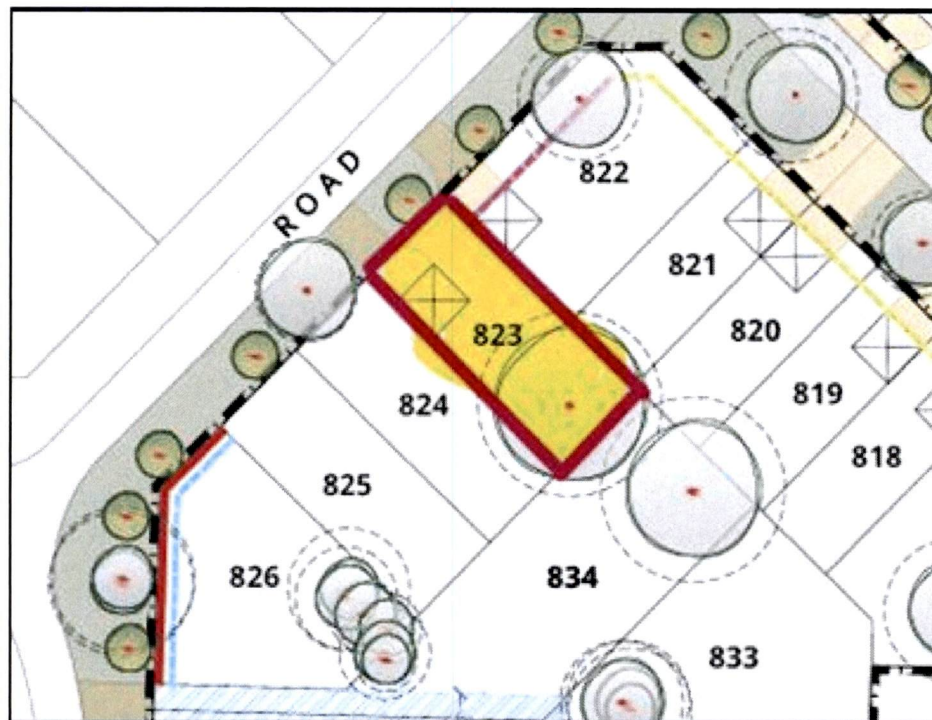


Figure 4 - Extract of LDP showing tree protection zone

12.

The LDP also has provisions which allow for a 10% development incursion into the Tree Protection Zone (TPZ) without a development application. Any incursion which exceeds 10% requires a development application and an individual arborist report to be prepared by a landowner/applicant which demonstrates that the tree can be retained and that development will not impact on the ongoing viability of the tree's health.

13.

The City has approved a number of development applications for single dwellings within the LDP area which have retained the trees on site as below. Most of these applications were required due to more than 10% encroachment to the TPZ.

- 10 Brenda Road, MAIDA VALE - DA25/0057- Retained 3 trees on site
- 14 BRENDA ROAD, MAIDA VALE - DA25/0287- 2 trees TPZ encroachment
- 18 Brenda Road, MAIDA VALE - DA24/0497- 1 tree TPZ encroachment
- 88 DAVID STREET, MAIDA VALE- DA25/0184- 2 trees retained.
- 90A DAVID STREET, MAIDA VALE - DA24/0508- 2 trees retained.
- 92 DAVID STREET, MAIDA VALE - DA26/0160- 4 trees retained
- 98 DAVID STREET, MAIDA VALE - DA25/0246 - 2 trees retained
- 44 MAIDA VALE ROAD, MAIDA VALE - DA25/0237 - 2 trees retained
- 2 BRENDA ROAD and 84 DAVID STREET - Houses designed avoiding TPZs- No DA required.

DETAILS AND ANALYSIS

14.

The development application seeks approval for the removal of one (1) tree within the Bloom Estate LDP area.

15. This Tree has been retained through the subdivision clearance stage.
16. The Administration notes that the landowner has also submitted a development application for a single house on the subject site that will be progressed separately pending a decision on this application for tree removal.
17. Under Clause 84C of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), the proposed single house meets the definition of 'prescribed single house development' meaning that the determination of the related single house application must be performed by the local government CEO or an authorised employee. The application to remove the tree can be determined by Council.
18. The applicant submitted the following information with the development application including:
 - A Site Plan – Attached (attachment no10.1.2.3)
 - Cover letter-Attached (attachment no10.1.2.2)
 - An arborist report prepared by Perth Arbor Services dated 17/162025 available at attachment (attachment no10.1.2.1)
 - Bloom Estate LDP – Attached (Attachment no10.1.2.4)
19. As part of the LDP, an Independent Arborist report was prepared which identified the tree that is the subject of this development application as a mature tree with good health condition, high priority for retention, life expectancy of more than 25 years.
20. It is noted that the adjoining property at Lot 824(No14) Brenda road and Lot 821 (No. 84) David Street, Maida Vale has an approval for a single houses and as noted on the LDP, the tree protection zone overlaps into these properties. (extract of LDP provided below).

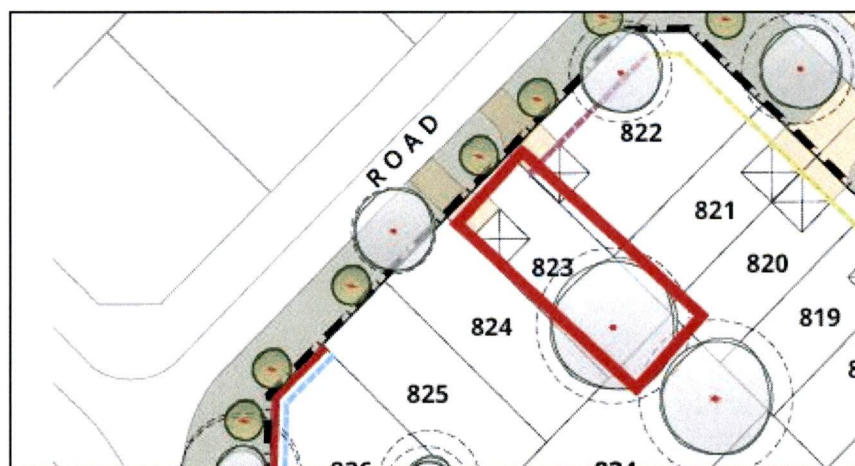


Figure 6 – Tree Protection Zone which overlaps adjoining properties

The adjoining dwelling at Lot 824(No14) Brenda Road required a development application due to proposing more than 10% incursion to the TPZ – the Administration was supportive of the application as it was a minor incursion of 12%. Condition 8 of that development approval was imposed to require a detailed Tree Protection Plan with protective fencing. It is noteworthy that landowner has already varied a standard house design to accommodate this tree. DA25/0287 approved on 21/10/2025) See below Figure 7 of the approval for TPZ encroachment.

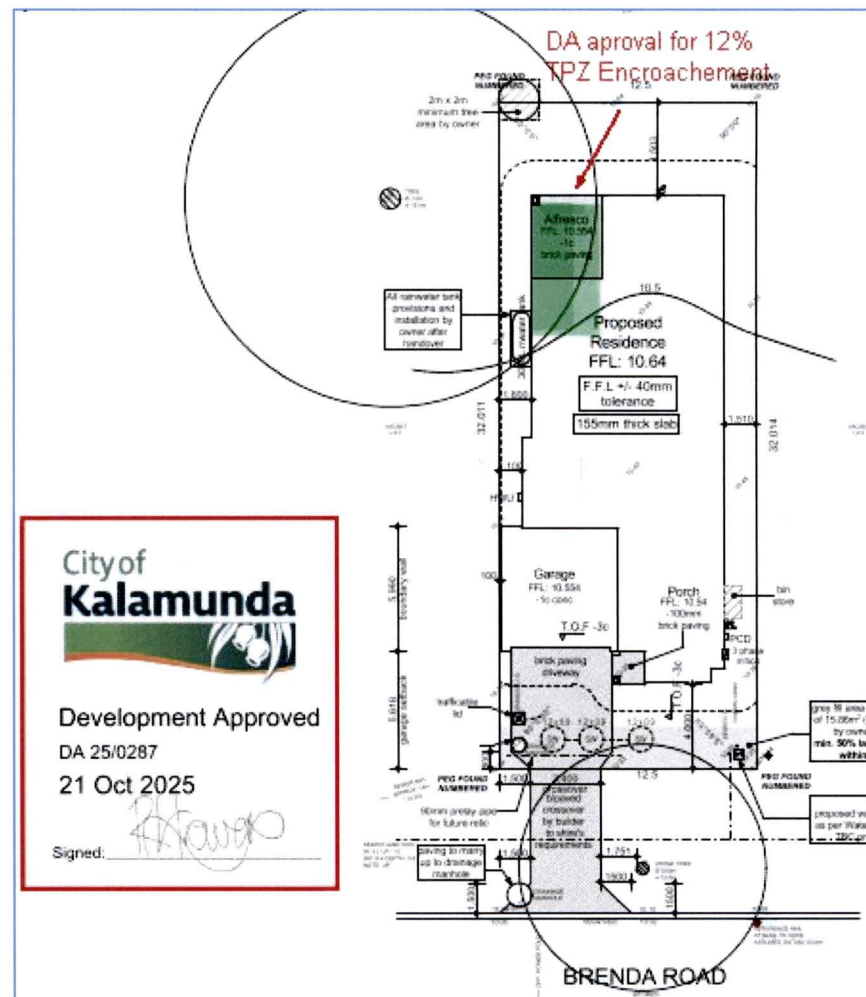


Figure 7: DA approval for TPZ encroachment at Lot 824(No14) Brenda Road

Adjoining Lot 821 (No. 84) David Street also ensured the house was designed to avoid more than 10% incursion to the TPZ.

See below Figure 8 for already constructed dwellings with sufficient setback from the tree (TPZ) at 16 Brenda Road.



Figure 8: No.14 Brenda and No.84 David street Dwellings constructed while protecting the TPZ of 16 Brenda Road.

21. The tree protection zone has been managed during the development of the adjoining dwellings at Lot 824(No14) Brenda road and Lot 821(No.84 David Street, Maida Vale)
22. The Administration's review of the application has concluded that it is not consistent with the planning framework.

The Bloom Estate Local Development Plan applies to the subject site and has clearly determined through the subdivision process that the tree proposed to be removed is a tree worthy of retention.

In addition to the consideration of the tree itself, adjoining development has occurred in a manner consistent with the LDP provisions, with the Administration demonstrating a practical case-by-case approach in instances where the tree protection zone needed to be encroached to facilitate the intended residential development.

Through the application of the LDP the amenity and character of the subdivision area has been maintained, specifically through the retention of trees.

Due to the requirement to retain and potentially design a new house with tree retention in mind being established prior to the new owners seeking development approval, the requirement to retain the tree is not a surprise.

The conditions of subdivision required a Local Development Plan to be in place to set build form standards and ensure that designing a house to fit the tree retention expectations of the new lot were clear. This establishes the expectation for a house design to make way for the tree, rather than the tree needing to be removed for the house design.

Notwithstanding this information, the application has been pursued with a house design that requires the tree to be removed.

APPLICABLE POLICY

23. The following are key elements of the planning framework which apply to the decision:-
- Bloom Estate Local Development Plan
 - State Planning Policy 7.3 – Residential Design Codes (Volume 1)

STAKEHOLDER ENGAGEMENT

24. Staff have conducted a site visit and reviewed the arborist information, raising concerns that:-
- Arborist report hasn't identified the tree species correctly;
 - Root mapping in the arborist report is very limited;
 - Structure Root Zone or Trench is unclear in the report.

Site visit also confirmed that tree is structurally stable, appeared to be healthy contrary to the arborist report. Pruning the tree to prevent branches overhanging would be the appropriate level of tree management, not complete removal.

25. The City's arborist advised that typically tuart trees have a good structure, and based on photos from the site visit the tree appears to be healthy. Confirmation the arborist report is not sufficient to conclude that tree removal is warranted.

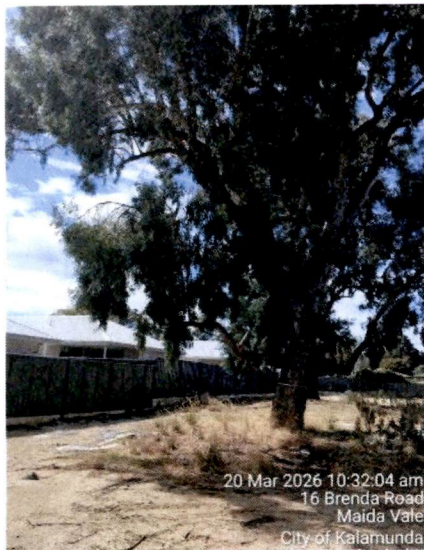


Figure 9: Site Photo 1

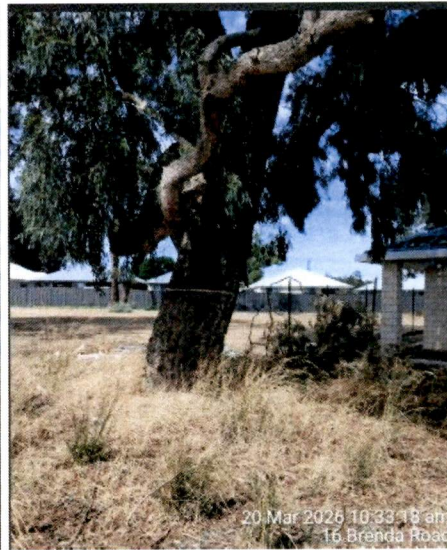


Figure 10: Site Photo 2

FINANCIAL CONSIDERATIONS

26. Should Council refuse the application, the applicant may exercise their rights to appeal the decision through the State Administrative Tribunal (SAT). In which case, the City would need to engage legal representation. The cost of SAT appeals varies based on the complexity of the matters in dispute.

SUSTAINABILITY

27. The proposal to remove the large retained tree will have localised impact on sustainability of the City by reducing shade from tree canopy, and removing a potential flora and fauna habitat.

Social implications

28. City has previously approved number of DAs to retain trees while encroaching into the Tree Protection zone in the Bloom Estate LDP area. Community that spends time, money and change their house design to accommodate trees in the LDP area will be discontented and Bloom Estate LDP provisions will be undermine among the community if tree removal got approved

Economic Implications

29. Nil

Environmental Implications

30. Trees provide habitats for various species of birds, insects, and fauna. The removal of the tree will disrupt the local ecosystem and result in a loss of local biodiversity.

31. Trees provide shade and assist with a reduction in the temperature through the provision of shade. Removal of the tree on this infill site (Bloom Estate) will increase the urban heat island effect.

Additional Information

32. Further to questions at the Public Agenda Briefing, additional information has been added to the report below.
33. The table below shows the consideration of tree retention through the assessment, noting the change as the assessment developed.

Stage	Tree Numbers
Pre-Subdivision Approval	186 trees assessed
Subdivision Approval	24 high retention value (life expectancy of at least 25 years) 68 medium retention value (life expectancy of 15-25 years)
Local Development Plan	14 high retention 11 medium retention
Current	24 retained One street tree removed by the City

34.

RISK MANAGEMENT

35. Risk: Approval of the tree removal will be inconsistent with other planning decisions in the area which have resulted in tree retention.		
Consequence	Likelihood	Rating
Rare	Possible	Low
Action/Strategy		
This report to demonstrate the inconsistency between the proposed development and the approved planning framework.		

Voting Requirements: Simple Majority

RESOLVED 2026/63

That Council

1. REFUSE the Development Application DA26/0165 for proposed Tree Removal at Lot 823 (No. 16) Brenda Road, Maida Vale, for the following reason:
 1. a) The proposed development is not consistent with the Bloom Estate Local Development Plan which identifies the subject tree to be retained.

Moved: Cr Lisa Cooper

Seconded: Cr Kathy Ritchie

Vote: For: **Cr Lisa Cooper, Cr Kathy Ritchie**

Against: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Josh Clark**

MOTION LOST (2/6)

ALTERNATE MOTION

RESOLVED OCM 2026/64

That Council:

1. APPROVE Development Application DA26/0165 for the removal of one tree at Lot 823 (No. 16) Brenda Road, Maida Vale, subject to the following conditions:
 - (a) The approval is limited to the removal of the tree identified in the application material as the retained tree on Lot 823, being Tree #17 / Tag #50.
 - (b) The tree removal must be undertaken by a suitably qualified and insured arborist or tree contractor in accordance with accepted industry practice.
2. REQUEST the Chief Executive Officer write to adjoining landowners subject to the Bloom Estate Local Development Plan and advise them a modification to the planning instrument has occurred, resulting in the removal of this tree.

REASONS

8. The application is supported by an AQF Level 5 Arboricultural Impact Assessment which identifies material concerns regarding the current condition, structural stability and safe useful life expectancy of the tree.
9. The current aboricultural evidence differs materially from the earlier assessment relied upon at the Local Development Plan stage.
10. The Bloom Estate Local Development Plan contemplates variation where supported by individual arborist evidence and approved by the City;
11. The subject lot is a constrained 400sqm residential lot, and it is not considered reasonable to require replacement planting that may create future conflict with the dwelling, services, setbacks, neighbouring properties or ordinary residential use of the land.

12. Tree canopy, biodiversity, urban cooling and streetscape amenity are important matters. This motion does not dispute the importance of those outcomes.
13. The question is whether draft Local Planning Policy 33 – Future Forest is the most appropriate mechanism to achieve them. The former Local Planning Policy 33 – Tree Retention demonstrated that regulating tree removal on private land can create practical difficulties, including cost, uncertainty and inconsistent community expectations.
14. Since the former policy was revoked, tree removal and development applications involving tree removal have continued to be assessed case by case under the existing planning framework. Council should be satisfied that any new policy is necessary, proportionate and capable of being implemented fairly before re-entering this regulatory space.
15. The consultation response to the draft policy was divided. This suggests Council should proceed cautiously before adopting a policy that may not provide confidence to either residents concerned about overregulation or residents seeking stronger tree retention controls.
16. A more practical approach is to focus on measurable and funded canopy initiatives, including planting on verges and City-managed land, resident incentives, maintenance support, improved tree supply and budget-aligned environmental outcomes.
17. Tree retention issues associated with subdivision, structure planning, local development plans, development applications and large-scale clearing can continue to be considered through the existing planning framework on a case-by-case basis.
18. For these reasons, Council should not adopt the draft policy at this time and should instead redirect effort toward practical, measurable and community-supported canopy measures.

Moved: Cr David Modolo

Seconded: Cr Josh Clark

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Josh Clark**

Against: **Cr Lisa Cooper, Cr Kathy Ritchie**

CARRIED (6/2)

10.1.3. Carmel Schoolhouse Project

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

Previous Items	Nil
Directorate	Development
Business Unit	Strategic Planning and Property
File Reference	
Applicant	Not applicable
Owner	State of Western Australia (DPLH)
Attachments	1. Attachment 1 - DRAFT City of Kalamunda Market Testing Procedure [10.1.3.1 - 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
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 3: Kalamunda Develops

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

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

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

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.

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.

Priority 4: Kalamunda Leads

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

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to present Council with the findings of a High-Level Business Case (HLBC) (Confidential Attachment) that was completed for the Carmel Schoolhouse site, located at 101 Carmel Road, Carmel. The site is under consideration given that it is underutilised, has historical significance, and has potential to support future tourism and accommodation-related development.
2. The Carmel Schoolhouse Project has recently emerged as a response to a range of strategic needs and based on concepts previously considered by the City. As this site is a Crown land holding and has heritage significant structures and items located upon it, prior to the preparation of the HLBC, the City has not investigated potential alternate uses through a commercial lens to date.
3. The City is proposing to activate the heritage-listed site at 101 Carmel Road, Carmel by inviting Expressions of Interest from community organisations and businesses to deliver a tourism or tourism-dependent use. At the same time, a Local Planning Scheme amendment will be

progressed to enable tourism-related activities, creating the planning framework needed to attract investment and transform this historic property into a vibrant destination that preserves its heritage and benefits the local economy.

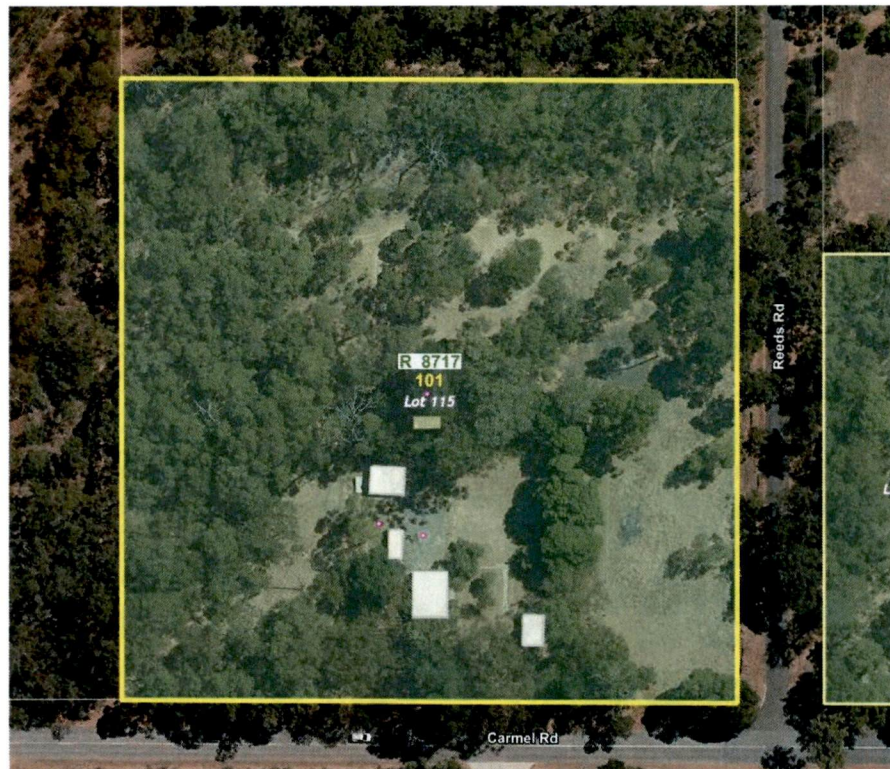
BACKGROUND

4. Land Details:

101 Carmel Road, Carmel (Lot 115, LR3116/471) (Reserve R8717)

Land Area:	20,256.0m ² (2.03ha)
Local Planning Scheme Zone:	Rural Conservation
Metropolitan Regional Scheme Zone:	Rural
Owner	State of Western Australia (DPLH)
Reserve Details	R8717
Conditions	To be used for its designated purpose of "Historic Site – School" only

5. Locality Plan:



6. Site History

1991 – 1992 Preliminary concepts considered for adaptive reuse of the schoolhouse into a café and camping grounds;

May 1992	Scouts Association provided an exclusive licence over the site and buildings;
Jun 2002	Scouts Association licence transitioned to a lease, expiring in June 2023 and currently on a holdover arrangement;
Jul 2025	Site identified for renewed strategic investigation associated with tourism and heritage activation opportunities.

DETAILS AND ANALYSIS

7. **Approach**

A HLBC was prepared for the subject site and is contained as a Confidential Attachment. The HLBC was prepared by City officers with subject matter expertise provided by various external consultants.

8. An analysis-based desktop review has been completed to establish the potential Capital Expenditure (CAPEX) investments needed to deliver each of the options along with the potential financial and community benefit. The methodology involved defining the potential site constraints and opportunities including assessing market demand, demographic trends, and competing tourism accommodation.

9. The feasibility results of these options are predicated on a range of assumptions based on available information. Further interrogation of these assumptions and detailed technical consultant inputs are required to further quantify these results, should the project be approved to proceed.

10. The outcomes of this project align with both State and City strategies through the delivery of increased tourism, tourism accommodation, and enhanced public open spaces for use by the local communities.

As demonstrated in the HLBC, the benefits of delivering this project will include:

- Reduce the City's reliance on rates income to maintain a Crown land holding, through delivery of a commercially viable camping / caravan site on an underutilised land parcel;
- Increased tourism opportunities for the City through providing a camping / caravan site within the LGA to draw travellers into the area;
- Increased tourism expenditure to the businesses of the Kalamunda LGA due to the increased tourism traffic the camping / caravan site will draw to the area; and
- Protection of the existing heritage significant site and buildings through increased maintenance scheme that can be afforded due to the increased income stream.

11. **Options**

Six (6) potential options have been considered that Council could endorse for implementation under different delivery methods. These include:

- 1) Option 1a: Do nothing – Maintain status quo – The site is retained in its present form and continues to be leased to the Scouts and/or Community groups.
- 2) Option 1b: Return the site to DPLH - The management order is extinguished, and the site is returned to Crown control and maintenance.
- 3) Option 2: Delivery of tearooms and gardens – Completing an adaptive reuse of the schoolhouse to become tearooms and delivering landscaping works to the external areas to provide gardens.
- 4) Option 3a: Delivery of camping grounds – The site is updated to facilitate a campground activity with the schoolhouse converted to an office / general store / museum space, with upgraded amenity blocks.
- 5) Option 3b: Delivery of a camping and caravan park – further to Option 3a, this would see the introduction of caravan parking spaces, larger amenities and kitchen blocks, playground, and other associated improvements. This option also requires a local planning scheme amendment to be completed.
- 6) Option 3c: Delivery of a camping and caravan park ready site (ground lease) – This option seeks to gain the Local Planning Scheme amendment approval for tourism activities to be 'permitted with approval', along with running an EOI (Market Testing) campaign to seek proposals from the community and businesses alike for provision of tourism and tourism related opportunities.

12.

Key Findings

The key findings for each of the options can be seen in the below summary:

Option 1a – Do nothing – Maintain status quo	
Pros	Heritage of site can be easily protected. Site maintains its Rural Conservation zoning.
Cons	On-going costs to maintain for the City. Risk that the Scouts Association will move, and the site will become vacant. Site is currently underutilised.

Option 1b – Return the site to the Department of Planning, Lands and Heritage (DPLH)	
Pros	City removes responsibility of the site and its financial and management implications.

Cons	City loses control of a heritage asset from the LGA and may lose use / control of the land in the long-term. Reputational consequences for the City for not continuing to manage a local heritage asset.
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Option 2 – Delivery of tearooms and gardens	
Pros	Adaptive re-use of the schoolhouse that can be enjoyed by the greater community. May generate a small financial return to the City.
Cons	Not located in an appropriate location for the business model. Limited exposure or 'draw' to location. Lack of parking and accessibility. May need significant investment to deliver option and ongoing financial assistance to keep operational.

Option 3a – Delivery of camping grounds	
Pros	Adaptive re-use of the schoolhouse that can be enjoyed by the greater community. May generate a revenue stream for the City. Strong strategic need for the City – increased tourism and accommodation options.
Cons	May be limited to the number of camp sites that can be delivered. May be impacted by bushfire compliance requirements. (i.e. closure over summer months – peak season). Securing appropriate approvals to deliver project. Amendment to be made to the Management Order

Option 3b – Delivery of a caravan park	
Pros	Adaptive reuse of the schoolhouse that can be enjoyed by the community. Generates a modest revenue stream for the City. Increased tourism and accommodation options for the City.
Cons	May be impacted by bushfire compliance requirements. Securing appropriate approvals and scheme amendment changes may be difficult. Feasibility results are based on estimations and concept designs only. May be limited in the number of campsites that can be delivered.

Option 3c – Delivery of a camping and caravan ready site (ground lease)	
Pros	Provides opportunity to go to market and explore options before making final decision. Provides an avenue to maintain the schoolhouse so it can be enjoyed by the community. Provides an opportunity for tourism & accommodation options for the City. Uses underperforming land asset.
Cons	Heritage and environmental constraints may be a roadblock. Current market may prevent commercial / community investment. Current land zoning may be restrictive.

13. **Preferred Option**

Option 3c is the preferred option and forms the basis of the Officer recommendation.

14. Option 3c, although not being in a position to provide an approximate revenue value for the City at this time, does estimate a low investment value. Further factors such as risk, reputation, and delivering on community expectations need to be considered as part of the analysis, which in this case cements Option 3c as the preferred option.

The Officer considers that Option 3c provides an appropriate balance between commercial return and associated risk and represents a measured approach that may attract both market and community interest in delivering community and economic value. The option also enables consideration of appropriate commercial terms while ensuring the City retains strategic oversight and management of tenure arrangements for the site through commercial lease mechanisms.

15. **Next Steps**

To further progress Option 3c, the following initial actions are required:

- a) Seek Council endorsement of this HLBC for the purposes of satisfying the Local Government Act 1995 section 3.58 requirements.

16. Should Council resolve to proceed with Option 3c, the following activities will occur:

1. Officers to prepare an advocacy implementation plan as per Kalamunda Advocates, to support requests for funding from external parties that may assist with the delivery of this project;

2. Launch an EOI campaign (Market Testing Procedure) as per *Attachment 1*, seeking submissions from commercial and community groups with the intent of delivering tourism and tourist accommodation outcomes;
3. Commencement of the scheme amendment process to allow broader accommodation and tourism activities to be undertaken on the site (i.e. caravan park usage);
4. Commence engagement with DPLH regarding the amendment of the existing Management order to allow tourism and accommodation uses, along with leasing and licencing approvals;
5. Work collaboratively with the Scout Association regarding the future transition of the site, including tenure arrangements, vacating, and site handover requirements, should the project progress to a delivery phase;
6. Cease any further lease or licence agreements being entered into for the site until such time as the project has been completed; and
7. Understand available budgets and determine appropriate funding reserve.

APPLICABLE LAW

17. Local Government Act 1995
18. Local Government (Administration) Regulations 1996
19. Local Government (Functions & General) Regulations 1996
20. Land Administration Act 1997
21. Local Planning Scheme No. 3

APPLICABLE POLICY

22. State Planning Policy 3.0 – Urban Growth and Settlement
23. Directions 2031 and Beyond
24. State Planning Strategy 2050
25. North-East Sub Regional Planning Framework (2018)
26. Pickering Brook & Surrounds Sustainability and Tourism Strategy
27. Caravan Parks and Camping Grounds Regulations 1997

STAKEHOLDER ENGAGEMENT

28. Should Council support the Officer recommendations, formalised stakeholder engagement will be enacted as per the community and stakeholder engagement plan that will be developed as part of the next phase of this project.
29. The outcomes of the EOI process will be presented to Council at a future Ordinary Council Meeting, as part of the approval to proceed to the next phase of the project.

FINANCIAL CONSIDERATIONS

30. The business case has been formulated on the assumption that delivery of Option 3c will be an OPEX expenditure as no capital works will be completed and will be dependent on the project being funded via the appropriate reserve and/or grant funding or contributions from external parties.
31. Should Council resolve to progress the project to the next phase, the updated budget will be provided for future phases and incorporated through future budget deliberations for Council's adoption.
32. The anticipated financial returns of the project will be provided following the conclusion of the market testing campaign, where the preferred proponent has been identified and full costing activities have been evaluated. Ongoing revenues and anticipated costs will be included into the 10-year model against this asset. Ideally, the market testing process will source a proposal that provides, at minimum, a cost neutral outcome for the City.

SUSTAINABILITY

33. Social Implications

Option 3c aims to provide the following social implications through:

- a) Additional supply of tourism accommodation options for the Kalamunda region,
- b) Heritage preservation of an existing asset that can be enjoyed by the community, and
- c) Enhancement of local amenity through:
 - i. Delivery of new development on mostly vacant land, and
 - ii. Removal of potential for anti-social behaviour and illegal dumping.

34. Economic Implications

Option 3c aims to provide the following economic implications through:

- a) Additional supply of tourist accommodation options in the Hills area near existing local businesses,

- b) Facilitation of investment, employment, and tourism increases to the local area, and
- c) Alignment with the City's Strategies and Policies to improve the tourism economy for the LGA.

35. **Environmental Implications**

Option 3c aims to provide the following environmental implications through:

- a) Preserving the natural environment through low impact development across the site, ensuring high value vegetation is retained,
- b) Protections to the existing trees and spaces where Black Cockatoo nesting and foraging has been identified on the site, and
- c) Removal of potential for illegal dumping.

RISK MANAGEMENT

36.	Risk: Unable to secure approvals for the Local Planning Scheme amendment or update the reserve purpose and management order to include the tourism activities on the site.		
	Consequence	Likelihood	Rating
	Major	Possible	High
	Action/Strategy		
	Work with internal departments to ensure best practices are used. Leverage existing relationships with approval authorities to promote outcomes and benefits to the community for seeking approval. Ensure application covers all requirements of the process.		

37.	Risk: Lack of interest from community and/or local businesses during the EOI process.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Ensure EOI documentation is clear and provides all information relevant to the site to garner interest. Use positive marketing strategies to ensure all sectors are covered by EOI campaign using internal and external specialists to ensure a high-quality campaign targets the proper audiences.		

Ensure City's fallback position is a practical alternate should the EOI fail to secure any worthy proposals.

38.

Risk: Community discontent with development of a historic site and resistance to project.

Consequence	Likelihood	Rating
Moderate	Possible	Medium

Action/Strategy

Statutory compliance with public notice requirements of the Act.
Develop a suitable Communications and Public Relations Plan.
Engage all relevant stakeholders across the project lifecycle.

39.

Risk: Loss and/or damage to existing vegetation on site.

Consequence	Likelihood	Rating
Moderate	Possible	Medium

Action/Strategy

The City confirms site work plans, to ensure proper protections are put in place.
Site design is configured to ensure maximisation of existing flora and fauna across the site.

CONCLUSION

40. The HLBC prepared for the Carmel Schoolhouse site has confirmed that opportunities exist for the City to activate an underutilised Crown reserve land asset and potentially drive community, economic and revenue generation opportunities.
41. Of the options analysed, the Officer considers that Option 3c provides an appropriate balance between commercial return and associated risk and represents a measured approach that may attract both market and community interest in delivering community and economic value. The option also enables consideration of appropriate commercial terms while ensuring the City retains strategic oversight and management of tenure arrangements for the site through commercial lease mechanisms. Any revenue generated from the activity can be used to fund the operational

costs of the site along with the ongoing repairs and maintenance activities required to restore the heritage assets. Additional revenue generation assists with supporting the City's long-term financial sustainability. Option 3c also allows the City to retain control over the outcomes for the site through commercial lease contracts.

42. The current decision point for Council is whether to proceed with the next phase of the project and endorse the seeking of approvals for the local planning scheme amendment, securing of potential funding through grant opportunities, and to launch and EOI process to solicit proposals from the community and businesses as to what options may be possible on the site.
43. A report will be presented to Council at a later date, following the conclusion of the EOI process. This will be to advise of any proposals received from the EOI process, and seeking a decision as to how best to proceed with the project.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/65

That Council:

1. ENDORSES the findings and recommendations of this High-Level Business Case;
2. REQUESTS the Chief Executive Officer:
 - a) Prepares and actions an Advocacy Plan to pursue funding opportunities from Tourism WA, DPLH, and any other related bodies;
 - b) Undertakes an expression of interest / market testing campaign for the site, seeking submissions from business and community groups with the intent of delivering tourism and/or tourist accommodation outcomes;
 - c) Present a report to Council once compiled, to initiate the local planning scheme amendment to include tourism and tourist related activities on the site; and
 - d) Request an amendment to the Management Order to include tourism purposes and the approval of leasing and licencing arrangements.

Moved: Cr David Modolo

Seconded: Mayor Margaret Thomas

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

10.1.4. 15-21 Edney Road Land Asset Maximisation

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

Previous Items	OCM 2025/17; OCM29/2012; OCM138/2011; OCM199/2011
Directorate	Development Services
Business Unit	Strategic Planning and Property
File Reference	ED-03/015, ED-03/021
Applicant	N/A
Owner	City of Kalamunda
Attachments	1. Submissions Edney Rd [10.1.4.1 - 10 pages] 2. DRAFT City of Kalamunda Market Testing Procedure [10.1.4.2 - 6 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 (eg accepting tenders, adopting plans and budgets)
	Information	For Council to note
	Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

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

Priority 3: Kalamunda Develops

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

Strategy 3.3.2 - Attract and enable new investment opportunities.

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to:
 - a. Present Council with the outcomes of the statutory public notice undertaken for a Major Land Transaction Business Plan prepared by the City for the prospective subdivision and divestment of 15-21 Edney Road, High Wycombe (the Property); and
 - b. Seek Council's endorsement to undertake market testing through a 'Market Testing Procedure Strategic Land and Property Opportunities' for a proposed sale of the Property as a residential development opportunity, with any submissions or offers received to be presented to Council for future consideration.
2. A Major Land Transaction Business Plan was prepared pursuant to the resolution of Council at the Ordinary Council Meeting of 27 May 2025 and was advertised by statutory public notice. City Officers have refined the business case having regard to factors such as preliminary consultation with state government agencies and technical input from City appointed consultants.
3. City Officers are recommending that Council market tests a proposed sale of the Property en globo and review the outcome, before a final decision is made as to sale and if applicable, development of the Property in terms of the Major Land Transaction Business Plan.
4. The Officer Recommendation also includes parameters for market testing a proposed sale of the Property en globo:

- i. Endorse market testing approach by way of the 'Market Testing Procedure Strategic Land and Property Opportunities' in Attachment 10.1.3.2; and
- ii. Authorise CEO to procure a real estate agent to market the Property;
- iii. Require summary of submissions recommendation back to Council before decision on disposal or City development proceeds.
- iv.

BACKGROUND

5. Land Details:

Address:	15 Edney Road, High Wycombe ("Lot 100") 21 Edney Road, High Wycombe ("Lot 200")
Land Area:	Lot 100 – 1,300m ² Lot 200 – 6,676m ² En Globo (Total) – 7,976m ²
Local Planning Scheme Zone:	Lot 100 – Residential R20/30 Lot 200 – Residential R40
Metropolitan Regional Scheme Zone:	Urban Adjoins Primary Regional Roads

6. Locality Plan:



7. **Related Decision:**
At the Ordinary Council Meeting of 27 May 2025, Council resolved to support the further progression of land asset investigations for 15-21 Edney Road, High Wycombe based on Option 3C (Subdivision and divestment). This included requesting that City Officers fulfil the statutory obligations under Section 3.59 of the *Local Government Act 1995* by preparing a Major Land Transaction Business Plan and providing statewide public notice for a minimum period of 6 weeks.

DETAILS AND ANALYSIS

8. Consideration of the future of the Property either in terms of the proposed Major Land Transaction or an en globo sale would offer the opportunity for the Property to be developed consistent with its Residential zoning. There is no strategic or operational need for land to become public open space, and a residential development of the Property will have positive community outcomes primarily through creating additional supply of residential subdivisions in the local area. The Property offers the opportunity:
- (a) for well located in-fill residential development in a sustainable location from a transportation perspective, with easy access to a bus stop within 500m and to the significant, recently upgraded major transportation hub at High Wycombe within 3km;

- (b) to meet critical housing needs in line with the City's Local Housing Strategy 2021 and State Government Housing initiatives, at a time of significant shortage of available residential land;
- (c) to offset loss of trees with planting of replacement trees along road verges.

9. **Tree Amenity**

The proposed 18 subdivision development of the Property includes measures to promote trees including:

- Encouraging the retention of trees through subdivision design and the proposed creation of a pocket park in an area with existing trees;
- Retention of the existing noise wall (which is in close proximity to existing trees), instead of replacement with a wholly new noise wall;
- Facilitating the creation of a cul-de-sac in the centre of the Property in a location with minimal existing trees. The proposed cul-de-sac will have approximately 120 metres of road frontage, with opportunity to plant verge trees to create an attractive leafy environment.
- Recognition that not all existing trees may be compatible with achieving the social benefits of residential development and replacement verge tree planting along 120m of new road frontage and 250m of existing road frontage (total length of road frontages approx. 370m). If an average of 1 new verge tree per residential subdivision is provided for, this could yield 18 new trees. With maturity, a 20-year-old marri tree is estimated to have a diameter of 10 metres (providing 78 metres of tree canopy). 18 new trees of a similar size would therefore provide at maturity an estimated total of 1404 square metres of tree canopy.

10. **Roe Highway Noise Impact**

The Property adjoins Roe Highway, which is a Major Arterial Road under State Planning Policy 5.4. Accordingly, a Transport Noise Assessment (TNA) is required to demonstrate the extent of noise impact on new development and required measures to mitigate the noise impact to an acceptable level.

The TNA has been prepared by a professional acoustic consultant and includes the following conclusions:

Retain Existing Noise Wall (3.5m-4m High) on Roe Highway Boundary

All 18 residential subdivisions will be suitable for development, subject to:

- A second storey is not recommended for 9 (nine) of the residential subdivisions closest to Roe Highway;
- Quiet house packages for some of the residential subdivisions.

New 5m High Noise Wall on Roe Highway Boundary

All 18 residential subdivisions will be suitable for development, subject to quiet house packages for some of the residential subdivisions.

The TNA also confirms that in either scenario, the construction of dwellings on the proposed 18 subdivisions are expected to provide some shielding of noise to the ground floor of existing nearby residences.

Retaining the existing noise wall is expected to:

1. Allow residential development to proceed on all proposed 18 residential subdivisions;
2. Realise significant cost savings compared to demolishing the noise wall and reconstructing a new, 5m high noise wall;
3. Avoid loss of amenity to the surrounding area during the interval between demolition of the existing noise wall, ground works for the new noise wall and erection of a new noise wall.

Utilities & Geotechnical

11. The professional civil engineering consultancy appointed by the City has prepared a detailed level of design of the utility network and site works (i.e. retaining walls and finished ground levels). This detailed work has been used to refine the business case.

APPLICABLE LAW

12. *Local Government Act 1995* – Sections 1.7, 3.58 and 3.59.
Local Government (Administration) Regulations 1996 – Regulations 3A and 3B.
Local Government (Functions & General) Regulations 1996 – Regulations 8A, 9, 10 and 30.

The requirements of the Act and Regulations for providing statutory public notice of a proposed Major Land Transaction have been fulfilled, as outlined in the 'External Referrals' section of this report.

13. At this time, the City is not seeking to proceed with the proposed Major Land Transaction for development of the Property by the City into 18 residential subdivisions for a future sale by the City. The submissions received in response to the statutory public notice have however been reported in the interests of transparency.
14. The recommendation to undertake market testing by way of the non-binding procedure proposed does not require compliance at this time with Section 3.58 or 3.59 of the Local Government Act 1995. Depending on next steps, for example, the outcome of the proposed market testing and a subsequent Council decision, consideration will need to be given to compliance with Sections 3.58 and if applicable, close out of compliance with Section 3.59 of the Local Government Act 1995.
15. In the event that the City is to proceed with the Major Land Transaction, Council must consider the content of any submissions received and grant its approval by absolute majority. Should the Major Land Transaction be implemented and the land is legally subdivided, compliance with Section 3.58 of the Act will be required prior to the sale of any newly created lots.
16. *Local Planning Scheme No. 3*

The proposal is in compliance with the zoning and residential coding of the land under Local Planning Scheme No. 3.
17. *Land Administration Act 1997 – Sections 41, 46 and 58*
Should Council support the unconstructed portion of Edney Road between Berle Way and Kalamunda Road being formally closed and re-classified as Crown Reserve, City Officers will need to initiate separate processes under the Land Administration Act 1997. This will involve making a specific request to the Minister for Lands, which first requires public consultation with affected landowners and utility agencies, and a subsequent decision of Council.

APPLICABLE POLICY

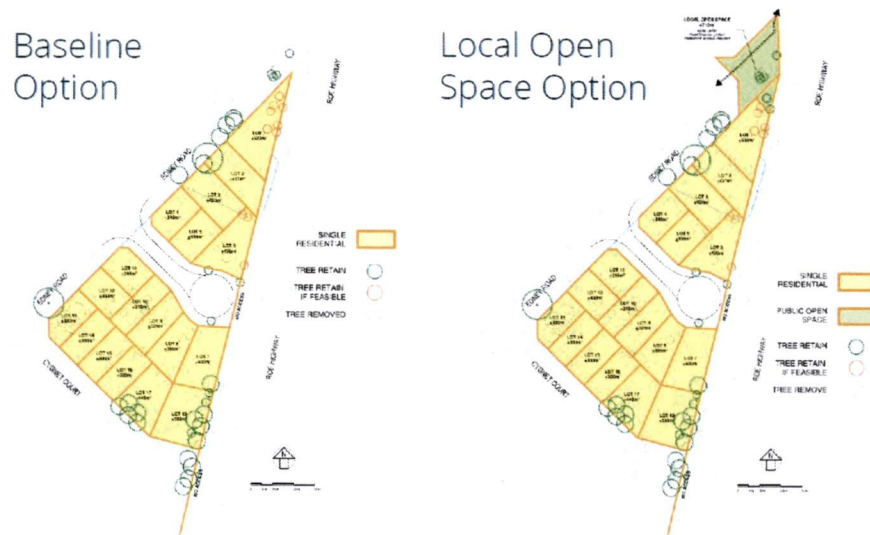
18. There are no new or additional policy implications to those discussed in the previous report to Council at the 27 May 2025 Ordinary Council Meeting.

STAKEHOLDER ENGAGEMENT

19. **Statutory Public Notice**
Pursuant to Part 4a and 4b of the Council Resolution and the requirements of Section 3.59 of the *Local Government Act 1995*, the statutory public

notice period commenced on Friday 25 July 2025 and concluded on Monday 8 September 2025. Further details are in the 'External Referrals' section of this report.

20. Town Officers included two options as part of the public notice to gauge the level of community interest in the establishment of the pocket park.



21. A total of nine (9) public submissions were received. In summary:
- Four (4) submissions stated that they 'Support' the proposal.
 - Three (3) submissions stated that they 'Do Not Support' the proposal.
 - Two (2) submissions stated 'Comment Only' and provided comments about specific aspects of the proposal.

Two (2) of the nine (9) submissions were received after the closing date and have been accepted for presentation in this report.

22. **Officer Assessment of Submissions**

Attachment 10.1.3.1 contains the submissions received (with personal information deleted) and City Officers' assessment of each individual submission.

Confidential Attachment 10.2.1 contains the submissions received in full.

23. **Internal Referrals**

Internal service area advice confirmed the capability to proceed with the recommended approach and highlighted opportunities such as increasing tree canopy through development processes.

24. **External Referrals**

The statutory public notice period commenced on Friday 25 July 2025 and concluded on Monday 8 September 2025. The following mediums were used, which exceeds the minimum requirements of the *Local Government Act 1995*:

- A dedicated project page on the City's Engage website.
- Two (2) A1 signs erected at the Property.
- Letters mailed to landowners and residents in the immediate vicinity of the Property (34 letters in total), which included FAQs.
- A notice in the Public Notices section of the City's main website.
- A notice displayed on the Public Noticeboards at the City's Administration Building, Kalamunda Library, Forrestfield Library, High Wycombe Library and Lesmurdie Library.
- Print advertisements in The West Australian and The Echo newspaper (both on Friday 25 July 2025).

The outcomes of the statutory public notice are outlined in the Stakeholder Engagement section of this report.

State Agencies

During the Public Notice period, City Officers also undertook separate consultation with the Department of Planning, Lands & Heritage and Main Roads WA to gain technical feedback on the proposal. Feedback received has been used to refine the proposal and business case.

FINANCIAL CONSIDERATIONS

25. The proposed market testing of a potential sale of the Property will require engagement of a professional real estate agent to undertake marketing of the Property as a residential development opportunity. Marketing costs are anticipated to be in the order of up to \$20,000 (subject to procurement) and can be accommodated within existing operating budgets.
26. The Business Case together with an updated Business Case are provided at confidential attachments 10.2.2 and 10.2.3

SUSTAINABILITY

27. A residential development of the Property is an opportunity to achieve the following social implications:
- a. Additional supply of housing stock (18 residential lots) in the High Wycombe area, at a time of widely reported shortages in the availability of residential development lots.

- b. Local Public Open Space improvements with the completion of the streetscape to support vibrant, functional, attractive and safe environment for current and future residents.
 - c. Enhancement of local amenity through:
 - i. Delivery of new development on vacant land.
 - ii. Removal of potential for anti-social behaviour and illegal dumping.
 - d. Provision of housing stock in a sustainable location from a transportation perspective, noting that the Property is located within 500m of a bus stop connecting to the High Wycombe Station (a major transportation hub within 3km of the Property and features an 8-bay bus interchange, 184 secure bicycle parking bays and 1200 parking bays and provides a 20 minute commute to the Perth CBD and two minute commute to Perth airport).
- 28. A residential development of the Property, if implemented, is expected to have the following economic implications:
 - a. Additional supply of housing stock (18 residential lots) in the High Wycombe area near major employment centres.
 - b. Facilitation of capital investment, employment and urban renewal in the local area.
 - c. Alignment with the State Government's strategic urban planning objectives around new housing supply within existing urban areas to meet Perth's projected population growth.
- 29. A residential development of the Property, if implemented, will have the following environmental implications:
 - a. Removal of some existing trees, with opportunity to offset removal by planting new trees;
 - b. Retention of some existing trees.
 - c. Removal of potential for illegal dumping.

RISK MANAGEMENT

30.	Risk: Potential softening of real estate market, resulting in lower land value and reduced sale proceeds.		
	Consequence	Likelihood	Rating
	Possible	Significant	Medium
	Action/Strategy		
	Market test a proposed en globo sale of Property and realisation of proceeds without time frames associated with developing civil infrastructure to subdivide and sell.		

Risk: Community discontent with development / divestment of Property		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Statutory compliance with public notice requirements of the Act.		
Develop suitable public relations and communications plan		

Risk: Loss and / or damage to existing vegetation on the Property.		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Include market testing criteria for sale and development to preserve existing trees and replace trees that are not feasible to be retained.		
Manage expectations correctly, including acceptance that residential development of the Property will involve multiple stakeholders (eg construction of services, a cul-de-sac road, retaining walls and new homes) and is likely to cause some loss of trees, which can be offset through planting new trees.		

CONCLUSION

31. Pursuant to Council's decision at the May 2025 Ordinary Council Meeting, Officers have continued with the necessary steps to progress the proposed subdivision and divestment of 15-21 Edney Road, High Wycombe by providing statewide public notice of the associated Major Land Transaction Business Plan in accordance with the Local Government Act 1995.
32. No substantive matters were raised in the public submissions that should prevent sale and development of the Property for residential purposes either in terms of disposal of the Property for development by a private residential developer, or development and sale by the City in terms of the Major Land Transaction.
33. A number of enquiries have been received by the City from parties interested in purchasing and developing the Property. There is a critical shortage of available land for residential development to meet social need for homes.

34. It may be considered prudent for the City to market test the returns that can be gained by the City from an en globo sale of Property in its current form and evaluate the responses against the City's business case for a development by the City of the Property for sale by the City in terms of the proposed Major Land Transaction. The proposed market testing will be on a non-binding basis, that does not commit the City to accepting any offer to purchase the Property.
35. Valuation advice has been obtained and is contained in confidential attachment 10.2.4.
36. There is also the option that the City applies to the WAPC for conditional subdivision approval for the proposed subdivision layout (statutory timeframe is 90 days) and markets the Property with the benefit of such a conditional subdivision approval, without implementing such an approval. This would:
- Obtain the legal permission to be able to progress subdivision works and create the new lots;
 - Establish known approval conditions and the associated technical requirements for delivering the subdivision, which gives a higher level of confidence in the overall financial feasibility.
- Submitting a subdivision application to the WAPC does not obligate the City to proceed with implementation should the business case be negatively impacted by market/economic conditions, cost escalations or unforeseen technical constraints.
37. There is also the option that concurrent with the subdivision application, the City initiates the relevant processes under the Land Administration Act 1997 to close the portion of Edney Road between Berle Way and Kalamunda Road and have it re-classified as Crown Reserve. While related to the subdivision, this matter will be dealt with separately and follow the process under the Land Administration Act 1997. If this is to be pursued, a separate report to Council will be required in due course.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/66

That Council:

1. NOTES the content of the nine (9) public submissions on the proposed Major Land Transaction Business Plan for 15-21 Edney Road, High Wycombe that were received in response to the statewide public notice and the responses in relation to the nine (9) public submissions received.

2. REQUESTS the Chief Executive Officer to:

- a) Proceed with market testing a proposed sale of the 15-21 Edney Road as per the 'Market Testing Procedure Strategic Land and Property Opportunities' in Attachment 10.1.3.2;
- b) Procure a professional real estate agent further to a);
- c) Require summary of submissions recommendation back to Council before proceeding with a decision on disposal or City development in accordance with the Major Land Transaction Business Plan referred to in 1 above.

Moved: Cr Lisa Cooper

Seconded: Cr Josh Clark

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY (8/0)

10.2. Infrastructure Reports

10.2.1. Main Roads WA Black Spot Submission 2027/2028

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

Previous Items	OCM 238/2021; OCM 115/2022
Directorate	Infrastructure
Business Unit	Asset Planning
File Reference	4.00011768
Applicant	N/A
Owner	N/A

Attachments	1. Berkshire & Dawson RBT - CONCEPT DESIGN - rev C [10.2.1.1 - 1 page]
	2. Hale & Morrison Rd RA B- Concept design [10.2.1.2 - 1 page]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. This report seeks Council's endorsement to submit three project applications for the 2027/28 Black Spot Program and to obtain support for allocating municipal funding in 2027/28 and 2028/29 to support their design and delivery.
2. The projects proposed for Black Spot Program are:
 - **Upgrade of Existing Roundabout at Berkshire Rd and Dawson Ave and Apricot St:** Design and construct in 2027/28. Estimated total cost is \$344,607.
 - **Upgrade of Existing Roundabout at Hale Rd and Morrison Rd Reynolds Rd:** Design in 2027/28 and construct in 2028/29. Estimated total cost is \$383,583.
 - **Installation of Safety Barrier on Welshpool Road East (Straight Line Kilometre (SLK) 1.39–3.95):** Design in 2027/28 and construct in 2028/29. Estimated total cost is \$2,600,000.

Projects align with the City of Kalamunda's (City) strategic transport planning objectives and will contribute to improved road safety and network efficiency.
3. The proposed projects target two high-risk roundabout locations that have collectively recorded 20 crashes over the past five years. Approximately 50% of these incidents were of high severity, highlighting a significant safety concern.

Another, high-risk location on Welshpool Road East (SLK 1.39–3.95) records a total of 13 crashes along this stretch over the past five years.
4. The Benefit–Cost Ratio (BCR) demonstrates strong economic merit, indicating that the safety benefits substantially outweigh the project costs.
 1. Upgrade of the existing roundabout at Berkshire Rd / Dawson Ave / Apricot St – **BCR: 2.66**
 2. Upgrade of the existing roundabout at Hale Rd / Morrison Rd / Reynolds Rd – **BCR: 1.97**

3. Installation of Safety Barrier on Welshpool Road East (SLK 1.39–3.95) – **BCR: 2.43**

Projects have BCR values greater than 1.0, confirming they are economically justified and deliver significant safety benefits relative to their costs.

5. This report seeks Council endorsement to proceed with the Black Spot funding submission for a Main Roads Western Australia (MRWA) contribution towards the delivery of the projects, and to confirm support for the allocation of a City contribution from municipal funds in the 2027/28 and 2028/29 budgets for design and construction.

BACKGROUND

6. Each year, MRWA invites submissions for future funding contributions under the Black Spot Program. For the current funding round, submissions are required to be submitted by July 2026, with successful funding allocated in the 2027/28 financial year.
7. A key requirement of the Black Spot Program is the calculation of a BCR, which measures the expected road safety benefits of a project compared to its cost. The BCR is used to prioritise funding based on value for money and crash reduction outcomes.
8. The funding model is determined by the BCR:
 - If the BCR is greater than 1.0 the project is eligible for Black Spot Program State funding, with costs shared on a $\frac{2}{3}$ State and $\frac{1}{3}$ Local Government basis.
 - If the BCR is 2.0 or greater, the project may qualify for the Black Spot Program Federal funding, which can provide 100% funding (fully funded).
9. Crash data released by the State demonstrates that all the projects are eligible for Black Spot application.
10. **Crash Summary (2021-2025)**
 1. Berkshire Rd / Dawson Ave / Apricot St – **Total: 9 crashes reported**
 - 1 required hospital treatment
 - 3 required medical treatment
 - 4 PDO* major
 - 1 PDO* minor

2. Hale Rd / Morrison Rd / Reynolds Rd – **Total: 11 crashes reported**

- 1 required hospital treatment
- 5 required medical treatment
- 3 PDO* major
- 2 PDO* minor

3. Welshpool Road East (SLK 1.39–3.95) – **Total: 13 crashes reported**

- 1 Fatal Crash
- 5 required hospital treatment
- 1 required medical treatment
- 4 PDO* major
- 2 PDO* minor

**PDO (Property Damage Only): Major indicates significant damage (e.g. requiring towing); Minor involves only minor vehicle damage with no injuries.*

11. The crash data indicates a clear pattern of intersection-related conflicts for project 1 and 2, predominantly right-angle, rear-end, and right-turn-through crashes, which are typically associated with speed management, visibility constraints, and gap judgement issues at roundabouts. This demonstrates a need for geometric improvements to enhance safety and reduce crash severity. Refer to Attachments 1 and 2 for the modified roundabout concept designs.

Project 3, given the hilly terrain and horizontal curvature, presents a risk of errant vehicles departing the travelled way and colliding with trees located within the clear zone, potentially resulting in higher-severity run-off-road crashes. There was a fatality crash along Welshpool Road which was investigated by MRWA and installation of crash barriers was recommended at this location and at other bends. This highlights the urgent need for the installation of safety barriers. Refer to Attachment 3 for the concept design.

DETAILS AND ANALYSIS

12. The proposed projects 1 and 2 are situated on 'Distributor A' roads, Hale Road and Berkshire Road, which perform a key network function by collecting traffic from local roads and feeding them to Primary Distributors, i.e., Tonkin Highway and Roe Highway. These roundabouts are within a 300 m proximity, resulting in compounded traffic interactions and an increased potential for conflict, further influenced by the upcoming Tonkin Highway Extension project and ongoing traffic management plan (TMP) arrangements affecting these intersections.

13. Project 3, Welshpool Road East (WRE) is classified as a 'Distributor A' road and carries approximately 15,000 vehicles per day in both directions. The road functions as a key east-west arterial route within the Perth metropolitan road network, providing an important connection between Canning Road and Tonkin Highway.

14. The individual project BCRs are as follows:

1. Upgrade of the existing roundabout at Berkshire Rd, Dawson Ave, and Apricot St – BCR: 2.66.
2. Upgrade of the existing roundabout at Hale Rd, Morrison Rd, and Reynolds Rd – BCR: 1.97.
3. Installation of Safety Barrier on Welshpool Road East (SLK 1.39–3.95) – BCR: 2.43

All the projects demonstrate strong cost-effectiveness and deliver significant road safety benefits, reinforcing the priority for implementation under the Black Spot Program.

15. Based on the BCR value (2.66), the **Project 1- Upgrade of the existing roundabout at Berkshire Rd, Dawson Ave, and Apricot St** is eligible for both State and Federal funding.

It is intended to submit the application considering both funding sources. If Federal funding is approved, the project will be fully (100%) funded. If Federal funding is not secured, the cost will be shared, with two-thirds funded by the State and one-third by the City, as outlined below:

Berkshire Rd and Dawson Ave and Apricot St	Cost
Black Spot Funding ($\frac{2}{3}$ rd)	\$ 229,738
City Contribution ($\frac{1}{3}$ rd)	\$ 114,869
Total Cost	\$ 344,607

16. **Project 2 – Upgrade of the existing roundabout at Hale Rd, Morrison Rd, and Reynolds Rd** has an estimated total cost of \$383,583. The project will be delivered in two stages: Stage 1 (design) with an estimated cost of \$62,684, and Stage 2 (construction) with an estimated cost of \$320,899.

This project is eligible for State funding under the Black Spot Program, with funding proposed as two-thirds funding contribution and one-third from the City.

Hale Rd and Morrison Rd and Reynolds Rd	Cost
Black Spot Funding ($\frac{2}{3}$ rd)	\$ 255,722
City Contribution ($\frac{1}{3}$ rd)	\$ 127,861
Total Cost	\$ 383,583

17. Based on the BCR value (2.43), the **Project 3- Installation of Safety Barrier on Welshpool Road East (SLK 1.39–3.95)** is eligible for both State and Federal funding.

It is intended to submit the application for Federal Funding only. If Federal funding is approved, the project will be fully (100%) funded. The City is not currently in a position to match fund the project under State Funding.

Installation of Safety Barrier on Welshpool Road East (SLK 1.39–3.95)	Cost
Black Spot Funding (100%)	\$ 2,600,000
Total Cost	\$ 2,600,000

18. In summary, the funding arrangements and staging details for both projects are provided below:

No	Year	Project Name	Description	Muni Fund	Black Spot Fund	Estimated Cost
1	2027/28	Berkshire Rd, Dawson Ave and Apricot St	Design and Construct	\$114,869	\$229,738	\$344,607
2	2027/28	Hale Rd, Morrison Rd and Reynolds Rd	Stage 1: Design	\$20,895	\$41,789	\$62,684
	2028/29		Stage 2: Construct	\$106,966	\$213,933	\$320,899
3	2027/28	Welshpool Road East (SLK 1.39–3.95)	Stage 1: Design		\$100,000	\$100,000
	2028/29		Stage 2: Construct		\$2,500,000	\$2,500,000
Total Estimated Cost:						\$3,328,190

Funding Scenarios

If funded under the State Black Spot Program ($\frac{1}{3}$ Council : $\frac{2}{3}$ State):

City's contribution, considering all the projects, is as follows:

- 2027/28: \$135,764
- 2028/29: \$106,966

If funded under the Australian Government Black Spot Program (typically 100% grant funded):

Projects under the Federal Black Spot Program are generally expected to achieve a Benefit–Cost Ratio (BCR) greater than 2 to be considered competitive for funding. Based on the current BCR assessments, the project that qualifies for consideration under the Federal Black Spot Program are:

- Berkshire Rd / Dawson Ave / Apricot St – BCR: 2.66
- Welshpool Road East (SLK 1.39–3.95)

If successful under the Australian Government Black Spot Program, eligible projects may be fully grant funded, resulting in no direct capital contribution required from the City.

However, if the projects are unsuccessful in securing grant funding (either Federal or State), the City would need to either:

- Consider alternative funding pathways,
- Defer the projects and reapply in a future funding round.

Proceeding without external grant funding is not considered viable due to the significant financial impact on the City's capital works program.

APPLICABLE LAW

19. *Local Government Act 1995*

APPLICABLE POLICY

20. Nil.

STAKEHOLDER ENGAGEMENT

21. Residents affected by the project will be consulted during the detailed design and construction phases of the project. A community engagement plan will be developed to guide this process and ensure transparent, timely, and meaningful engagement.

FINANCIAL CONSIDERATIONS

22. The financial implications are outlined in the body of the report.

SUSTAINABILITY

23. There are no anticipated sustainability impacts associated with the project. An environmental assessment will still be undertaken to confirm that any minor vegetation removal is appropriately managed and that impacts are minimised.

RISK MANAGEMENT

- 24.
- | | | |
|---|-------------------|---------------|
| Risk: The Submission is not approved for funding through the Black Spot Program. | | |
| Consequence | Likelihood | Rating |
| Moderate | Possible | Medium |
| Action/Strategy | | |

Provide adequate and detailed information to support the project submissions. Seek information on submission requirements. Ensure there are alternatives available and resubmit when needed.

25.

Risk: The Submission does not achieve the crash reductions that are intended or otherwise creates unintended consequences.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
The treatment selection methodology has been thoroughly tested, and the process includes significant oversight and is supported by BCR modelling. Post-implementation review will assess treatment outcomes.		

CONCLUSION

26. All the projects, have been identified as high-priority safety improvements supported by strong economic justification. The proposed staging and funding strategy ensures efficient delivery across the 2027/28 and 2028/29 financial years while maximising external funding opportunities through State and Federal options with the Australian Government Black Spot Program (AGBS). Collectively, these projects will deliver significant safety benefits and represent a strong investment in the City's road network.
27. To remain eligible and meet external funding timelines, the City must commit to delivering these projects from 2027/28 and 2028/29; however, implementation remains subject to securing external funding.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/67

That Council:

1. ENDORSE the submission of funding applications to the Australian Government Black Spot Program for the upgrade of the existing roundabouts at Berkshire Road / Dawson Avenue / Apricot Street and Hale Road / Morrison Road / Reynolds Road; and safety barrier installation on Welshpool Road East (Straight Line Kilometre 1.39 – 3.95) with the aim of securing funding for 2027/28 and 2028/29 financial years; and
2. COMMIT IN PRINCIPLE to funding the City's municipal contribution for the Berkshire Road / Dawson Avenue / Apricot Street and Hale Road /

Morrison Road / Reynolds Road projects in accordance with State Black Spot requirements, subject to successful grant outcomes and formal budget adoption.

Moved: Cr Lisa Cooper

Seconded: Mayor Margaret Thomas

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

10.2.2. Tree Nursery Investigation Study

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

Previous Items	OCM 2025/72
Directorate	Infrastructure
Business Unit	Engineering and Parks Maintenance
File Reference	4.00009518
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 2: Kalamunda Clean and Green

Objective 2.1 - To protect and enhance the environmental values of the City.

Strategy 2.1.1 - Implementation of the Local Environment Strategy

Strategy 2.1.2 - Development and Implementation of the Urban Forest Strategy.

EXECUTIVE SUMMARY

1. A notice of motion requesting the Chief Executive Officer to prepare a business case for the establishment of a City of Kalamunda (City) Tree Nursery was carried unanimously at the Ordinary Council Meeting dated 9 December 2025.
2. This report summarises the possible models of operation explored and recommended actions.

BACKGROUND

3. At the 9 December 2025 Ordinary Council Meeting a Notice of Motion was presented by Councillor Modolo requesting the City of Kalamunda to prepare a business case for the establishment of a Tree Nursery.
4. At this meeting Council resolved to:
 1. *REQUEST the Chief Executive Officer to prepare a business case for the establishment of a City of Kalamunda Tree Nursery, including consideration of:*
 - a) *Potential models for operation (City-operated, partnership, or joint venture arrangements);*
 - b) *Suitable locations, including existing City landholdings or shared regional facilities;*
 - c) *Estimated establishment and operating costs;*
 - d) *Opportunities for revenue generation and regional supply;*
 - e) *Capacity to support the City's urban greening, biodiversity, and canopy coverage objectives; and*
 - e) *Funding and grant opportunities available to support establishment.*
 2. *REQUESTS the business case be presented to Council for consideration as part of the 2026/27 Budget deliberations.*
5. The City's Urban Forest Strategy (UFS) guides the City in designing, managing and improving the urban forest to protect and grow the urban forest canopy for the wellbeing of our residents, enterprise and ecosystems. Leafy cover from tree canopy benefits our entire City. To realise these benefits, the City aspires to achieve a target overall urban canopy cover across the City of 30% by 2042.
6. This report explores the option of establishing an in-house tree nursery to support achievement of this target versus other alternatives such as

contract-growing, partnerships/joint ventures and procurement reform to secure supply.

DETAILS AND ANALYSIS

7. The City plants approximately 300 trees per annum, based on current available resources.
8. The City's Urban Forest Strategy has a target of 30% canopy cover by 2042. It is estimated that the City would need to plant 2000 trees per annum in the public realm to achieve this target alongside endeavours in private land. Currently the City's resources are disproportionate to this target.
9. The following operating models were explored:
 - a) Continue current operations
Description of model: City currently procures mature trees (25-35 litre pots, ~1.2m high) from local nurseries, uses contractors to plant and undertake establishment watering.
Control (species, provenance/quality control): Difficult to ensure endemic species supply and provenance control.
Supply certainty: Restricted – often face stock shortages and substitutions.
Key risks/trade-offs: Increasing costs restricts the City achieving UFS targets. Often facing stock shortages and substitution.
 - b) City operated nursery
Description of model: City owns and operates a production nursery.
Control (species, provenance/quality control): High – as City propagates and responsible for control.
Supply certainty: Medium – High (if well run).
Key risks/trade-offs: High capital cost and will require high ongoing operational costs plus risks of water constraint, biosecurity risks and underutilisation.
 - c) Partnership model
Description of model: Variety of options such as City provides land (lease/licence) or City enters arrangement with other Local Government with an internal nursery.
Control (species, provenance/quality control): Medium-High (depends on quality control and governance).

Supply certainty: High – if well run.

Key risks/trade-offs: Will require strong governance and clear allocations/performance measures.

d) Procurement reform

Description of model: Panel contracts and forward ordering rather than ad hoc. The Long-Term Financial Budgeting will need to support this to ensure we have the funds committed. Another option is multi-year contracts with a supplier that grows to City specifications.

Control (species, provenance/quality control): Medium – depends on specifications set by the City and inspections undertaken.

Supply certainty: Although increases reliability as forward ordering, it will still depend on market availability.

Key risks/trade-offs: Still dependent on market capacity and endemic scarcity may continue. Supplier will need to have capacity to grow specific to City specifications. Still have biosecurity risk.

10. The City considered a recent case study from the City of Gosnells and their plans to establish an internal tree nursery. Based on their calculations, a capital outlay of approximately \$825,000 will be required. With average annual operating costs estimated at \$654,000 per annum over the first ten years. This new nursery will be able to provide approximately 9,000 trees which covers their needs of 2,500 trees and a remaining 6,500 trees to sell.
11. If the City is to build a similar facility to the City of Gosnells, an internal and City operated production nursery is unlikely to be financially viable at the City's current planting volumes. Key constraints include high fixed operating costs (staff and compliance) relative to the possible procurement savings available.
12. Grant funding may assist with discrete capital components (e.g. shade infrastructure, irrigation/fertigation, or biosecurity controls), but is unlikely to cover ongoing operating costs, which are typically the largest driver of nursery viability. Potential sources include State and regional urban greening programs, local government sector grants for canopy uplift, and environmental restoration grants where nursery output directly enables on-ground outcomes.

APPLICABLE LAW

13. Nil

APPLICABLE POLICY

14. Nil

STAKEHOLDER ENGAGEMENT

15. Communications with the City of Gosnells to obtain information regarding the establishment of their internal tree nursery.
16. Meeting was held with Councillor Modolo to present an investigation study report detailing findings and initial costings for the four options. It was agreed further detailed work on the business case was not required.

FINANCIAL CONSIDERATIONS

17. The options above will assist with securing the supply of trees for the City, however, budget will still be required for the planting through contractors and establishment watering of the trees.

SUSTAINABILITY

18. Tree canopy cover is key for urban cooling and a neighbourhood amenity. The City's Urban Forest Strategy supports the importance of the urban forest canopy for the wellbeing of our residents, enterprise and ecosystems.

RISK MANAGEMENT

- 19.
- | | | |
|--|-------------------|---------------|
| Risk: The City suffers substantial environmental loss due to inaction in the protection and growing of its urban forest canopy. | | |
| Consequence | Likelihood | Rating |
| Significant | Almost Certain | High |
| Action/Strategy | | |
| Progress towards clear plans to grow the number of trees, guaranteeing supply of trees and advocating for the protection of trees will assist in mitigating this risk. | | |

20.	Risk: The City suffers substantial reputational damage due to inaction in the protection and growing of its urban forest canopy.		
	Consequence	Likelihood	Rating
	Significant	Almost Certain	High
	Action/Strategy		
	Progress towards clear plans to grow the number of trees, guaranteeing supply of trees and advocating for the protection of trees will assist in mitigating this risk.		

CONCLUSION

21. If the City is to build a similar facility to the City of Gosnells, an internal and City operated production nursery is unlikely to be financially viable at the City's current planting volumes.
22. The Long-Term Financial Plan will need to include provisions to ensure we have the funds committed to meet the required planting targets.
23. Current procurement strategy leaves the City at risk of supply chain issues that are likely to prevent the City reaching the required planting targets.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/68

That Council:

1. ACCEPT the findings indicating that, an internal and City of Kalamunda operated production nursery is unlikely to be financially viable at the City of Kalamunda's current planting volumes.
2. AGREE in principle to City of Kalamunda staff liaising with the City of Gosnells to investigate the possibilities of a partnership in respect to the supply of mature trees in conjunction with them constructing and operating their proposed Nursery.
3. SUPPORT the advertisement of a Tender for the Supply and/or Planting of mature trees for a period until such time a partnership agreement can be negotiated, and the City of Gosnells Nursery is operating at a capacity that ensures sufficient supply is available to enable the City of Kalamunda to work towards its overall urban canopy cover targets.

Moved: Cr David Modolo

Seconded: Cr Josh Clark

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY (8/0)

10.3. Corporate Reports

10.4. Community Reports

10.5. Office of the CEO Reports

10.5.1. Annual Review of Delegations of Authority

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

Previous Items	OCM 2025/96
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	N/A
Owner	N/A

Attachments	1. DRAFT - Register of Delegations - Council to CEO - 2026 [REVISED PL N 6] [10.5.1.1 - 67 pages]
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TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets
Information	For Council to note
☒ Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles 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. In accordance with section 5.46(2) of the *Local Government Act 1995*, delegations are to be reviewed at least once per financial year by the delegator.
2. The purpose of this report is to fulfil the annual review requirement for Council to review the delegations of authority to the Chief Executive Officer (CEO).
3. Officer assessment is that some of the existing delegations require corrections to ensure accurate description of heads of power, delegated functions and removal of a number of delegations that no longer have any benefit.
4. It is recommended that Council review and adopt the delegations detailed in the draft Delegations Register (Attachment 1).

BACKGROUND

5. The *Local Government Act 1995* (Act) as well as other Acts of Parliament provide a head of power to delegate a range of functions and powers in legislation to allow local governments to perform day-to-day statutory tasks and duties.
6. Section 5.46(2) of the Act requires the delegator to review delegations at least once per financial year.
7. Council last reviewed its delegations of authority on 24 June 2025 (OCM 2025/96).

DETAILS AND ANALYSIS

8. As noted above, a number of relatively minor modifications are proposed to existing delegations to ensure correct heads of power are referenced, and functions/duties delegated are up-to-date. Proposed changes of a material nature are shown in **Table 1**.
9. Immaterial changes (typographical changes, commas instead of full-stops and correcting capitalisation) are not listed in the table.

10. New delegations are also proposed. These are detailed in a separate table (Table 2).

Table 1

Delegation	Change	Reason
LGA3 - Lease and Licence Agreements	Insertion of conditions	The change places limits on the delegation able to be used when the proposed term, dollar value or purpose is over the thresholds stated in the conditions
LGA6 – Access to Local Government Information	Rescind the delegation	A delegation for this purpose is not required, as public access to the kinds of information prescribed by the Act is as-of-right
LGA9 – Appointment of “Authorised Persons”	Correction of power/duty delegated, removal of references to s.9.10 of the Act, and insertion of ability to appoint poundkeepers	The existing delegation infringes on the CEO’s powers under s.9.10(2) of the Act to appoint authorised persons. The delegation is modified to include authority to <i>authorise an employee</i> for the purposes of Part 3 powers of the Act, and the appointment of poundkeepers (impounding livestock) under the <i>Local Government (Miscellaneous Provisions) Act 1960</i> .
LGA13 – Granting Concessions	Minor correction to the reference legislation	Insertion of “6.12(1)(b)” for clarity.
LGA16 – Closing of Thoroughfares to Vehicles (ENG2)	Inserting statutory limitation periods	Change to reflect the +/- 4 week periods prescribed by the Act and associated public notice requirements
BLD8 – Designate Employees as Authorised Persons	Insertion of correct heads of power to appoint	Ensuring the head of power is referenced in the body of the

		delegation, and insertion of a new separate power to designate a person under the <i>Building Regulations 2012</i> for testing building work
PLN4 – Unauthorised Development	Head of power corrected, incorrect function removed	The delegation is required to reference a different head of power to other planning matters, in this case, s. 5.42(1)(b) of the <i>Local Government Act 1995</i>
BFA4 – Management of Bushfires (Transfer of Control) and Functions under the Act	Insert new paragraph for clarity of the function delegated	The existing delegation is ambiguous in terms of what the power/function is. The change removes the ambiguity.
FOOD1 – Prohibition Orders – Section 65 of the Food Act 2008	Correction to officer title	The term “Director Community Services” is deleted and replaced with “Director Development” to reflect the current administrative reporting line.
HLT1 – Appointment of Environmental Health Officers of the Public Health Act 2016	Insertion of the ability to designate authorised officers for the purposes of this Act	Designating persons to be authorised officers for specific enforcement purposes is required where the purpose is not performed by an Environmental Health Officer.
LL2 – Local Laws	Title change	Makes it clear it is for the purpose of administering the City's local laws made under the <i>Local Government Act 1995</i> .
ENG1 – Determination of Prohibited Parking Areas	Correction to the clause referenced	The reference and content of clause 1.10 of the Parking and Parking Facilities Local Law 2019 is corrected. It is currently misaligned with clause 2.1

CAT1 – Cat Act 2001 Delegation of Powers	Alteration of title and insertion of reference to the Cat Local Law	The title is corrected to say “2011” instead of “2001” and the City’s Cat Local Law is included, as the head of power for the Cat Local Law (and thus the power to delegate) comes from the <i>Cat Act 2011</i> .
DOG1 – Dog Act 1976 – Delegation of Powers	Insertion of reference to the Dogs Local Law	The City’s Dogs Local Law is included because the head of power for the Dogs Local Law (and thus the power to delegate) comes from the <i>Dog Act 1976</i> .
MISC2 – Donations, Grants and Contributions	Insertion of full legislative reference	The full text of r. 12(1)(a) of the regulations is inserted to provide the clear boundaries on this function.
MISC3 – SES – Appointment of Local Co-ordinator and Deputy Coordinator	Rescind the delegation	This delegation is of no legal effect and has no utility. The local government has no role in appointing SES Coordinators.
MISC4 – Write-Off of Emergency Services Levy Interest Amounts	Rescind the delegation	This delegation has no utility. The current DFES operations manual for the ESL is to be followed if such a circumstance arises.
MISC5 – Fireworks Displays	Amended	Amended to clarify that it is for approval/refusal of fireworks display applications on City property.
MISC6 – Public Liability Insurance	Amended	Title and content amended to reflect the function provided by section 3.22 of the Act to provide compensation to a land owner in the circumstances prescribed by the Act. Management of Public Liability is performed on

		behalf of the City by LGIS; therefore there is no need for the delegation to be maintained for the purposes of Public Liability.
MISC9 – Contract Award	Rescind the delegation	This delegation is project-specific for FY2025/2026 and is proposed to be replaced with a new instrument to reflect Council's decision on FY2026/2027 EOI projects (see Table 2)

11. The new delegations proposed are as follows:

Table 2

Proposed delegation	Reason
PLN5 Structure Planning and Local Development Plans	Delegations are needed for structure planning and local development plan (LDP) provisions to ensure decisions are made efficiently, consistently, and at the appropriate level of authority without overburdening Council. They allow the Planning Department to handle routine or technical matters such as minor amendments or compliance assessments. This allows Council to focus on strategic or high-impact decisions. Delegations will support timely development outcomes, provide clarity between governance and operational roles, ensure decisions align with legislative requirements under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The delegation also maintains appropriate governance and oversight through clear conditions, limitations and reporting requirements, including referral mechanisms where objections are received or Council Members request that a matter be determined by Council.

PLN6 Management of Developer Contribution Plans	This delegation is required to enable the timely and efficient administration of Development Contribution Plan (DCP) matters under Local Planning Scheme No. 3 and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The delegation relates primarily to operational and technical matters, including the calculation and review of infrastructure contribution costs, administration of credits and reimbursements for approved Cell Works, and the management of contribution deferrals in accordance with the adopted contribution framework. Providing delegated authority allows these matters to be managed responsively and in accordance with Council-approved contribution rates, valuations and scheme provisions, without requiring routine administrative matters to be referred to Council. The delegation also maintains appropriate governance and oversight through clear conditions, limitations and reporting requirements, including referral mechanisms where objections are received or Council Members request that a matter be determined by Council.
MISC7 Acquisition of Land	The delegation is proposed to streamline the process for acquiring land required to deliver public works, such as road infrastructure. Acquisitions of this nature are necessary to implement approved projects and meet identified community and service needs, and requiring a separate Council resolution for each transaction can result in unnecessary delay and administrative complexity. The delegation is appropriately constrained by clear legislative, financial, and governance controls, including the requirement that acquisitions be for a public work, confirmed budget provision, a defined purchase price cap, and a requirement that the agreed price be supported by a recent independent valuation. These safeguards ensure acquisitions are undertaken in a prudent, transparent, and accountable manner, while reducing the need for Council involvement in each individual acquisition. The framework also clarifies that acquisitions for commercial purposes fall outside the scope of this delegation and would therefore require separate Council consideration, while preserving the ability for matters to be referred back to Council where appropriate.

MISC10 Contract Award	Replaces MISC9 with a delegation that reflects Council's decision on 25 March 2026 to delegate authority for awarding construction contracts for Roads, Drainage and Footpaths (EOI 2026-01) and Builders Works (EOI 2026-02).
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12. Not all delegations are able to be sub-delegated, and where subdelegation is permitted by the head of power, it does not automatically follow that the subdelegate receives the same powers or functions as the primary delegation – the majority of functions delegated are only appropriate to be exercised by the CEO.
13. Where it is recommended that a delegation is rescinded without replacement, it is due to the instrument not having any practical use for the City, or the function originally delegated is no longer legally available.

APPLICABLE LAW

14. The *Interpretation Act 1984* provides the general legislative structure for the delegation of powers, duties and functions. All Acts of Parliament that contain specific heads of power to delegate are to be construed around this general structure.
15. Further, section 5.43 of the *Local Government Act 1995* limits the things that can be delegated to the CEO. These are –
 - any power or duty that requires a decision of an absolute majority of the Council;
 - accepting a tender which exceeds an amount determined by the Council;
 - acquiring or disposing of any property valued at an amount exceeding an amount determined by the Council;
 - any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129;
 - borrowing money on behalf of the local government;
 - hearing or determining an objection of a kind referred to in section 9.5;
 - the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
 - any power or duty that requires the approval of the Minister for Local Government or the Governor;
 - such other powers or duties as may be prescribed (duties of the Council with respect to audit functions)
16. Specific heads of power to delegate the functions of the delegations dealt with in this report are –

- *Local Government Act 1995*, s. 5.42(1); 5.46(2).
- *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 1 cl. 82, cl. 84.
- *Dog Act 1976*, s. 10AA, s. 10AB(2).
- *Cat Act 2011*, s. 44(1), s. 47(2).
- *Bush Fires Act 1954*, s. 48(1).

APPLICABLE POLICY

17. N/A

STAKEHOLDER ENGAGEMENT

18. Internal consultation among affected business units has informed the development of new and amending delegation instruments.
19. Public consultation is not required for an annual review of delegations or determining whether a function is to be delegated.

FINANCIAL CONSIDERATIONS

20. Nil.

SUSTAINABILITY

21. N/A

RISK MANAGEMENT

- 22.
- | | | |
|--|-------------------|---------------|
| Risk: The City fails to comply with the <i>Local Government Act 1995</i> by reviewing its delegations before the end of the financial year. | | |
| Consequence | Likelihood | Rating |
| Moderate | Unlikely | Low |
| Action/Strategy | | |
| Review the delegations in accordance with section 5.42 of the <i>Local Government Act 1995</i> before the end of the financial year. | | |

CONCLUSION

23. The recommendations reflect the outcome of the review of delegations and creation of new instruments. These delegations will continue to provide an effective framework for the efficient operation of the City through the responsible discharge of those powers and duties delegated by Council.

Voting Requirements: Absolute Majority

RESOLVED OCM 2026/69

That Council:

1. ACCEPTS the review of the City of Kalamunda Delegated Authority Register as required in accordance with sections 5.18 and 5.46(2) of the *Local Government Act 1995*; and
2. ADOPT BY ABSOLUTE MAJORITY the delegations detailed in the draft City of Kalamunda Delegations Register as set out in Attachment 1.

Moved: Cr Lisa Cooper

Seconded: Cr David Modolo

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (8/0)

10.5.2. Adoption of Proposed Activities in Thoroughfares and Public Places Local Law

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

Previous Items	24 March 2026 (OCM 2026/26)
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	N/A
Owner	N/A
Attachments	1. Activities in Thoroughfares and Public Places Local Law 2026 [FINA L] [10.5.2.1 - 45 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 3: Kalamunda Develops

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

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

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. At the Ordinary Council Meeting on 24 March 2026, Council decided to propose the draft Activities in Thoroughfares and Public Places Local Law for 6 weeks of community consultation in accordance with section 3.12 of the *Local Government Act 1995*.
2. Local public notice was given commencing week ending 27 March 2026 in the required way, ending 15 May 2026. No submissions were received.
3. Minor alterations are recommended to the proposed local law to improve grammar, correct typographical errors and include specific clauses identified by the DLGIRS and Officers for inclusion.
4. It is recommended Council make the proposed local law, as attached to this report.

BACKGROUND

5. The *Local Government Amendment Act 2024* introduced a transitional provision into the *Local Government Act 1995* (Act) that will repeal all local laws not reviewed under the previous local law review requirement if not replaced or reviewed by 6 December 2026.
6. The proposed Activities in Thoroughfares and Public Places Local Law is intended to replace 5 by-laws made under the old repealed Local Government Act 1960 and a local law made in 2008. All these existing by-laws and the local law deal with aspects of regulation in thoroughfares and public places (verges, paths, laneways) however all of them have age related obsolescence issues, noting that two of the by-laws were adopted by Council in 1963. They are -
 - (a) The Municipality of the Shire of Kalamunda By-law Relating to Numbering Houses and Buildings, published in Government Gazette No. 65 on 29 August 1963;

- (b) The Municipality of the Shire of Kalamunda Adoption of Draft Model By law Relating to Removal and Disposal of Obstructing Animals or Vehicles, No. 7 published in Government Gazette No. 65 on 29 August 1963;
 - (c) The Municipality of the Shire of Kalamunda Adoption of Draft Model By law Relating to Street Lawns and Gardens published in Government Gazette No. 64 on 6 July 1965;
 - (d) The Municipality of the Shire of Kalamunda By-laws relating to Signs, Hoardings and Bill Posting published in Government Gazette No. 26 on 10 April 1981; and
 - (e) The Shire of Kalamunda Trading on Thoroughfares and Public Places Local Law 2008, published in Government Gazette No. 121 on 11 July 2008.
7. The proposed local law will allow the City to deal with, amongst other things –
- Signs in thoroughfares, including variable message boards by way of a permit system
 - Basic specifications for crossovers, with the ability for Council to determine a more detailed crossover specification policy
 - Shopping trolleys left in public places
 - Skip bins and sea containers placed on verges
 - Damage to thoroughfares and infrastructure
 - Installations and works on verges
 - Vandalism or killing of street trees
 - Street traders, pop-up al-fresco dining areas and food trucks

DETAILS AND ANALYSIS

8. In accordance with the requirements of section 3.12 of the Act, local public notice of the proposed local law was given for more than 6 weeks, commencing week ending 27 March 2026 and ending 15 May 2026 in the required way –
- *The Echo* newspaper (27 March 2026 edition)
 - City of Kalamunda Facebook page
 - City of Kalamunda website (from 25 March 2026)
 - Notice boards in the City's libraries and Administration Centre (from 25 March 2026)

Copies of the proposed local law were also made available at the libraries and Administration Centre, as required by the Act.

9. No public submissions were received during the submission period.

10. Modified penalties are included for prescribed offences of the local law. The Act provides the head of power to impose modified penalties in local laws. A modified penalty is intended to be a last resort enforcement measure when other methods have failed (education, cautions/written warnings etc).

DLGIRS REVIEW

11. As required by the Act, a copy of the proposed local law was sent to the Department of Local Government, Industry Regulation and Safety (DLGIRS). The DLGIRS advice in relation to the proposed local law is as follows:

"Animals

Clauses 4.1 and 4.2 place restrictions on animals. These clauses may be interpreted to restricting the use of guide dogs and other assistance animals.

The Joint Committee on Delegated Legislation has raised concerns in the past that such clauses may be inconsistent with the Disability Discrimination Act 1992 (Commonwealth) and have requested that the following clause be inserted:

Assistance Animals

This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the Disability Discrimination Act 1992 (Commonwealth) section 9(2)."

City response: Noted. For avoidance of doubt this change has been made to the proposed local law (see new clause 1.9).

"Citation

The standard format for naming and citation includes reference to the year that the local law was made. The local law's name should be amended to the City of Kalamunda Activities in Thoroughfares and Public Places Local Law 2026."

City response: Noted. This change has been made.

"Table of Contents

The proposed local law currently does not include a table of contents. Due to its length, it is suggested that a table of contents referring to clause numbers be included to assist readers."

City response: Noted. A table of contents is included in the attachment for convenience. However it is not intended for a table of contents to be published in the Government Gazette, which would increase cost considerably as the Department of Premier and Cabinet charge publication by the line.

"Reference to council

Clause 6.4 (1) defines a policy as "a policy of the local government adopted by the council". It is sufficient to define it as "a policy of the local government".

City response: The DLGIRS view is noted, however this clause was worded in the way it was, more for the avoidance of doubt that it is the role of Council to determine the local government's policies pursuant to the Act.

"Page numbers

It is recommended that the page numbers be removed from the local law as they may not be accurate once printed in the Government Gazette and they may also clash with the Gazette's existing page numbering system when published. The clause numbers within the local law are sufficient for navigation purposes."

City response: Noted. Officers will ensure page numbers are removed for Gazettal.

"Shopping trolley – onus of proof

Clause 4.6 provides that "in the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley."

This clause provides that in the absence of evidence to the contrary, it will be assumed that a shopping trolley is owned by whichever retailer is marked on that trolley.

As a rule, the plaintiff to a legal action is responsible for proving the elements of that legal action. This rule is presumed to apply except where enacting legislation has expressly stated otherwise.

Since the Local Government Act 1995 does not expressly state that local laws can reverse the onus of proof, it is debatable whether local governments have the power to make local laws which do this.

The JSCDL has previously explored this issue in the local laws of other local governments. In those cases, the Committee concluded that it would

permit the clause, since the burden on retailers was not particularly onerous. However, the Committee concluded that the clause may not be legally valid and its enforceability may be vulnerable to legal challenge. This conclusion is set out in item 4 of the Committee's 16th Report. The City should keep this in mind if it chooses to retain the clause and rely on it in the future."

City response: The report referred to is *'Report 16, Joint Standing Committee on Delegated Legislation, Issues of Concern raised by the Committee between 1 May 2005 and 30 April 2006 with respect to Local Laws'* published May 2006.

In this report, the former JSCDL stated that it considered such a clause was –

"...an attempt, on the part of the City of Cockburn, to make it easier to obtain convictions for a breach of the local law by reversing the onus of proof in relation to the ownership of shopping trolleys. Such a clause is not generally authorised or contemplated by the Local Government Act 1995."

Whilst it is acknowledged the Act does not contemplate reversal of onus for offences other than those involving vehicles, the JSCDL went on to say, in that report –

"4.7 The Committee noted, however, that identical provisions to that contained in this local law currently exist in a number of local laws (such as the Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000) that have been accepted by the former Joint Standing Committee on Delegated Legislation. This clause is also contained within the Western Australian Local Government Association (WALGA) Activities in Thoroughfares and Public Places and Trading Model Local Law.

4.8 The Committee formed the view that, even though the clause does reverse the onus of proof and may not sustain a legal challenge in the event of a prosecution, the burden in this instance is not particularly onerous for shopping trolley owners."

Officers further note that multiple local laws have been made by local governments in the 20 years since this report containing an identical provision. The Undertakings lists provided by the JSCDL on the Parliament website contains no references to undertakings required by the JSCDL in regard to this issue, both in the current Undertakings list, or historical Undertakings going back to April 2013. Officers consider this provision can remain in place.

RECOMMENDED CHANGES

12. In addition to the minor amendments recommended by the DLGIRS, Officers have identified a number of further minor amendments required to be made to the proposed local law, that will make the proposed local law slightly different to the version that was advertised for public consultation. These are more typographical and grammatical corrections than anything else,

however for the purposes of transparency the entirety of these minor amendments are shown and described as follows.

Title and Clause 1.1

2026 is inserted at the end of the title of the local law, and as it appears in clause 1.1.

Reason: inserted as recommended by DLGIRS.

Clause 1.3

~~"The following local laws are repealed~~ This local law repeals the –

- (a) *Municipality of the Shire of Kalamunda By-law Relating to Numbering Houses and Buildings, published in Government Gazette No. 65 on 29 August 1963, as amended;*
- (b) *Municipality of the Shire of Kalamunda Adoption of Draft Model By-law Relating to Removal and Disposal of Obstructing Animals or Vehicles, No. 7 published in Government Gazette No. 65 on 29 August 1963, as amended;*
- (c) *Municipality of the Shire of Kalamunda Adoption of Draft Model By-law Relating to Street Lawns and Gardens published in Government Gazette No. 64 on 6 July 1965, as amended;*
- (d) *Municipality of the Shire of Kalamunda By-laws relating to Signs, Hoardings and Bill Posting published in Government Gazette No. 26 on 10 April 1981, as amended; and*
- (e) *Shire of Kalamunda Trading on Thoroughfares and Public Places Local Law 2008, published in Government Gazette No. 121 on 11 July 2008."*

Reason: better grammar and syntax, and to make clear the local laws being repealed are inclusive of amendments made over the years.

Clause 1.4

~~"1.4 Application Consequential amendment to the City of Kalamunda Parking and Parking Facilities Local Law 2019~~

In clause 4.3(1) and (2) of the City of Kalamunda Parking and Parking Facilities Local Law 2019, published in Government Gazette No. 147 on 11 October 2019, delete "Shire of Kalamunda Trading on Thoroughfares and Public Places Local Law 2008 as amended from time to time" and insert:

City of Kalamunda Activities in Thoroughfares and Public Places Local Law 2026"

Reason: This clause is required to be inserted to update a cross-reference in the City's Parking and Parking Facilities Local Law 2019. The change is necessary because the proposed local law before Council will repeal the Trading on Thoroughfares and Public Places Local Law 2008.

Clause 1.5

"1.5 Interpretation Application"

Reason: the heading is renumbered because of the insertion of the consequential amendment clause.

Clause 1.6

"1.6 Meaning of 'on' Interpretation"

Reason: the heading is renumbered because of the insertion of the consequential amendment clause.

Clause 1.7

"1.7 Transitional Meaning of 'on'"

Reason: the heading is renumbered because of the insertion of the consequential amendment clause.

Clause 1.8

"1.8 Transitional"

From and after commencement day, a permit, licence, consent, ~~or~~ authorisation, ~~notice or infringement~~ issued in accordance with a local law that is repealed under clause 1.3 –

- (a) is taken to be a permit, licence, consent, ~~or~~ authorisation, ~~notice or infringement~~ issued under this local law;*
- (b) is to be valid for the period specified on the permit, licence, consent, ~~or~~ authorisation, ~~notice or infringement~~; and*
- (c) may be cancelled, suspended or withdrawn in accordance with this local law."*

Reason: this heading is inserted because of the insertion of the consequential amendment clause. In addition, a change to this clause was recommended by the City's external legal service provider to remove notices or infringements from the transitional provision, because a person cannot be subject to a penalty for something that was not an offence at the time of doing the act; therefore carrying over the effect of a notice or infringement to refer to the proposed local law would likely be invalid.

Clause 1.9

"1.9 Application as to assistance animals"

This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the Disability Discrimination Act 1992 (Cwth) section 9(2)."

Reason: inserted as recommended by the DLGIRS.

Clause 3.9

*“(h) whether or not the sign will create a hazard to persons using a thoroughfare;
~~and~~”*

Reason: the word “and” at the end of subclause (h) is a typographical error.

Clause 4.2

*“(c) not train or race the animal on a thoroughfare; or
~~(ed)~~ not allow an animal to excrete in a public place, subject to subclause (4).”*

Reason: typographical error. The subclause (c) identifier was missing, with the following subclause requiring correction to (d) accordingly.

Clause 5.5

“(b) dispose of ~~any~~ waste generated by the trading activity in a public rubbish bin that is on a thoroughfare or a public place;”

Reason: Clause 5.5(2)(b) is modified to clarify that any waste generated by a food trader operating in a thoroughfare must not be disposed of in a public rubbish bin, as “waste” can take a number of forms (solid, liquid etc).

Clause 5.9

“5.9 ~~When a permit is required to conduct a Facility~~”

Reason: better grammar and syntax for the clause heading.

13. As noted above, the most substantial change to the proposed local law that was not in the version advertised for public consultation is contained in the new clause 1.4. This clause is necessary to change a cross reference in the City's Parking and Parking Facilities Local Law 2019, because it refers to a local law that will be repealed by the proposed local law that is the subject of this report. If this cross-reference amendment is not made, the relevant clause in the Parking Local Law will be inoperative.
14. How this change effects the Parking Local Law is demonstrated as follows (extract from the Parking Local Law):

4.3 Trading from parked or stopped vehicles

- (1) *A person shall not park or stop a vehicle or permit a vehicle to remain parked in a parking station or on a thoroughfare for the purpose of trading from that vehicle other than in accordance with a permit issued by the local government pursuant to the ~~Shire of Kalamunda Trading on Thoroughfares and Public Places Local Law 2008 as amended from time to time~~ City of Kalamunda Activities in Thoroughfares and Public Places Local Law 2026.*

- (2) *In this clause **trading** has the same meaning as in the ~~Shire of Kalamunda Trading on Thoroughfares and Public Places Local Law 2008 as amended from time to time~~ City of Kalamunda Activities in Thoroughfares and Public Places Local Law 2026.*

15. Section 3.13 of the Act requires that if, during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.
16. The Act does not define the term “significantly different”. The Joint Standing Committee on Delegated Legislation (JSCDL) have previously advised local governments that section 3.13 of the Act may become enlivened when a local law made by a council proposes different terms and provisions to what was initially proposed during public consultation – that is, there is a new regulatory obligation, liability or power created that was not initially proposed, or the individual or property rights of persons are impacted in a way that was not proposed in a consultation draft – particularly if those rights are negatively affected.
17. It is considered the changes to the draft do not meet the threshold to be significantly different, and thus not impacted by section 3.13 of the Act. This is because –
 - The changes are limited to correcting typographical errors and minor grammatical improvements, considered by the DLGIRS to be generally acceptable changes;
 - The insertion of the consequential amendment clause has no actual effect on the operation of the local law if it is made, and does not create a new liability, power, obligation or burden that would infringe a person’s individual or property rights because it merely updates a regulatory provision in the Parking Local Law that already exists; and
 - The changes, taken both individually and collectively, are not a material aspect of the local law and do not change the application of the local law as a whole – a key consideration* for the JSCDL when assessing if a local law is significantly different to initially proposed.

**Joint Standing Committee on Delegated Legislation – Report No. 4: City of Gosnells Bush Fire Brigade Local Law 2023, November 2023, p 3, pph 2.28*

18. Further, the Act recognises that sometimes limited changes need to occur to proposed local laws when being made by Council (compared to what was initially proposed for consultation). For these reasons it is considered appropriate for Council to proceed with making the local law, as the changes are minor and are within the scope provided by the Act.

APPLICABLE LAW

19. Part 3, subdivision 2 of the Act refers. It specifies the process that is to be followed for the proposing of, and making, a local law.
20. It is important to ensure the prescribed process is followed. Failure to do so may result in the local law being invalid or recommended by the JSCDL to be disallowed by Parliament. Whilst the Act provides that a failure to follow the procedure does not immediately invalidate a local law, there must be substantial compliance [Act, s. 3.12(2A)].
21. The JSCDL does not, in and of itself, have the power to disallow a local law. However if a local law is made that is invalid or not lawfully made for whatever reason and the local government refuses to provide an undertaking to the JSCDL to correct the issue, the Chair of the JSCDL can table a motion in Parliament recommending disallowance; if a disallowance motion is passed by Parliament, the local law is annulled.
22. The City has complied with the process prescribed by the Act, by giving more than 6 weeks local public notice in the required way [Act, s. 3.12(3)(a)] and referring the proposed local law to the DLGIRS for comment [Act, s. 3.12(3)(b)]. The submission period was for 7 weeks, to account for the Easter and ANZAC Day public holiday periods.
23. After the last day for submissions, Council is to consider any submissions, and may make the local law as proposed, provided it is not significantly different from what was proposed [Act, s. 3.12(4)]. Council could also make significant amendments following consideration of any submissions. In the event there are any significant changes, the process must be commenced again [Act, s. 3.13], or the local law is likely to be subject to objection by the JSCDL, as described previously. As noted in this report, it is not considered the changes recommended will result in a local law being made that is significantly different.
24. Council must then resolve by absolute majority to make the local law [Act, s. 3.12(4)]. Once made, the City will be required to publish the local law in the Government Gazette and give a copy of it to the DLG. Local public notice is again required [Act, s. 3.12(5), (6)], and a document package is required to be submitted to the JSCDL [Act, s. 3.12(7)].
25. The local law will take legislative effect 14 days after publication in the Government Gazette [Act, s. 3.14(1)].

APPLICABLE POLICY

26. Nil, however policy development is being undertaken to provide structure around specific functions of the local law (e.g. permissible verge treatments, crossovers).

STAKEHOLDER ENGAGEMENT

27. The proposed local law was advertised for public submissions for over 6 weeks in accordance with the requirements of the Act. No public submissions were received.
28. A question without notice was asked by a member of the public during Public Question Time at the OCM of 24 March 2026, with the question being taken on notice and the response published in the agenda for the 28 April 2026 OCM. The question asked however did not appear to involve the proposed local law in and of itself, rather it questioned the existing regulatory mechanisms and the commentary in the officer report regarding risk if the local law was not made.
29. The proposed local law was referred to the DLGIRS for comment, with the responses as noted in this report.

FINANCIAL CONSIDERATIONS

30. Publication in the Government Gazette is required in order for the local law to take legislative effect, which may cost approximately \$2500. This is in addition to the requirement to give local public notice of the new local law, if made by Council (approx. \$500-\$600).

SUSTAINABILITY

31. N/A

RISK MANAGEMENT

- 32.
- | | | |
|--|-------------------|---------------|
| Risk: The City's existing local laws that will be repealed on 6 December 2026 will not be replaced or reviewed in time. | | |
| Consequence | Likelihood | Rating |
| Significant | Unlikely | Medium |
| Action/Strategy | | |
| Replace the City's local laws before 6 December 2026. | | |
-
- | |
|--|
| Risk: If existing local laws are repealed with no replacement, the City will have no enforcement mechanism to deal with |
|--|

obstructions on verges and thoroughfares and matters the community expects the City will regulate.		
Consequence	Likelihood	Rating
Major	Unlikely	High
Action/Strategy		
Replace the City's local laws before 6 December 2026.		

Risk: The City does not comply with the procedure required by the <i>Local Government Act 1995</i> when making a local law.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
Comply with the local law making procedure prescribed by the <i>Local Government Act 1995</i> .		

Risk: The local law is invalidated by Parliament or the JSCDL requests an undertaking to amend the local law.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
The proposed local law has been reviewed by the City's external legal service provider and the DLGIRS to identify any legal issues with what is proposed, and changes made where recommended.		

CONCLUSION

33. Local law making by local governments is a serious matter. Like any regulatory instrument, local laws have the potential to modify common law rights and use of public places and can contain financial sanctions in the form of modified penalties. This is provided that the local law is within the scope permitted by Acts of Parliament and the courts.
34. Parliament has delegated its authority to local governments to make local laws in specific Acts (in this case the *Local Government Act 1995*). To ensure this authority is within the bounds of the law, the *Interpretation Act 1984* and the JSCDL provides the oversight required to ensure the public interest is not unreasonably or unlawfully infringed when local governments use this executive law making power.
35. The proposed Activities in Thoroughfares and Public Places Local Law 2026 represents a contemporary and responsible regulatory scheme for the City to

allow it to properly regulate activities in thoroughfares. This balances the rights of the community to go about their lawful pursuits, with the City's responsibility as a custodian of roads and other public places in thoroughfares, within what is permitted to be regulated by local governments in accordance with the laws of Western Australia.

Voting Requirements: Absolute Majority

RESOLVED OCM 2026/70

That Council:

1. NOTES the proposed Activities in Thoroughfares and Public Places Local Law 2026, as attached to this report, is not significantly different from what was proposed for community consultation by Council at the Ordinary Council Meeting of 24 March 2026;
2. In accordance with section 3.5(1) and section 3.12(4) of the *Local Government Act 1995* MAKE the Activities in Thoroughfares and Public Places Local Law 2026 as attached to this report;
3. AUTHORISE the Chief Executive Officer to –
 - (a) pursuant to section 3.12(5) of the Act, give a copy of the Activities in Thoroughfares and Public Places Local Law 2026 to the Minister for Local Government, and publish the Activities in Thoroughfares and Public Places Local Law in the Government Gazette;
 - b) pursuant to section 3.12(6) of the Act, give local public notice in the manner prescribed, with the purpose and the effect of the Activities in Thoroughfares and Public Places Local Law 2026 summarised in the notice, specifying the date on which the Activities in Thoroughfares and Public Places Local Law 2026 comes into operation, and where it may be viewed by the public; and
 - c) pursuant to section 3.12(7) of the Act, give a signed Explanatory Memoranda and Explanatory Memoranda check list, copies of the Activities in Thoroughfares and Public Places Local Law 2026 and any other materials required, to the Clerk of the Joint Standing Committee on Delegated Legislation.

Moved: Cr David Modolo

Seconded: Cr Lisa Cooper

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (8/0)

10.6. Chief Executive Officer Reports

10.6.1. Petition Response - High Wycombe South and Kewdale Hazelmere Integrated Masterplan

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

Previous Items	N/A
Directorate	Development
Business Unit	Strategic Planning and Property
File Reference	N/A
Applicant	N/A
Owner	Various landowners
Attachments	1. Petition [10.6.1.1 - 2 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

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

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to respond to the petition received at OCM 28/2026.
2. The City of Kalamunda (City) has received a petition from Mr Paul Michael Ryan (Lead Petitioner) signed by fifteen (15) landowners in the High Wycombe South residential precinct. The petition is seeking a meeting with Government, CEO of the City of Kalamunda, a ratepayer representative from each ward and two landowners from High Wycombe South. The purpose of the petition is for all Ratepayers of the City of Kalamunda and individual Landowners in High Wycombe South, to receive a competent reply to claims resulting from the process to change the zoning for only a segment of sterilised land, namely Stage 3 of the Kewdale Hazelmere Integrated Masterplan Forrestfield Precinct.
3. It is recommended that Council notes the received petition and the City's response to the petition.

BACKGROUND

4. The Kewdale-Hazlemere Integrated Masterplan (KHIM) was developed by the WAPC in 2006. The objectives of the document were to facilitate land use and infrastructure planning around the road and rail network from Kewdale to Hazelmere. One of the areas investigated was the Forrestfield precinct, now known as High Wycombe South, METRONET East High Wycombe, and Forrestfield/High Wycombe Industrial Precinct.
5. The recommendations from KHIM for the Forrestfield precinct included strategic land use planning be undertaken to facilitate industrial land and urban intensification.
6. In September 2016 the Forrestfield North Distinct Structure Plan (FNDSP) was approved by the WAPC in accordance with State strategic planning framework. The plan included areas for industrial land use and urban intensification, in alignment with KHIM.
7. The High Wycombe South Residential Precinct Local Structure Plan (HWSLSP) was prepared by the City and approved by the WAPC on 27 July 2020. The structure plan aligned with the FNDSP P2 and P3 areas.

8. The City received an identical question from the petition organiser at OCM 24 March 2026. The question was taken on notice, and an answer provided at OCM 28 April 2026.
9. The City has engaged with the petition organiser and signatories on various issues regarding the HWSLSP over several years.

DETAILS AND ANALYSIS

10. The KHIM masterplan investigated the Forrestfield precinct and included the following recommendations:

R35	Identify the land in the Shire of Kalamunda (Forrestfield precinct – generally bounded by Berkshire Road, Dundas Road, Poison Gully and Roe Highway) as being of strategic importance to the State in terms of its location within this freight transport hub and potential to facilitate additional general industrial land uses and more intensive urban development where appropriate.
R36	Prepare a structure plan for land in the Shire of Kalamunda (Forrestfield precinct generally bounded by Berkshire Road, Dundas Road, Poison Gully and Roe Highway) to identify any suitable areas for additional industrial and residential land uses. This work is to include urban design investigations and involve consultation with the local landowners and community to identify areas suitable for rezoning and appropriate land use treatments to create a transition buffer between existing and planned residential and general industrial land uses.

11. The City has actioned the recommendations through development of the FNDSP and the HWSLSP. These strategic documents have facilitated industrial and residential development in the precinct. These plans have been approved by the WAPC and align with the State's strategic planning framework.
12. The City is currently leading advocacy and communication initiatives in the HWS residential precinct with the introduction of an online engagement portal, a bi-monthly publication – Eastern Region Chronical, a prospectus – Unlocking METRONET's Potential, and ongoing forums and direct communication with landowners.
13. The City recently held a forum for the residents of High Wycombe South on the 14 May 2026.

APPLICABLE LAW

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

APPLICABLE POLICY

15. Nil.

STAKEHOLDER ENGAGEMENT

16. Further engagement will be managed through the HWS engagement portal.
17. The City has received a significant volume of enquiries from the lead petitioner over several years regarding land use planning in High Wycombe South. While the petition has been submitted and is being managed in accordance with the City's Standing Orders, the request contained in the petition is consistent with the nature of requests received separately by the lead petitioner.
18. The volume and frequency of requests regarding this matter has required the City to implement management measures under the City's Service 1 Unacceptable Conduct: Complaint Handling and Impact Management Policy.

FINANCIAL CONSIDERATIONS

19. The long-term impact on the City resulting from persistent requests from the lead petitioner, such as the request contained in this petition, can disrupt and divert resources from core services, resulting in an increased operational cost to the City.

SUSTAINABILITY

20. Nil.

RISK MANAGEMENT

- 21.
- | | | |
|---|-------------------|---------------|
| Risk: The City's response is not considered suitable by the petition signatories, resulting in additional requests. | | |
| Consequence | Likelihood | Rating |
| Insignificant | Possible | Low |
| Action/Strategy | | |
| The City will continue to engage with residents of the precinct through the engagement portal and direct communication associated with land use planning processes and decisions. | | |

CONCLUSION

22. This report addresses the City's response to the petition received in relation to the Kewdale-Hazelmere Integrated Masterplan, Forrestfield Precinct.
23. The City has undertaken strategic planning within the area in accordance with State strategic documents since 2006. The planning framework for the area has been approved by the WAPC in alignment with State planning policies.
24. The City continues to advocate to the State Government on behalf of the High Wycombe Precinct and its residents.
25. The City also continues to keep the community and affected landowners informed through a range of communication channels, including Prospectus, the City's website, and recently held information sessions.
26. Considering the above analysis and the City's past, and current, engagement with the petition organiser and signatories, this report should be deemed an appropriate response to the petition.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/71

That Council:

1. NOTE the matters raised in the petition and the City of Kalamunda's response contained within this report.
2. NOTE that interactions relating to this matter are being managed in accordance with the City's Service 1 Unacceptable Conduct: Complaint Handling and Impact Management Policy.

Moved: Cr Lisa Cooper

Seconded: Cr David Modolo

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

10.6.2. High Wycombe South Residential Precinct - Vision and Concept Plan for Local Structure Plan Amendment

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

Previous Items	OCM 14/2015, SCM 05/2015, OCM 15/2017, OCM 280/2019, SCM 67/2018, SCM 231/2018, SCM 232/2018, OCM 280/2019, OCM 243/2019, OCM 304/2021, OCM 45/2022, OCM136/2024 & OCM22/2026
Directorate	Development
Business Unit	Strategic Planning and Property
File Reference	3.009297
Applicant	N/A
Owner	Various
Attachments	1. HWS Structure Plan Map [10.6.2.1 - 1 page] 2. June OCM Attachment 2 [10.6.2.2 - 1 page]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

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

Priority 3: Kalamunda Develops

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

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.

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's consideration of an Engagement and Principles Plan (Principles Plan) to guide the future amendment to the High Wycombe South (HWS) Residential Precinct Local Structure Plan (LSP).
2. The City is taking a proactive and transparent approach to address required amendments relating to the interface along Sultana Road West and the proposed location of the primary school, together with identifying areas that require further engagement within distinct cells in the HWS Residential Precinct LSP area to support sustainable precinct development.
3. A Principles Plan (Attachment 10.6.2.2) is presented to Council for noting, and will guide technical investigations and support engagement and confidence for future technical reporting and regulatory processes for the LSP amendment.

BACKGROUND

4. As part of a Working Group established by the Department of Planning, Lands and Heritage (DPLH) in late 2024, issues have been raised with the current LSP (Attachment 10.6.2.1) and the City has been requested to examine alternative options for the following:
 - The location of the Primary School. The Department of Education's (DoE) concerns relate to the school site location being adjacent to a contaminated site at No. 65 Brand Road, High Wycombe (historically the City's landfill site).
 - Interface between urban and industrial uses along Sultana Road West. Landowners along Sultana Road West also continue to request consideration of the proposed land use outcomes and the implementation of measures that facilitate a suitable transition from the adjacent industrial area to the precinct, particularly in relation to off-site amenity impacts.

5. At the March 2026 Ordinary Council Meeting (OCM22/2026), Council resolved to authorise the City to prepare an amendment to the High Wycombe South Residential Precinct Local Structure Plan and provided consent to funding the amendment.
6. The City has prepared a Principles Plan for the LSP amendment, which is contained as Attachment 10.6.2.2 to this report.
7. The Principles Plan is not formally recognised in the State or Local Planning Framework, and does not form part of the statutory process for the LSP amendment. Rather, it has been developed as a preliminary tool supporting engagement and confidence for future technical reporting and regulatory processes leading up to the formal initiation of the LSP amendment process.
8. Importantly, it is not intended to represent the final LSP outcome and remains subject to change as further technical investigations are undertaken and the statutory planning process progresses, including consultation.

DETAILS AND ANALYSIS

9. The City has undertaken options analysis and investigations in consultation with DPLH and DoE to identify opportunities with proposed precinct changes, particularly in relation to interface issues and the relocation of the school site.
10. Through the preparation of the Principles Plan, a range of opportunities and constraints within the precinct have been carefully considered and addressed, which will be addressed through guiding principles discussed as follows:
11. **Sultana Road West Interface**
A land use transition is needed along the Sultana Road West interface to appropriately manage potential amenity impacts associated with the urban-industrial interface and support compatible land use integration wherever possible. Principles guiding this interface include:
 - Use appropriate separation and/or compatible reserve (preferred) or land use classifications to create a transition interface that avoids, mitigates, or manages impacts across all future planning stages.
 - Replace sensitive land uses within approximately 50m of the interface with compatible reserve or alternative land uses, including consideration of local open space, public purpose reserve and/or service commercial.

- Minimise the long-term risk of encroachment of unsuitable land uses into the Residential Precinct, complexity in assessment, ongoing monitoring and control measures to manage impacts to ensure practicality of implementation in perpetuity through appropriate LSP provisions.
12. Having regard to these principles, the preference is to pursue the relocation of the primary school adjacent to the Cell adjacent to Sultana Road West and consider how supporting uses (including any open space reserves) can establish a compatible interface treatment. Alternatively, subject to appropriate economic analysis, service commercial could be considered in this location although may not satisfy principles or long term practical needs for this interface.
13. **Primary School Location**
The DPLH, DoE and the City have considered opportunities for a future location for the primary school. Through the Principles Plan, the City has also taken into account the capacity to address locational and site requirements for a future school, including WAPC's Operational Policy 2.4: Planning for School sites.
14. In assessing the precinct, the LSP amendment should consider both opportunities and constraints. It is acknowledged that there are limited viable options for relocation of the school site, noting that portions of the precinct are already subject to subdivision proposals and/or ongoing development processes. Principles guiding this the location of the primary school include:
- Balance the adherence of the locational and physical site requirements, servicing and access under WAPC's Operational Policy 2.4: Planning for School sites having regard to progressive development in the precinct.
 - Consider the School site relocation amendments to support the resolution of interface issues, while maximising accessibility to the future catchment.
 - Ensure the location can support lot design and development to minimise conflict with surrounding land uses, while preserving appropriately located infill housing.
 - Re-introduce wherever possible appropriate co-located sport and/or recreational playing space within and adjacent to the new school location.

- Introduction of clear controls and treatments that appropriately protect sensitive land uses.

15. The primary school location is considered appropriate in the cell adjacent to the Sultana Road West interface for these key reasons:

- Subdivision in the other central areas of the precinct - Brae Road/Stewart Road area has limited viable school site options.
- Sultana Road West makes better use of existing and planned infrastructure, improving access and serviceability.
- The location helps resolve amenity and land use interface issues while enabling clear separation between industrial and residential uses.
- Relocation responds to agency feedback that a school is not supported in the Transit-Oriented Development precinct and limited options are available to proceed with a school site.

16. **Residential Density and Yield**

Principles under consideration to support LSP amendments include:

- Identify opportunities for appropriate increases to residential densities in locations to maintain projected housing yields consistent with the adopted High Wycombe South Residential Precinct LSP.
- Introduce development guidelines to support development that demonstrates a safe, high quality, high amenity, and accessible urban environment.

17. Amendments within the precinct may present opportunities to enhance integration of higher densities, particularly in closer proximity to movement, community and open space infrastructure to encourage a more connected future neighbourhood.

18. **Residual Land Brand Road Landfill Site and Contiguous Areas**

The future re-location of the primary school site will necessitate careful consideration of the following principles:

- Review and where appropriate reduce total public open space areas based on precinct needs and appropriate locations.
- Identify appropriate land use outcomes that support site investigations and remediation options for the Brand Road landfill site.

- Determine the appropriateness of sensitive residential land uses in proximity to the Brand Road Landfill site, including the former primary school location.
 - Give due consideration to introducing land uses and future services to support economic outcomes, support infrastructure delivery and efficient urban form throughout the Residential Precinct and beyond.
19. Identifying an investigation area south of the Green Link is a strategic step to improve precinct viability if the primary school is relocated. Defined by the Green Link and Roe Highway, this sub-precinct allows review of residential suitability, local open space needs, and other land uses in response to local context and long-term development needs, including employment and service opportunities for future growth in High Wycombe and other emerging growth catchments in Maida Vale and Forrestfield.
20. **Scheduled timeframe for LSP Amendment**
Based on current planning, is estimated that the LSP amendment will be submitted to the WAPC for approval within a 12-month period. This is subject to change due to a range of factors, including but not limited to the potential requirement for re-advertising of the structure plan amendment or any delays associated with the finalisation of supporting technical reports. Final approval after submission to the WAPC is estimated to take a four-month period.
21. The Principles Plan will guide preliminary discussions with community and stakeholders together with the formulation of an updated LSP and technical investigations.

APPLICABLE LAW

22. *Planning and Development Act 2005.*
23. *Planning and Development (Local Planning Schemes) Regulations 2015.*

APPLICABLE POLICY

24. Perth and Peel @3.5million – North-East Sub-Regional Planning Framework
The WAPC in March 2018 released the Perth and Peel @ 3.5 million suite of documents, including the North-East Sub-Regional Framework (NE Framework) relevant to the City of Kalamunda and the High Wycombe South Residential Precinct.
25. Liveable Neighbourhoods

Liveable Neighbourhoods is a WAPC operational policy released in 2009 to guide structure planning and subdivision for greenfield and large brownfield (urban infill) sites. The policy aims to increase support for efficiency, walking, cycling and public transport and achieving density targets amongst other matters. Liveable Neighbourhoods has guided the preparation of the HWS Residential Precinct LSP, including the principles underpinning key infrastructure such as roads, parks and drainage.

26. State Planning Policy 7.3 – Residential Design Codes

The Residential Design Codes (R-Codes) apply to Residential or similar zoned land. The core objective is to ensure appropriate residential design and density in line in accordance with LPS3 and the Structure Plan. The primary application of the R-Codes as it relates to the LSP area is residential density and development requirements including lot size. All development must adhere to the general site and design requirements of SPP 7.3 Volume 1 and Volume 2 (Apartments) where applicable.

27. State Planning Policy 3.6 – Infrastructure Contributions Guidelines

State Planning Policy 3.6 – Infrastructure Contributions Guidelines (SPP 3.6) provides the State's policy control and guidance to DCPs, setting out a framework for the coordination and delivery of infrastructure in new and established urban areas throughout WA. The central intent of SPP 3.6 is to establish the eight (8) core principles to be applied when preparing and administering a DCP.

28. State Planning Policy 3.7 – Bushfire

State Planning Policy 3.7 – Bushfire (SPP 3.7) published in September 2024, ensures that all planning proposals have due consideration to bushfire protection requirements. SPP 3.7 and the supporting Planning in Bushfire Guidelines contains objectives and policy measures relating to strategic planning proposals in bushfire prone areas, including Structure Plans and amendments.

29. Position Statement: Public Open Space

The Position Statement: Public Open Space establishes that structure plans should refer to the anticipated POS contributions (land and/or cash in lieu) to be provided at subdivision stage and how these contributions will assist in ensuring adequate extent, quality and function. The Residential Precinct LSP shows for POS provision significantly exceeding 10%, with an LSP Amendment to address open space provision, restricted use, and deductions such as regional reservation.

30. Local Planning Policy 28 – Delivery of State and Local Strategies Through the Preparation of Structure Plans

Local Planning Policy 28 (LPP 28) guides the City's responsibility for the preparation of structure plans to achieve the implementation of the WAPC's NE Framework, and the information required for structure plan proposals.

31. Operational Policy 2.4 – Planning for school sites (2022)
Operational Policy 2.4 (OP 2.4) sets out general locational criteria, configuration requirements and design standards for the provision of school sites and provides clarity on the methodology and application of developer contributions for public primary schools.

STAKEHOLDER ENGAGEMENT

32. **High Wycombe South Residential Precinct: Information and Activity Session**
The City of Kalamunda invited landowners within the precinct to attend an Information and Activity Session for the High Wycombe South Residential Precinct on 14 May 2026. The session provided a shared baseline on the project history, status and next steps for the precinct – in particular the LSP amendment.

33. It was evident through the information session that landowners were seeking to gain an early understanding of the proposed changes associated with the LSP amendment and did not wish to wait until the formal advertising stage, noting this is unlikely to occur for a further 6–8 months pending the completion of technical investigations. Accordingly, the City is committed to enhancing transparency and early engagement with the community by sharing the Principles Plan at this stage of the process.

34. While the Principles Plan is not subject to statutory advertising requirements, its early release aligns strongly with the IAP2 Core Values and best practice engagement principles. It demonstrates the City's commitment to transparency and meaningful participation, beyond minimum statutory requirements, and supports more informed and constructive community input as the LSP amendment progresses.

In particular, it supports the core value that *“public participation contributes to better decisions”* and that *“participants need the information necessary to participate in a meaningful way.”*

By proactively sharing the Principles Plan at this stage, the City is ensuring the community has timely access to clear and relevant information, consistent with the IAP2 *“Inform”* level promise to the public, which commits to *“providing balanced and objective information to assist understanding.”*

35. Whilst the project has not yet progressed to the LSP amendment stage, when the LSP amendment is prepared, it will be public advertised as a statutory process, involving consultation with all landowners, residents,

interested stakeholders and service agencies as per Schedule 2, Part 4, cl.18 of the Planning Regulations, and the City's Local Planning Policy 11 – Public Notification of Planning Proposals.

36. In addition, the City will continue to advocate for the precinct so the State Government for Amendment 113, including progression of a Development Contribution Plan and the pursuit of State Government funding, to support infrastructure delivery and ensure the long-term viability and coordinated development of the precinct.

FINANCIAL CONSIDERATIONS

37. Costs associated with the processing of the LSP amendment (internal resources) are to be met through existing adopted budgets.
38. The City of Kalamunda has written to the DoE to formally request for a contribution to a portion of costs associated with the LSP amendment. Given the re-location of the school is a significant driver, the City has recommended 50% of the costs be borne by the DoE. DoE has advised they accept the City's request to contribute 50% of costs related to the school site amendment only. Further engagement is required to determine the financial value of this contribution towards the LSP amendment process.

SUSTAINABILITY

39. Social Implications

The Principles Plan will support strategic direction that helps guide the design of appropriate land use transitions between industrial and residential areas and land use integration associated with future structure plan amendments. This will, once established, support improved liveability and fosters greater certainty and trust among stakeholders by demonstrating that concerns have been considered early in the process of the structure plan amendment.

40. Economic Implications

The Principles Plan will support consideration of economic sustainability benefits. The LSP Amendment, once prepared will provide greater certainty for landowners, residents, investors and developers, reducing the risk of costly redesigns.

41. As part of the City's advocacy campaign for High Wycombe South, the City has obtained advice regarding the long-term economic outcomes of this precinct. High Wycombe South (including both the TOD and Residential Precincts) will deliver 3,000 new homes, contribute \$1.4 billion to the Gross

State Product and add \$742.9 million to the real incomes of residents of Western Australia.

42. Environmental Implications

The LSP area includes significant environmental features including the Green Link ecological corridor requiring appropriate protection from development, enhancement and management as nature habitat spaces and passive recreation.

43. The City continues to progress contaminated sites investigations of the adjoining former landfill sites as per DWER notification and in accordance with State legislation including the Contaminated Sites Act.

RISK MANAGEMENT

44.	Risk: The lack of principles guiding for the LSP amendment could delay the progress of the amendment due to uncertainty around the outcomes.		
	Consequence	Likelihood	Rating
	Significant	Possible	High
	Action/Strategy		
	Note the Principles Plan as a vision to provide guidance and certainty for the LSP amendment.		

45.	Risk: The identification of future changes to the LSP may result in applications being progressed which could compromise the ultimate land use outcomes adopted through the LSP.		
	Consequence	Likelihood	Rating
	Significant	Possible	High
	Action/Strategy		
	Actively communicate the progress and timely progression of the LSP amendment.		

46.	Risk: Progressing the LSP amendment work and supporting technical reports without guiding principles may result in misaligned outcomes, rework, and inefficient use of resources. This could also lead to delays and protracted stakeholder engagement if the strategic direction is later revised.		
	Consequence	Likelihood	Rating

Significant	Possible	High
Action/Strategy		
Note the Principles Plan as a vision to provide guidance ,certainty for the LSP amendment and to inform the amendments to the technical reporting.		

47.

Risk: Inaccurate cost estimates and forecasts without an endorsed Principles Plan to inform the LSP amendment.		
Consequence	Likelihood	Rating
Significant	Likely	High
Action/Strategy		
Note the Principles Plan.		

CONCLUSION

48. The purpose of this is to present the Principles and Engagement Plan to inform and guide technical investigations and support engagement and confidence for future technical reporting and regulatory processes for the LSP amendment.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/72

That Council:

1. NOTE the Principles and Engagement Plan for the purposes of preparing future amendments to the High Wycombe South Residential Precinct Local Structure Plan and associated engagement activities.
2. NOTE the City will continue to advocate for the High Wycombe South Residential Precinct, including the pursuit of State Government funding, to support infrastructure delivery and ensure the long-term viability and coordinated development of the precinct.

Moved: Cr David Modolo

Seconded: Cr Josh Clark

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

10.6.3. Community Bushfire Preparedness Plan - 2026/2027

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

Previous Items	
Directorate	Community Services
Business Unit	Community Hubs & Safety
File Reference	
Applicant	
Owner	
Attachments	1. Bushfire Compliance Season Summary Report 2025-2026 [10.6.3.1 - 18 pages] 2. Fire Hazard Reduction Notice 2026-2027 - Final [10.6.3.2 - 2 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (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 1: Kalamunda Cares and Interacts

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

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

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 2: Kalamunda Clean and Green

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

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

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 a summary of the outcomes from the 2025/26 Fire Hazard Assessment period and request Council to:
 - Note the end of season outcomes from the 2025/26 Fire Hazard Assessment period (Attachment 1); and
 - Endorse the City of Kalamunda 2026/27 Fire Hazard Reduction Notice (Attachment 2).

BACKGROUND

2. Effective bushfire prevention and preparedness planning is vital to supporting the City's strategic objective of providing a safe and healthy environment for the community to enjoy.
3. Pursuant to section 33 of the *Bush Fires Act 1954*, the City issues an annual Fire Hazard Reduction Notice to implement measures aimed at preventing the outbreak, spread or escalation of bushfire. The proposed 2026/27 Fire Notice can be found in attachment 2. The Notice has been approved by the City of Kalamunda's Chief Bush Fire Control Officer.
4. To support annual notices, the City developed a five-year Fire Hazard Assessment Plan 2023 - 2028 (The Plan), which outlines the City's approach to education, and enforcement of the annual Notice.
5. The Plan was prepared in consultation with a community working group which was established following a resolution of Council in December 2022. The purpose of the working group was to provide advice on potential strategies regarding preparedness on private properties to inform the Plan. The working group was a short-term reference group only.

DETAILS AND ANALYSIS

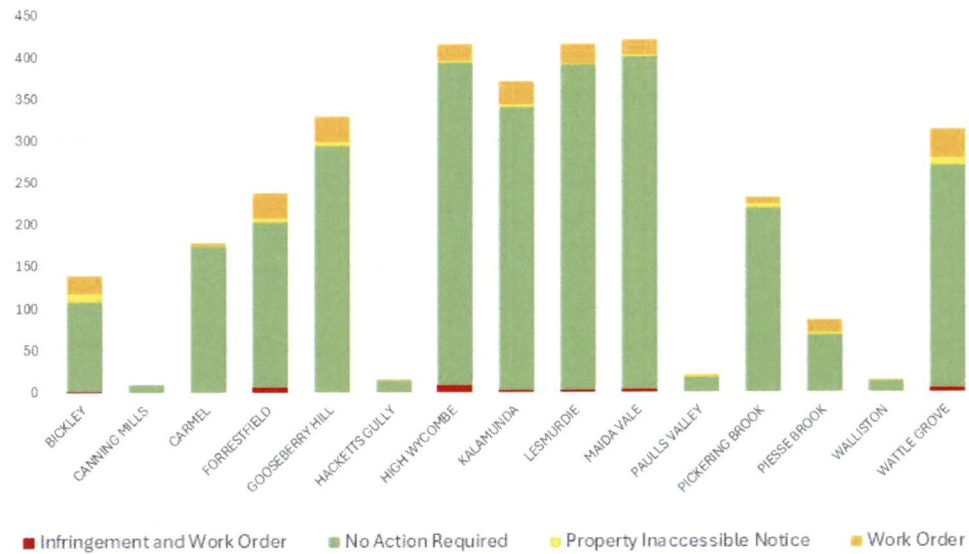
6. The Plan utilises findings from previous seasons, including non-compliance, complaints and comprehensive risk assessments to determine the priority of assessments throughout the City.
7. Key outcomes and observations from the 2025/26 Fire Hazard Assessment period, covering property assessments undertaken between 1 November 2025 and 31 March 2026, include:
 - 3,198 total assessments completed;
 - 2,576 individual properties attended;
 - 2,890 assessment outcomes requiring no further action;
 - 241 work orders issued, comprising 737 individual remediation items;
 - 28 infringement notices issued; and
 - 43 work orders outstanding at the close of the inspection period.
 - 12 Bushfire Infringement appeals received, with 1 successful appeal, leaving 11 infringements valid.

Overall, a high level of compliance was observed across assessments undertaken during the season, with 90.4% of assessment outcomes requiring no further action by the conclusion of the period. This outcome reflects the City's proactive approach to bushfire risk reduction through pre-season education, community engagement and property-specific assistance.

Prior to the commencement of the compliance period, officers attended 14 community engagement events and conducted 28 residential property walkthroughs, providing residents with practical advice on meeting their obligations under the Fire Hazard Reduction Notice.

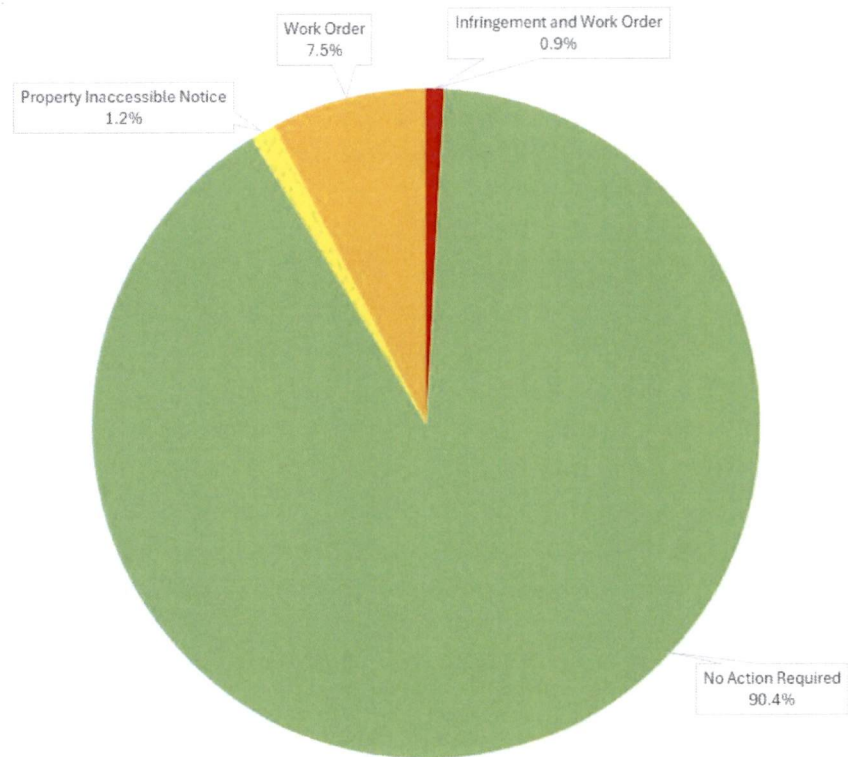
By focusing on early engagement and education, the City continues to support voluntary compliance and improve community understanding of bushfire mitigation responsibilities, reducing the need for reactive enforcement measures wherever possible.

8.



9.

Assessments by Suburbs



Outcome of All Assessments

APPLICABLE LAW

10. *Bush Fires Act 1954*

APPLICABLE POLICY

11. Nil.

STAKEHOLDER ENGAGEMENT

12. The 2026/27 Fire Hazard Reduction Notice has been prepared in consultation with the Department of Fire and Emergency Services (DFES).
13. It has also been approved by the City's Chief Bush Fire Control Officer.

FINANCIAL CONSIDERATIONS

14. Provisions for the implementation of the Plan and Notice have been allocated in the draft 2026/27 operational budget. No increase in budget from 2025/26 is proposed as part of this process.

SUSTAINABILITY

15. The City's implementation of the Fire Hazard Assessment Plan and Notice is a key initiative in ensuring the City and its residents are prepared for the risk and dangers associated with a changing climate and the threat of catastrophic bushfire events.

RISK MANAGEMENT

16.

Risk: Fire Hazard Assessment Plan is not implemented resulting in a significant increase in fuel loads and an increase of non-compliance on private properties.		
Consequence	Likelihood	Rating
Critical	Almost Certain	Extreme
Action/Strategy		
Fire Hazard Notice issued annually, including implementing the Fire Hazard Assessment Plan.		

Risk: A catastrophic fire event occurs resulting in loss of property and / or life.		
Consequence	Likelihood	Rating
Critical	Possible	High
Action/Strategy		
The process outlined in the assessment plan, if followed correctly, will reduce the impact of incidents, and further assist with responding to enquiries by external sources, should that be required.		

CONCLUSION

17. The implementation of the City's Fire Hazard Assessment Plan is one of the City's largest face-to-face interactions with the community, as a result, though the functions associated with the Management of Bushfires has been delegated to the CEO, Council is asked to endorse the associated notice. The notice and measures allow Officers the opportunity to engage with the community to educate residents on how to prepare and protect their properties, building overall community resilience.
18. The Plan has been guided by a comprehensive community engagement process and advice sought from DFES and BFAC.
19. Attachment 1 provides a summary of outcomes from the 2025/26 fire season the last seasons outcomes.
20. It is recommended that Council NOTE the outcomes of the 2025/26 fire season which will inform assessments and engagement activities for the following season and further ENDORSE the Fire Hazard Reduction Notice 2026/27 (Notice).

Voting Requirements: Simple Majority

RESOLVED OCM 2026/73

That Council:

1. NOTE the outcomes for the 2025/26 Fire Hazard Assessment period.
2. ENDORSE the City of Kalamunda Fire Hazard Reduction Notice 2026/27.

Moved: Cr John Giardina

Seconded: Cr David Modolo

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

10.6.4. Adoption of Annual Budget 2026/2027

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

Previous Items	
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	
Applicant	N/A
Owner	N/A
Attachments	1. Annual Budget 2026-2027 [10.6.4.1 – 77 pages]
Confidential Attachment	1. Capital Expenditure Internal CONFIDENTIAL 2. Advertisement of Differential Rates Outcome CONFIDENTIAL

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

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

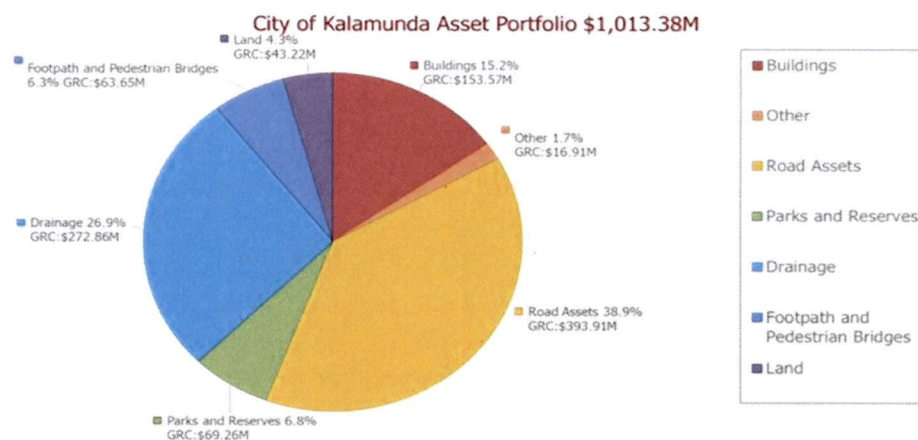
1. The purpose of this report is to adopt the Municipal Fund Budget for the year ended 30 June 2027, representing the Financial Year 2026/2027, together with supporting schedules including striking of the Municipal Fund Rates, adoption of fees and charges and other consequential items arising from the Budget papers (Attachment 1).
2. The adoption of the Budget will enable the City of Kalamunda (City) to continue to deliver upon its strategic objectives and to ensure the City is financially sustainable.
3. It is recommended Council adopt the Municipal Budget together with supporting schedules for the 2026/2027 Financial Year.

BACKGROUND

4. The Annual Budget is an important part of the City's Integrated Planning Framework, being the annual financial plan that facilitates the delivery of services and infrastructure to the community informed by the strategies set out in the City of Kalamunda Strategic Community Plan.
5. The budget process commenced in December 2025 with several workshops held with Elected Members and for the first time 4 community sessions, "*KalaValues*" held in April 2026. During these workshops, the City reviewed current and projected economic metrics, expenditures and revenues before arriving at the current budget position.
6. On 26 May 2026, Council resolved to advertise the Differential Rates for 2026/27, in line with statutory advertising timeframes in relation to community consultation. Consultation concluded on 18 June 2026 with the responses received shown in the Attachments for consideration by the elected members.

DETAILS AND ANALYSIS

7. The 2026/2027 year continues to see volatility in several areas of construction costs placing considerable pressure on building and construction projects. The City is responsible for more than \$1 Billion (see chart below) in assets and the annual depreciation reflecting a minimum investment in the renewal of existing assets at more than \$19 Million.

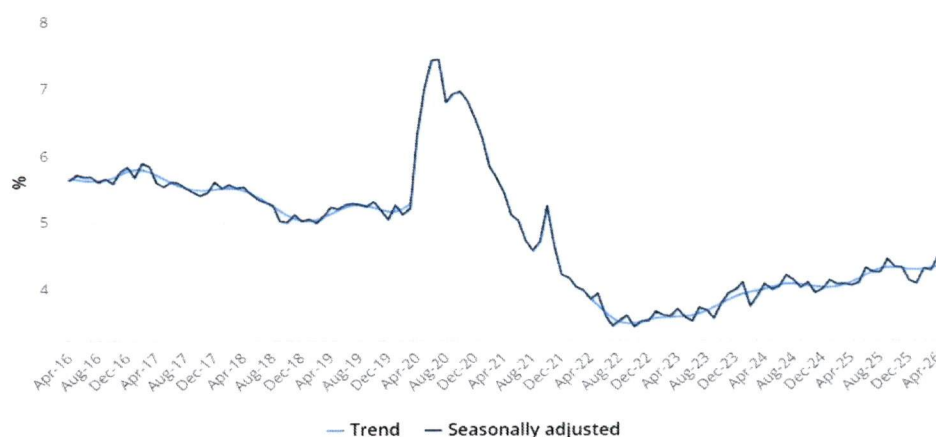


8. The Reserve Bank is battling a challenging economic environment with inflation at 30 April 2026, 4.2% with projection that that will further rise to 5.5% before reducing in the later part of the year. The main increase is due to the rising fuel costs which then flows into all other supply chains. In addition, the labour market remains tight, with sectors such as building and construction experiencing significant shortfalls in skilled workers. Global uncertainty continues from the previous year and has risen sharply on the back of tariff policy announcements by the United States Government and ongoing Middle East conflicts.
9. In April 2026 the Reserve Bank increased the cash rate by 25 basis points to 4.35% noting further monetary policy intervention maybe necessary to respond to international developments and rising inflation. The impacts are being felt by both businesses and consumers across the board.
10. The Local Government Cost Index (LGCI) provides an indication of changes in the Western Australian (WA) economy relating more closely to the functions of local government. The LGCI is forecast to reduce from 3.6% in the 2025/2025 financial year to 3.3% in the 2026/2027 financial year. This forecast appears to be inconsistent with the trends currently experienced by the City.
11. The City outsources most of its services and is reliant on contracts with suppliers. Anecdotal evidence from recent tenders reflects higher cost pressures for maintenance and service-related activities. For example, under power line pruning costs are increasing by 100% primarily due to significant increase in traffic management costs, road-based products such as asphalt and bitumen have gone up by 15% and irrigation reticulation parts have increased between 20% to 40%.
12. The City of Kalamunda is primarily a service organisation; its cost base is comprised largely of employee costs and materials and contracts supporting service-related activities. In addition, certain costs are passed onto local government by the State Government, for example the cost of

running streetlights. At the time of writing the report, the City has been advised that the average increase across their services will be 10%.

In addition to the above, the City has recently been required to transition to new contracts on contestable sites, it was noted there is a significant increase in network infrastructure charges (supply charge) being passed on to the electricity distributors by Western Power. Whilst the consumption rate tariffs have reduced, due to the significant increase in the supply charge, when compared to the previous year bills, we have identified increases between 18% to 47% in the total bill.

13. As more property owners transition to battery power by taking up the State and Federal rebates recently announced, the cost outlay for infrastructure upgrades for Western Power's ageing infrastructure will be further passed onto commercial and local governments further rising utility power bills. To remain sustainable, the City will need to review its reimbursement policy on its buildings used by community organisations via fees and charges for room hire or leases.
14. The Utilities Charges budgeted shows a slight decrease of 3% when compared to the previous year allowing for efficiencies realised and also the previous budget estimate was slightly overstated.
15. The unemployment rate has remained steady with the current level of 4.3%, with wages growth slowing (see chart below). The combination of cost pressures and labour market constraints make it challenging for local governments to deliver on the communities growing needs and expectations.



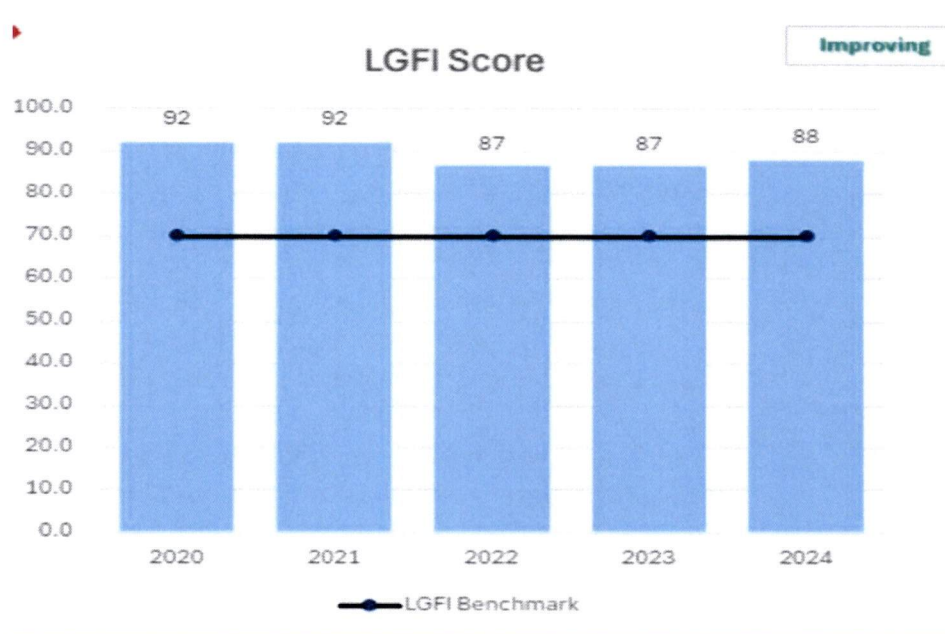
*Source - ABS April 2026

16. The Department of Local Government, Sport and Cultural Industries (DLGSCI) has worked with stakeholders to design a new Local Government

Financial Index (LGFI) with a benchmark of 70. The LGFI will provide at a glance in-sights about local government financial positions and will replace the previous Financial Health Indicator. The new LGFI is comprised of four key ratios:

1. Debt Services Cover Ratio
2. Current Ratio
3. Operating Surplus Ratio
4. Net Financial Liability Ratio

The figure below shows the City's score across the years and concerning declining trend.



17. In addition to the new ratios, the City will continue monitoring its asset sustainability ratio which measures capital expenditure on replacement or renewal of assets relative to the annual depreciation expense
18. The City's Financial results for the year ending June 2023 as seen in the chart below, highlighted a trend was occurring showing a deterioration in the Operating Surplus Ratio (OSR) over the past few years.
19. This trend was identified by the Office of the Auditor General (OAG) and a plan was developed and considered by Council to address this matter and align rates revenue with operating costs.
20. Considering the declining OSR the 2026/27 budget and future budgets informed via the updated Long Term Financial Plan (LTFP) will need to be focussed on addressing the declining OSR to ensure the City remains financially sustainable. This is noted in the improvement in the 2023/24 Financial Results shown in the chart below.

21.

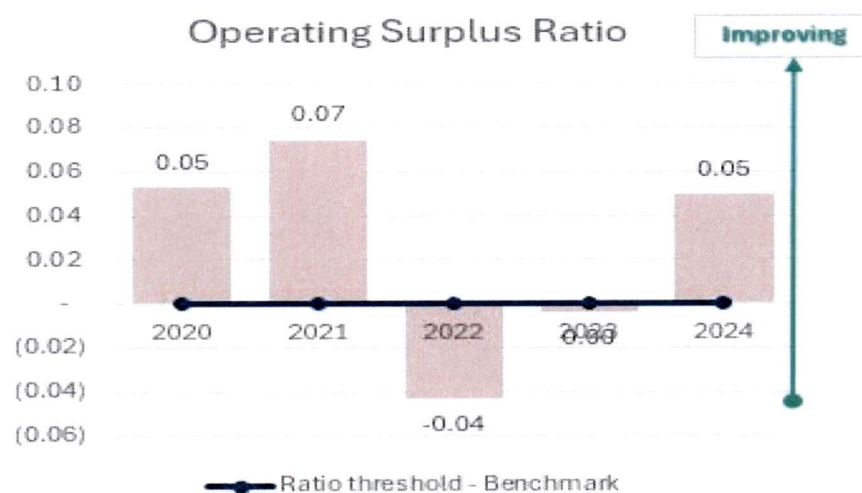


Table is an extract from the FHI Calculations as provided by the Department

What is the Operating Surplus Ratio (OSR)?

22.

Operating Surplus Ratio Calculation has been revised from previous determination of the OSR. The new formula is per below:

$$\frac{\text{Adjusted Operating Surplus}}{\text{divided by Adjusted Operating Revenue}}$$

23.

This ratio is a measure of a local government's ability to cover its operational costs and have revenues available for capital funding or other purposes.

24.

The required standard is to meet the threshold of 0.00 with no determination of what is a basic, intermediate or advanced threshold.

25.

The "Operating Surplus" is determined by adjusting Operating Revenue to include non-operating grants and contributions reduced by Operating Expenditure adjusted by excluding finance costs.

Why has the OSR been in decline?

26.

A negative OSR basically means that the City doesn't earn enough operating revenue to pay for operational expenditure.

27.

There are 3 key reasons this ratio is in decline. They are:

1. Revenue is not matching operating expenditure
2. Depreciation expense has increased following a revaluation of City assets.
3. Increasing cost of providing services and assets, with cost pressures experienced especially in building and construction costs and their ongoing maintenance.

28. For the 2026/27 year the City continues to see volatility in several categories of construction costs placing pressure on building and construction projects. In addition, most of the City's maintenance services are outsourced and recent tender results have come in at significantly higher rates than the previous tender prices. In particular, the rise in traffic management costs is now surpassing the \$1 million mark which has impacted some of the City's services.

29. Each of these issues is discussed in detail as follows.

Rates

30. In 2013/14 when the inaugural LTFP was adopted by Council, it was based on rate increases set at 7% over the 10 years to fund the growth in asset renewals and new assets. This was in recognition of the backlog of assets renewals and ageing facilities the City was carrying on its books. Furthermore, the City has grown its population base with many new development fronts being created and demand for services increasing subsequently in line with growth.

31. Since 2018 the Council adopted rate increases which were well below the 7% per annum target what was set out in the LTFP, which has resulted in a cumulative loss of revenue of over \$13m with projected revenue from rates estimated at \$64m had the target rates be applied diligently each of those years:

RATES				
Year	Rates Raised	Interims (Increase in properties)	Total Rates Billed	OCM Decision on Rates Rise (GRV General)
2014	\$28,530,587	\$282,928	\$28,813,514	5.00%
2015	\$30,079,925	\$385,987	\$30,465,912	3.00%
2016	\$32,248,185	\$383,641	\$32,631,826	4.10%
2017	\$34,390,499	\$487,257	\$34,877,756	3.00%

2018	\$35,680,752	\$116,401	\$35,797,152	2.50%
2019	\$36,802,910	\$422,910	\$37,225,820	2.20%
2020	\$37,461,039	\$197,727	\$37,658,766	1.80%
2021	\$37,613,683	\$525,140	\$38,138,824	0.00%
2022	\$38,970,554	\$739,287	\$39,709,840	2.15%
2023	\$41,664,598	\$426,856	\$42,091,454	4.90%
2024	\$43,709,066	\$777,792	\$44,486,858	5.50%
2025	\$47,050,028	\$517,145	\$47,567,173	5.50%
2026	\$51,160,960	\$781,027	\$51,941,987	5.00%

*Forecast

Table above shows all years rated below LTFP strategy.

Had the LTFP strategy been applied diligently, the rates raised for 2025/26 would have been a minimum of \$64.3m (excludes growth).

32. If the Long-Term Financial Plan been maintained with its rates projections being adopted annually, the City would likely have been in a stronger position to be covering its operating costs, as well as being able to build cash reserves providing capacity to fund future major facilities development and partially withstand the impacts of rising building construction costs.

As noted above, a rough estimate shows that the City has lost approximately \$13 million which could have been applied to the above matters raised.

33. In the absence of significant alternative revenue streams, it is important to maintain rates increases in line with necessary expenditure to avoid deterioration of operating capacity.

Depreciation

34. The change in accounting standards to fair value accounting in 2017 is a key cause for the deterioration of the Operating Surplus Ratio. The City was required to comply to the change and now must deal with a legacy issue from the change.
35. As the City continues to add new assets and doesn't rationalise old, underutilised assets, depreciation will continue to rise and negatively impact the financial viability of the City in the future.

The Table below illustrates the significant changes in the depreciation expense.

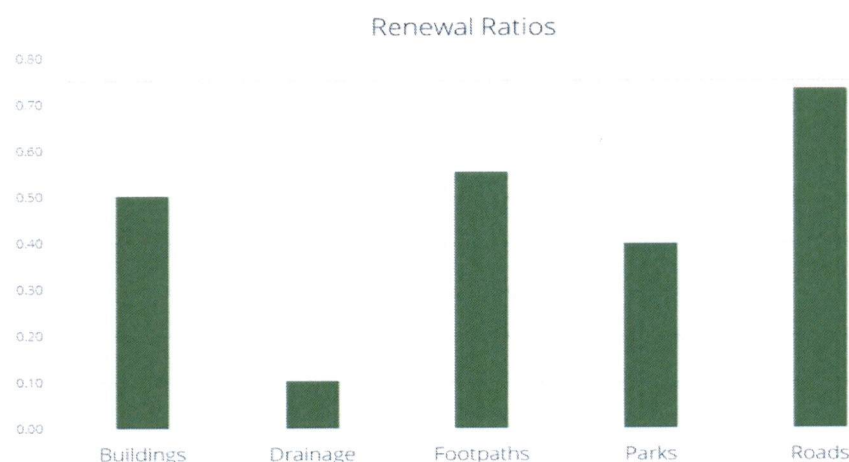
DEPRECIATION		
FINANCIAL YEAR	ACTUAL	% CHANGE
2015/16	\$6,043,120	
2016/17	\$10,130,153	68%
2017/19	\$10,237,301	1%
2018/19	\$10,986,630	7%
2019/20	\$11,316,721	3%
2020/21	\$13,327,727	18%
2021/22	\$13,764,916	3%
2022/23	\$14,349,530	4%
2023/24	\$16,875,730	18%
2024/25	\$17,057,410	1%
2025/26*	\$19,182,747	12%
2026/27*	\$19,384,390	1%

**Forecasted*

36. Revaluation of land and building assets was completed in by 30 June 2025 resulting in an increase in the depreciation charge to \$19.4 Million in 2026/2027 Budget.

Cost of Services and Assets

37. The City has a significant asset base and a wide range of services delivered from the asset base. Currently, the City's net assets equate to approximately \$1 billion. Managing such an asset base is challenging and requires sound asset management strategies, a clear understanding of lifecycle costing and an overall maturity of asset management competencies within the business.
38. Maintaining and renewing such a large asset base and delivering a wide range of services requires revenue to match the recurrent operating costs required. The City's main revenue source is largely dependent on rates.
39. As noted above, the City is closely monitoring its Asset Sustainability Ratio for which it has set a benchmark of 70% (90% benchmark applies for developed Councils) with the chart below showing that although improving, we are not investing enough to meet the benchmark. The increase in depreciation requires a greater investment in the City's asset renewal program to meet the ratio requirements.



40. In the past five years, the City has experienced an increase in new assets. The capital expenditure to construct these assets are largely grant-funded or are developer built, however, still require operational funding to service the assets over their lifecycle. In addition to the above, replacement of existing assets has been built to a higher standard such that there is a greater expectation from the community to maintain them as such for example, Stirk Park and Magnolia Park. There have also been new services introduced without the corresponding revenues being raised to pay for these services such as the delivery of the Reconciliation Action Plan.

41. The City has experienced significant cost increases in materials and contracts notably relating to building and construction costs and associated labour costs.

MATERIALS & CONTRACTS		
FINANCIAL YEAR	ACTUAL	% CHANGE
2017/18	20,563,241	
2018/19	20,391,297	-1%
2019/20	22,443,971	10%
2020/21	20,233,774	-10%
2021/22	23,253,381	15%
2022/23	27,702,293	19%
2023/24	24,586,015	-11%
2024/25	25,109,704	2%
2024/25	29,288,600	17%
2025/26*	34,182,742	17%
2026/27*	36,452,218	7%

**forecasted*

42. The City has undertaken a thorough review of its cost structures, revenue generation opportunities and service levels to formulate a financially responsible budget.

43. The City's financial sustainability will be critically dependent upon maintaining close scrutiny over costs, leveraging commercial opportunities in order to mitigate the impact on rates, service levels and asset condition levels.
44. During the past five years in response to Council resolutions, the City has grown services to address service gaps in the community. This has included growth in:
- a) Community Engagement and Public Relations
 - b) Strategic Planning
 - c) Economic Development and Tourism
 - d) Arts and Culture
 - e) Youth Services
 - f) Environment
45. The City is facing significant challenges in the area of Asset Services in the following areas which has greatly impacted the materials and contracts expenditure.
- i) Traffic Management costs which is a compliance requirement when crews are working on road and drainage infrastructure is estimated to cost at least a \$1 million annually.
 - ii) The City has received new assets with the increase in sub-divisions
 - iii) The City has recently upgraded some of its parks, such as Stirk Park and Magnolia Park with community expectation that they provide higher amenities which have significant cost impacts.
 - iv) Tender results for outsourced services show significant increases such as:
 - Parts for reticulation of the Reserves have gone up above CPI With some increases by 20% to 50%.
 - Powerline pruning has increased by 100% partially due (i) above.
 - Asphalt resurfacing costs have increased by 14.5%.
 - Spraying Services – weed control went up by 30%.
 - Cleaning services went up by 5.92%.
 - General Electrical and irrigation Electrical Maintenance – 7.26% Increase.
46. Whilst the growth in services was viewed as necessary and has delivered significant benefits to the community there has also been a corresponding increase in costs in human resourcing, depreciation, and maintenance. These increases have had to be mitigated through cost-cutting in other

service areas to balance the budget to mitigate the level of rate increases. Whilst this approach is useful in the short term, it has a negative effect in the longer term.

47. Whilst the City has, through annual cost-cutting, managed to balance its budget, over time this approach has reached a point where costs cannot be reduced further without a corresponding reduction in services and service standards, an increase in rates, or the introduction of new revenue streams.

Waste Charges

48. Waste Charges are developed to meet the City's costs of providing waste management services to the community on a simple cost recovery basis. The 2026/2027 financial year will see a 3% or \$17.95 reduction in costs incurred for a standard residential full service allowing for a tapering of the Council rebate on pensioner service charge which will go up by \$92.80.

Overall, the service area operating costs are being maintained in line with 2025/2026 budget estimates. This includes fuel and labour for contractors involved in collecting waste and the various contractors involved in the acceptance and processing of all waste streams, along with a 3.5% increase foreshadowed in the landfill levy from \$85 to \$88 per tonne.

49. At the March 2021 Ordinary Council Meeting, Council considered the matter of pensioner discounts for waste charges and determined to maintain the existing \$230 discount adjusted annually for CPI unless determined otherwise at budget adoption.

During Budget deliberations with the Elected Members and when running the KalaValues session with community, there was a common theme to reduce the pensioner discount.

In addition to the above, it was acknowledged that upon benchmarking with other metro LG's, it was noted that no other Council gave a rebate to full pensioners on the Waste Charge.

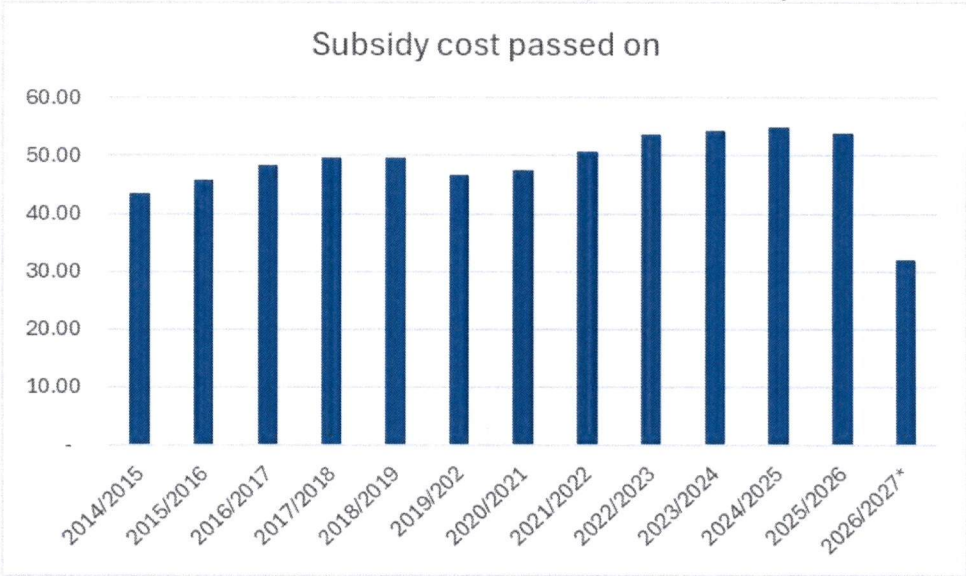
The subsidy will be tapered down over 3 years with 2026/2027 calculated to be \$167.

50. For 2026/27, the Full-Service Residential Waste Charge is proposed at \$657 (\$674.95 in 2025/2026) representing a decrease of 3% and the Full-Service Pensioner Residential Waste Charge is proposed at \$490 (\$397.20 in 2025/2026).

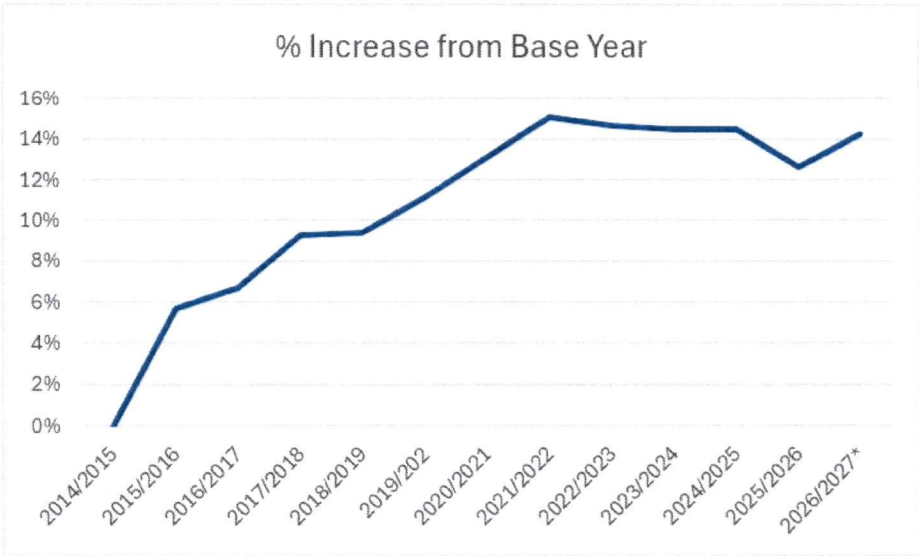
51. Based on the current number of eligible pensioners totalling 3,747 the cost of the subsidy is estimated at \$625,749 which is then shared across non-pension property owners.

In effect, this means the standard resident waste charge is subsidising pensioners, by an amount of approximately \$32 per household. In other words, of the \$657 charge, \$32 represents the cost passed on to provide the subsidy to the eligible pensioners.

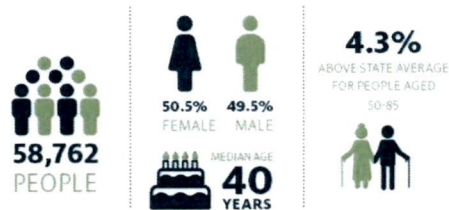
The table below shows the cost of the subsidy in the last 13 years.



52. The subsidised rate is also dependant on the number of pensioners as a proportion of the rate base; this is demonstrated in the graph below over a thirteen (13) year period.



The cost of the subsidy is most likely to increase due to the demographic data which indicates the City has a higher than state average for people aged in the 50-85 year age group (4.3% above the state average).



Outcome of Advertisement of Differential Rates

53. On 26 May 2026 Council resolved to advertise the proposed differential and minimum rates for public comment. The level of rate increase are 5.8% for Gross Rental Value (GRV) General (Residential), 5% Unimproved Value - General, and 8% GRV Commercial/Industrial, 7.1% UV Commercial categories and GRV Vacant at 6%.
54. The rate in the dollar was advertised in the local newspaper for a period of 21 days. A total of 28 submissions were received, reflecting concerns about the level of the rate increase in light of the current cost of living crisis and perceived low service levels in infrastructure related amenities.

Whilst it is acknowledged that the increase is above CPI, the consequences of having a lower rate increase would significantly jeopardise operational and capital works programmes with the City having no option but to reduce service levels and defer capital works/rationalise assets. To address this in the long term, the City is working on multiple fronts, which are reviewing capital works programmes and prioritising renewal works; rationalisation of buildings and infrastructure which is currently at or near end of use life; activating new income streams; introducing new user pay fees and charges; reduction of the pensioner rebate on the waste charge; review of systems and processes to bring about more efficient administration.

It is noted that the average rate increases in other metro LG's has also been between 5% and 8% with a common theme of rising costs both operational and capital.

55. It is not proposed to amend the advertised differential rates as a consequence of the submissions received.

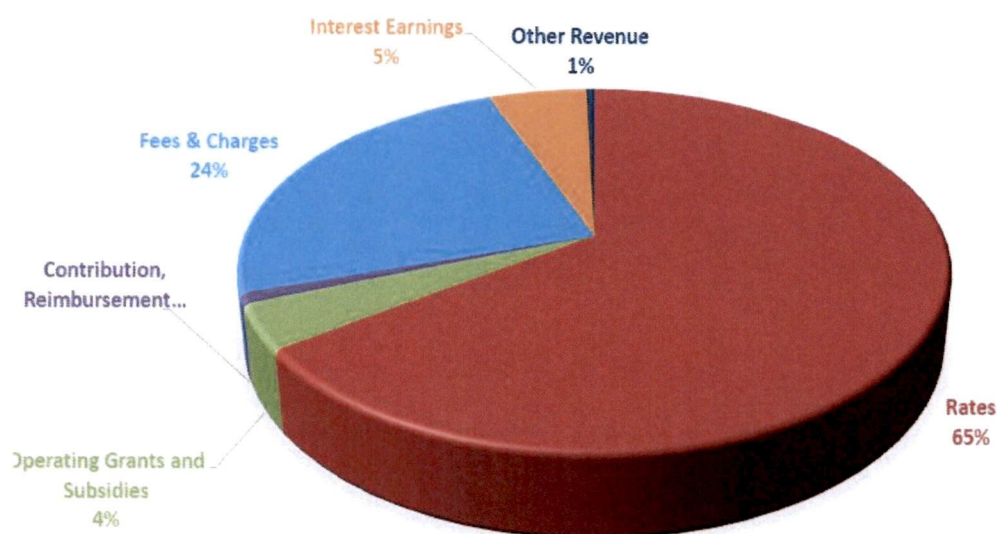
56. **Budget 2026/2027**

The charts below provide an outline of the revenue and expenditure for budget 2026/2027 depicted as follows:

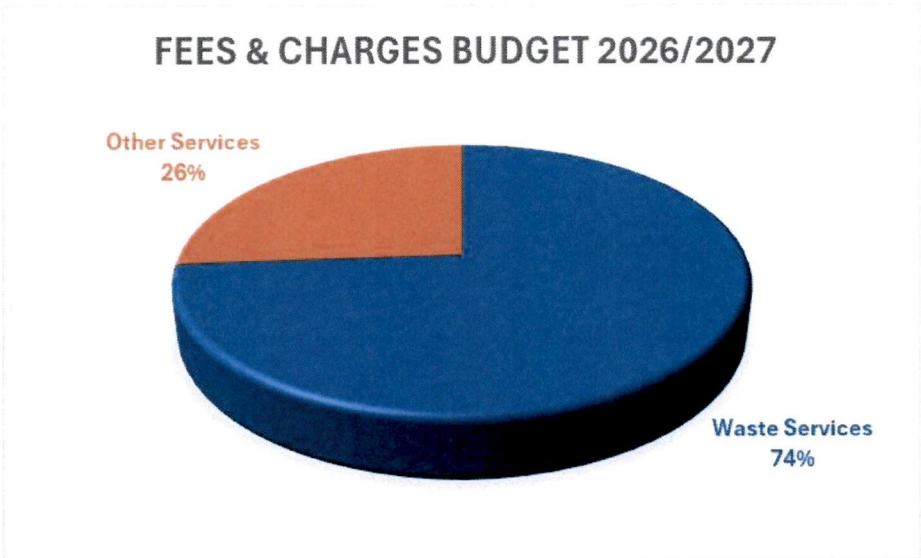
- a) Operating Revenue 2026/2027 – shows the key revenue streams of the City reflecting the significant reliance placed on the Rates Revenue to fund the City's Operations and Renewable Capital Works Programme.
- b) Fees and Charges 2026/2027 – shows that the Waste Charges makes up the bulk of the fees making up 74% of the amount raised. As this fee is cost neutral (i.e. the Council only charges what it is estimated to cost to provide the service), it does not reduce the burden on the raising of the rates.
- c) Other Fees and Charge (Excluding Waste) 2026/2027 – This chart shows the various service areas where fees and charges are raised. Some are due its regulatory function which again is primarily to cover to administration costs and the rest are user pays fees which helps cover operational running costs of city facilities.
- d) Operating Expenditure 2026/2027 – This chart shows the main sources of expenditure which are primarily, employee costs, materials and contracts and depreciation.

57.

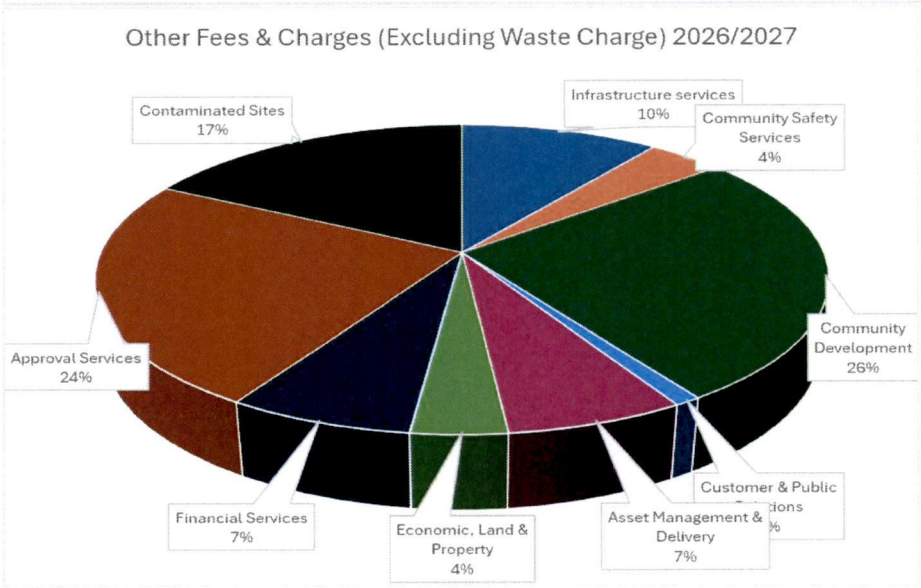
2026-2027 OPERATING REVENUE BUDGET



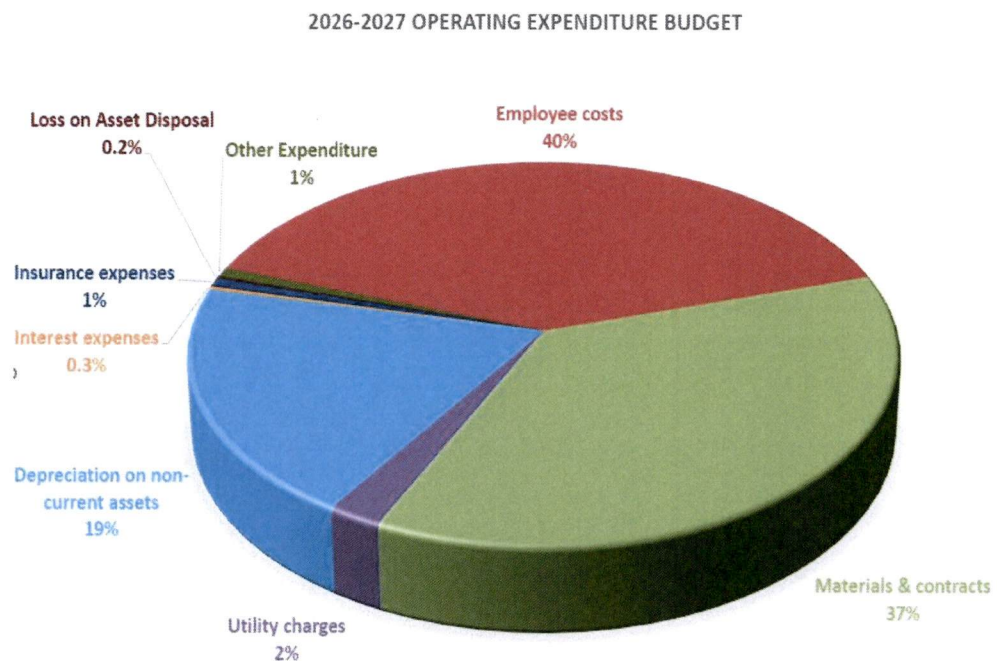
58.



59.



60.



61. The budget has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The main features of the budget include:
- a) Adoption of a Percentage for Reporting Material Variances – each financial year, a local government is to adopt a percentage or value, calculated in accordance with Australian Accounting Standards, to be used in statements of financial activity for reporting material variances. The level proposed for 2026/27 is 10% or \$100,000, whichever is greater.
 - b) The Salaries and Allowances Tribunal in April 2025 increased Elected Member Allowances by 3.5% (and rounded). Adoption of the following annual fees for the payment of Councillors in lieu of individual meeting attendance fees: -
 - i. Mayor \$36,112
 - ii. Councillors \$26,931.
 - c) Adoption of the following annual allowances: -
 - i. Telecommunications, Communication and Technology Allowance (where Councillors provide their own device) \$3,500
 - ii. Telecommunications, Communication and Technology Allowance (where the City provides Councillors with a device) \$2,300
 - iii. Travel Allowance \$100
 - iv. City Mayor annual allowance \$73,435

- v. Deputy City Mayor annual allowance \$18,359
- d) From 19 October 2025, in line with the change in regulations, Elected Members are eligible to be paid superannuation at 12% on ordinary earnings which is their attendance fees and the allowance paid to the Mayor and Deputy Mayor.
- e) The comparison between budget 2025/2026 and the proposed budget for 2026/2027 highlights as follows.

Overall Operating Income has increased by \$7.8M, made up of the following key changes:

- i. Rates revenue has increased by \$4.9M compared to budget 2025/2026. The amount includes ex-Gratia rates of \$283K from Co-operative Bulk Handling (CBH) and Dampier Bunbury Natural Gas Pipeline.
- ii. Fees and charges have increased by \$941K with Waste Charges adjusted by \$280K. The City's waste charges are calculated on a cost-recovery basis for all waste-related services.

Discretionary fees and charges have been increased in line with costs and with an aim to improve the OSR. By increasing discretionary fees and charges the subsidy on those services is reduced. It should be noted that several of the Fees and Charges are statutory fees and not set by Council.

- iii. Interest earnings have increased by \$938K allowing mainly for the increase in the Reserve Bank Cash Rate to 4.35% and the expectation that the rate will remain high for the financial year. The other reason for the higher forecast is due to a higher Reserves balance. This has resulted from funds due from the Eastern Metropolitan Regional Council in July 2025 which the City remains hopeful for an amicable settlement.
- iv. Other revenue has increased by \$93K, primarily due to a new revenue stream which the sale of Carbon Credits generated from the FOGO operations.

Overall Operating Expenditure has increased by \$7.6M, made up of the following:

- i. Employee costs increase of \$3.2M,
- ii. Materials and Contracts increase of \$2.3M,
- iii. Utility charges decreased by \$55K,

- iv. Depreciation increase of \$1.8M, and
- v. Minor variances in the other categories.

The key reasons for the above increases are:

- a) Employee costs increase due to Enterprise Bargaining Agreement and statutory increase in superannuation. Further resources are being placed in the Governance and Strategy areas. It should also be noted that some of the roles are to drive certain strategic areas including the implementation of the new Enterprise Resource Planning system and the Land & Property Development and are primarily funded from Reserves.
- b) When compared to other Local Governments, the City costs for showed the % of overall Operating expenditure sat at 35% whereas benchmark was as at 39%
- c) Waste costs increase mainly due to contractual increases of existing waste agreements along with a foreshadowed 3.5% increase in the landfill levy from \$85 to \$88 per Tonne.
- d) The energy regulator has allowed for a 10% weighted average increase on all tariffs which incorporates street lighting tariffs and un-contestable power sites. For contestable sites (>50,000 Kw consumption per annum), the increase in power costs relates to the supply charge from Western Power on all contestable sites. The purported savings by WALGA are only based on consumption rates which are insignificant when compared to the overall increase in the total bill which early analyses shows a 18% - 47% increase depending on the site. Despite the above increases, the City has allowed for a \$55K decrease from the previous year as the previous year's estimate was slightly inflated (mainly due to the uncertainty in Synergy Tariffs) and the City continues to closely manage energy consumption.
- e) A Capital Works program is outlined on pages 27-30 in the Attachment.
- f) Reserves as shown per note 9 on pages 18 of the Attachment.
- g) Borrowings as shown per note 8 on pages 16-17 of the Attachment. This includes new loans of \$3.4M.

62. The City's Capital Works program totals \$43.3M including overheads. The 2026/2027 financial year will see the progression of the following key flagship projects for the City:
- High Wycombe Aquatic and Recreation Centre – Commencement of construction \$5.2M

- Hartfield Park Community Facilities – AFL and Little Athletics Pavillion \$5.0M Complete Construction
- Scott Reserve Pavilion – Complete Construction \$4.9M
- Expansion & Upgrade of Lighting at Morrison Oval \$1.6M
- Maida Vale Reserve – Netball Courts Resurfacing of the 12 courts - \$1.2M
- Canning Road (Welshpool Road East to Glenisla Road) - Widening and Safety Upgrade - \$1.8M
- Kalamunda Road and Hawkevale Road – Roundabout and road resurfacing \$3.1M

The City's Capital Works program sees priority placed on delivering the City's already committed Community Facility projects.

The Capital Works program does note a reduction in the number of new projects being committed to by the City. This reflects a commitment to deliver projects and complete the backlog prior to reconsidering requests for new projects in the 2026/27 financial year. It is noted that additional funding for the Street Tree Planting program will be considered as part of the Mid-Year Budget Review process.

Reserves Details

63. The City's Reserves are projected to deteriorate overall, with projection for 30 June 2026 balance to be \$58.9M reducing by \$5.3M to \$53.6M at 30 June 2027, the main elements relating to:
- a) \$30.7M reflected as a receivable from the Eastern Metropolitan Regional Council (EMRC) as the City has exited from being a member of the EMRC in 2023. The payment is due in July 2025. An amount of \$1.2M has also been factored in for interest income based on current available rates. The amount received will be placed in a new Reserve called the "Future Projects Strategic Reserve". The Reserve purpose as per title will focus on how we transform the City's revenue base such that we reduce the dependency on Rates as a primary source for its operations. This is also in line with the submissions received from ratepayers which lament on the City's over reliance on rates.
 - b) The Asset Enhancement Reserve shows a drawdown of \$4.3M to allow for the funding of the City's strategic projects.
 - c) The implementation costs for the City's new ERP with phase 1 which has commenced will be requiring a drawdown of \$1.6M to fund a key business transformation project.

- d) The Land Development Reserve - \$1.6M will be accessed to fund various works such as the Cambridge Reserve Project Planning, the recently acquired Hatch Court and the staff resourcing for development managers.

A benchmark study was undertaken as part of the budget process which shows the City is at the bottom of all band 2 Councils when we compare the amount of money held in Reserves to the total Equity balance with a ratio of 5.1% whereas benchmark average is 6.6%.

The City is due to receive funds from the EMRC in 2025/2026 financial year which will greatly assist in bringing the ratio to the average benchmark. As noted above, the City will deliberate further as part of the LTFP how these funds can be used effectively to aid in the delivery of strategic projects and also maintain future financial sustainability.

64. **New Reserves planned for 2026/2027**

The following Reserves are planned for 2026/2027.

- a) Fleet & Plant Reserve – with the review of the Fleet Policy, the reserve is created to allow for future replacement demands. The City is currently using a revolving finance facility to ensure a current fit for purpose fleet and plant is available for operational needs which is not financially sustainable in the long term.

Borrowings Details

65. The City intends to take out three loan facilities in 2026/2027. These are:

- a) Scott Reserve Development - \$2M to assist in funding the City's component for the significant capital works being undertaken in this reserve. The funds will be borrowed from WATC.
- b) Fleet and plant – further drawdown on the revolving floating facility available by \$539K
- c) A new self-supporting loan for the Hartfield Park Golf Course for the refurbishment of their reticulation \$900K.

66. In accordance with Section 6.2 of the *Local Government Act 1995*, a local government is required to adopt its budget prior to 31 August each year.

67. The early adoption of the budget enables the City to commence its extensive Capital Works Program. It also ensures that the City maintains a positive cash flow which is crucial for the sustainable operations of the City.

68. The estimated unaudited year-end 30 June 2026 position is a surplus of \$3.8M with a proposed 30 June 2027 forecast closing position surplus of \$24K.
69. Rates are calculated as GRV, or UV valuations multiplied by the rate in the dollar. A minimum rate will apply if the rates calculated fall below the minimum rate applicable for the category. This allows for a minimum contribution that all properties in that category need to pay to help pay for the City's costs. The rate in the dollar outlined in this report for each rating category is as follows:

Rating Category	Rate in the Dollar (\$)	Minimum Rate
Gross Rental Valuation Rating Categories		
General GRV	\$0.053450	\$1,400
Industrial/Commercial GRV	\$0.081550	\$1,600
Vacant GRV	\$0.111000	\$1,400
Unimproved Rating Categories		
General UV	\$0.003270	\$1,400
Commercial UV	\$0.004115	\$1,600
Levies		
Waste Avoidance & Resource Recovery (All Categories)	\$0.000672	\$35.00

70. When compared to other metro local governments, which are reporting increases of between 5% - 7%, the residential (General) rate increase of 5.8% is comparable.

APPLICABLE LAW

71. Section 6.2 of the *Local Government Act 1995* requires a local government to adopt its budget prior to 31 August each year.
72. Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and the raising of rates and fees and charges. The 2026/2027 Budget as presented is considered to meet these statutory obligations.

APPLICABLE POLICY

73. The 2026/2027 Budget has been developed on the principles contained within the Long-Term Financial Plan and the recently adopted Strategic Budget Policy.

STAKEHOLDER ENGAGEMENT

74. The City has worked closely with Elected Members to review budget line items in the development of the Annual Budget for 2026/2027.
75. The City conducted a series of Budget workshops during February to May 2026 discussing all aspects of the budget formulation.
- In addition, for the first time 4 community sessions, "*KalaValues*" held in April 2026 provided information to the community outlining the City's financial position.
- During these workshops, the City reviewed current and projected economic metrics, expenditures and revenues before arriving at the current budget position
76. The City has met its statutory obligations with respect to community consultation whereby a Notice of Intention to Levy Differential Rates was advertised in the local newspaper, via the City's website, social media and a public notice was posted on City noticeboards advising the public comment timeframe.
77. The Objects and Reasons for raising differential rates have been made available for inspection at the Administration Centre, City Libraries and on the City's Website.
78. The City has taken all key factors into consideration in developing the budget. A continued focus will be to closely monitor expenditure whilst identifying alternate revenue streams.
79. The proposed rate increase is consistent with many other local governments, who have announced increases between 5% and 7% noting that the lower one's have multiple revenue streams or significant reserves which Kalamunda doesn't have.
80. The City has mechanisms in place and a hardship policy to assist those ratepayers struggling to pay the rates and charges within normal terms.

FINANCIAL CONSIDERATIONS

81. The Budget is formulated based on delivering a sustainable financial position while delivering the services and infrastructure needs of the community.
82. The City is focused on minimising growth in operational expenditures and is committed to introducing a mix of innovations, cost savings measures and new agile technology for efficient and effective management of its operations.

83. The proposed rating structure is a core element in ensuring ongoing financial sustainability. It is also vital in enabling the City to deliver its significant capital works program and provide the services required by the community.

SUSTAINABILITY

Social Implications

84. The Budget delivers social outcomes identified in various planning and community-supporting strategies that have previously been adopted by the Council.

Economic Implications

85. The Budget has been developed based on sound financial management and accountability principles and is considered to deliver a sustainable economic outcome for the City and the community.
86. Although the previous year's record CPI levels have subsided, the 2026/2027 year continues to see volatility in several areas of construction costs placing considerable pressure on building and construction projects. The City is responsible for more than \$1 Billion in assets and the annual depreciation reflecting a minimum investment in the renewal of existing assets at more than \$19 Million. This will match the current depreciation rate of the City's assets,
87. The LGCI provides an indication of changes in the Western Australian economy relating more closely to the functions of local government. The LGCI is forecast to reduce from 3.6% in the 2025/2026 financial year to 3.3% in the 2026/27 financial year as supply chain issues are resolved and un-employment ticks up slightly. The current Perth CPI is 4.4% as at April 2026.

However, the City is facing significant headwinds in the area of Asset Services in the following areas which has greatly impacted the materials and contracts expenditure.

- a) Traffic Management costs which is a compliance requirement when crews are working on road and drainage infrastructure is estimated to cost at least a \$1 Million annually. With the State Government awarding significant increases to their contractors on Metro projects resulting in the City's own contractors having to match these pay rates to retain staff causing the significant increase in costs.

- b) The City has received new Parks with the increase in sub-divisions such as the Hales in Bushmead. These new parks will require ongoing maintenance.
- c) The City has recently upgraded some of its parks, such as, Stirk Park and Magnolia Park with community expectation that they provide higher amenities which have significant cost impacts.
- d) Tender results for outsourced services show significant increases such as:
 - Parts for reticulation of the Reserves have gone up above CPI With some increases by 20% to 50%.
 - Powerline pruning has increased by 100% partially due (i) above.
 - Asphalt resurfacing costs have increased by 14.5%.
 - Spraying Services – weed control went up by 30%.
 - Cleaning services went up by 5.92%.
 - General Electrical and irrigation Electrical Maintenance – 7.26% Increase.

Environmental Implications

88. The Budget has been developed to support key environmental strategies and initiatives adopted by Council.

RISK MANAGEMENT

89. 82.	Risk: Declining economy adversely impacts capacity of ratepayers to pay rates.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Monthly management reports are reviewed by the City to assess collection of rates. Instalment and other payment options are in place to assist ratepayers manage their debts to the City. Cash flow forecasting is done regularly to match outgoings and investments.		
90.	Risk: Capital Works project cost estimates are insufficient to fully fund projects		
	Consequence	Likelihood	Rating

Moderate	Possible	Medium
Action/Strategy		
The development and subsequent implementation of a Project Management Office (PMO) will seek to derisk projects prior to budget adoption, reducing likelihood of cost escalation through the construction phase.		

91.

Risk: Non-compliance with Financial Regulations leading to adverse audit findings and reputational damage for the City.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
The Budget report is reviewed by the City's Governance team to ensure all statutory requirements are met. Finance staff attend industry-relevant training and receive materials to assist with the preparation of the budget report and attachment, to ensure compliance with the Financial Regulations.		

92.

Risk: Budget Adoption is delayed potentially breaching <i>Local Government Act 1995</i> requirements		
Consequence	Likelihood	Rating
Critical	Unlikely	High
Action/Strategy		
Emergency spending is approved by Council until the Budget is adopted. All project and non-discretionary work is delayed until Budget is adopted. Staff affected by the delays in projects are sent on forced annual leave. Bank Overdraft facility is activated to supplement cash flows. Payments to suppliers may need to be re-negotiated.		

CONCLUSION

93. The City has undertaken a thorough analysis of its budget working proactively with Elected Members to generate efficiencies and maintain control over operating expenses.
94. The 2026/2027 Budget provides a framework to deliver on the strategies adopted by Council and maintains high levels of service across all programs while ensuring an increased focus on road and associated infrastructure as well as on renewal of assets at sustainable levels.
95. The 2026/2027 Budget is guided by the City's LTFP which is closely aligned to the Integrated Planning Framework.

96. The City is committed to maintaining a strong focus on ensuring it manages its key financial ratios to ensure its long-term financial sustainability.
97. The City will continue to focus strongly on cash-flow management and on maintaining control over operating expenditure. The City will continue to manage its income and cash reserves to enable the City to operate in a financially sustainable manner.

Voting Requirements: Absolute Majority

RESOLVED OCM 2026/74

Part 1 – Elected Members’ Fees and Allowances for 2026/2027

That Council:

1. ADOPT, pursuant to Section 5.99 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Administration) Regulations 1996* the following annual fees for the payment of Elected Members in lieu of individual meeting attendance fees: -
- | | |
|-------------------|----------|
| City Mayor - | \$36,112 |
| Elected Members - | \$26,931 |
2. ADOPT, pursuant to Section 5.99A (b) of the *Local Government Act 1995* and Regulations 34A and 34AA of the *Local Government (Administration) Regulations 1996*, the following annual allowances:-
- | | |
|---|---------|
| Telecommunications, Communication and Technology Allowance – (Councillors provide their own device) | \$3,500 |
| Telecommunications, Communication and Technology Allowance (City provide Councillors with a device) | \$2,300 |
| Travel Allowance - | \$100 |
3. ADOPT, pursuant to Section 5.98 (5) (b) of the *Local Government Act 1995* and Regulation 33 of the *Local Government (Administration) Regulations 1996*, the following annual local government allowance to be paid in addition to the annual meeting allowance: -
- | | |
|--------------|----------|
| City Mayor - | \$73,435 |
|--------------|----------|

4. ADOPT, pursuant to Section 5.98 (A) of the *Local Government Act 1995* and Regulation 33A of the *Local Government [Administration] Regulations 1996*, the following annual local government allowance to be paid in addition to the annual meeting allowance: -

City Deputy Mayor - \$18,359

Part 2 – Schedule of General Fees and Charges for 2026/2027

That Council:

1. ADOPT pursuant to Section 6.16 of the *Local Government Act 1995*, the Fees and Charges as per (Attachment 1).
2. Endorse the Rules applying to the Schedule of Charges For Community Facilities 2026/2027.
3. ADOPT, pursuant to Regulation 53 of the *Building Regulations 2012*, a swimming pool inspection fee of \$65.00.
4. ADOPT, pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, *Local Government Act 1995 Section 6.16*, the following charges: -
 - a) Walliston Transfer Station (including GST where applicable)
The deposit of rubbish at Walliston Transfer Station and Collection of specific items will be charged as follows: -

Verge Collection Services		
		\$
Collection of Whitegoods or Mattresses (resident)	First item	49.50
	Second Item	44.00
Collection of Whitegoods or Mattresses (pensioner and/or concession card holder)	First item	30.25
	Second Item	26.60

Walliston Transfer Station - (Non-commercial resident only)		
		\$
Car & Motorcycle Tyre (max 5/entry)	Per tyre	11.50
Four Wheel Drive (max 5/entry)	Per tyre	18.50

Truck/Tractor Tyres (max 2/entry)	Per tyre	52.00
Additional Resident Entry Pass	Per Entry	75.00
Additional FOGO Compost Bags 25Ltrs (upto 4 additional Bags)	Per Item	At Cost

The City charges commercial fees for any of the following situations:		
		\$
Commercial/Trade Waste		
- Your vehicle or trailer is commercially signed or badged (unless you have a valid Vehicle Permit)		
- Your waste is from a work site		
- You are transporting waste for a fee or reward		
Charges that apply are		
Cars/ Station Wagons	Per Vehicle	75.00
Small Vans/Utes	Per Vehicle	92.500
Trailer (6X4)	Per Trailer	93.50
Trailer (7X5) with High Sides	Per Trailer	104.50
Small trucks up to 3.5 tonnes GVM	Per Vehicle	500.00

b) Waste Avoidance and Resources Recovery Levy

Adopt a levy of 0.0672 cents in the dollar against the Property's GRV valuation as provided by Landgate, with a minimum charge of \$35.00 on all properties.

Part 3 – Other Statutory Fees for 2026/2027

That Council:

- ADOPTS, pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007, Local Government Act 1995* Section 6.16, the following charges for the removal and deposit of domestic and commercial waste by waste receptacle/s (Including GST where applicable): -

Waste Services		\$
Residential Full Service – 3 Bins - 1x 240Ltr lime green lidded mobile FOGO bin (MFB) Weekly; and - 1x240Ltr yellow lidded mobile recycling bin (MRB) Fortnightly; and	Property	657.00

-1x 140Ltr red lidded general waste bin (MGB) Fortnightly		
Residential Full-Service Pensioner* -3 Bins as per above service	Property	490.00
Residential Multi Unit (excludes MFB, MRB & MGB)	Dwelling	301.00
Residential Multi Unit Pensioner (excludes MFB, MRB & MGB)	Dwelling	256.00
No Access to Skip Bins Reduced Charge	Property	592.03
Commercial & Industrial (general waste and recycling only, no FOGO service)	Property	1140.00
Establishment Fee 240Ltr Lime Green Lidded Bin FOGO (MFB)	Property	70.00
Additional 240Ltr Lime Green Lidded FOGO (MFB) Waste Bin/s Weekly Service to existing Standard Residential Full Service (all properties)*	Bin	165.00
Establishment Fee 140Ltr Red Lidded Bin General Waste (MGB)	Property	70.00
Additional 140 Ltr Red Lidded General Waste (MGB) Bin/s Residential Fortnightly Service to existing Standard Residential Full Service (all properties) *	Bin	180.00
Additional 140 Ltr Red Lidded General Waste (MGB) Bin Residential Fortnightly *exceptional circumstances with medical certificate	Bin	0.00
Additional 140 Ltr Red Lidded General Waste (MGB) Bin Residential Fortnightly (all properties) *exceptional circumstances	Bin	80.00
Establishment Fee 240Ltr Yellow Lidded Bin Recycling (MRB)	Property	75.00

Additional 240 Ltr Yellow Recycling (MRB) Bin Residential Fortnightly (all properties)	Bin	115.00
Additional 240Ltr Dark Green Lidded General Waste (CMGB) Bin Commercial / Industrial properties weekly	Bin	786.00
Additional 240Ltr Yellow Lidded Recycling (CMRB) Bin Commercial / Industrial properties Fortnightly	Bin	175.00
Additional Extra Skip Bin (General Waste)	Bin	260.00
Additional Extra Skip Bin (Green Waste)	Bin	173.00
Re-print Walliston Transfer Station Entry Pass		12.00
Removal of Excess or Non-Conforming Waste from Skip Bin	Bin	Cost plus 10%
Establishment Fee – New Residential Service 3 Bins (MGB, MFB, MRB) plus Kitchen Caddy & Liners	Property	215.00
Establishment Fee – New Commercial Service 2 Bins (No FOGO)	Property	145.00
Windy Bin Latches, Kitchen Caddy,	Item	At cost
Compostable Kitchen Caddy Liners Pick up additional Rolls (up to 3 additional rolls)	Item	At Cost
Tactile Bin Symbols (with medical certificate if requested)	Item	Nil
Recovery Fee – Demolition Waste Refuse - Recovery Fee if property Demolished and owner has not contacted the City to remove bins and bins are missing On demolition applications states to complete the	Per Property	300.00

request for removal of bins to recoup the City's assets		
* Full Pensioner Discount applies to the Primary Owner-Occupied Residential property only (excluding restricted sites) and must be valid Pensioner from 1 July of each financial year. No discount is applicable for additional services, commercial or industrial properties.		

Part 4– New Loans

That Council AUTHORISE the inclusion of the following new loans in the Municipal Fund Budget:

1. Scott Reserve Development up to \$2,000,000 over 10 years from the West Australian Treasury Corporation.
2. Hartfield Park Golf Course - Reticulation Project – self-supporting loan - \$900,000 not exceeding 4 years from the West Australian Treasury Corporation or other APRA approved Banking Institution.
3. Fleet and plant – further drawdown on the revolving floating facility available by \$539,000

Part 5– New Reserve Funds for 2026/2027

That Council:

1. ESTABLISH, pursuant to the provisions of Section 6.11 of the *Local Government Act 1995* and *Part 2 of the Local Government (Administration) Regulations 1996*, the following new reserves and their purpose: -
 - a. Fleet and Plant Reserve
The funds will be used effectively to aid in the replacement needs for the City's Operational Fleet & Plant.

Part 6– Municipal Fund Budget for 2026/2027

That Council:

1. ADOPT, pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and *Part 3 of the Local Government (Administration) Regulations 1996*, the City of Kalamunda Municipal Fund

Budget for the 2026/2027 financial year as contained in Attachment 1, which includes the following: -

- a) Statement of Comprehensive Income;
- b) Statement of Cash Flow;
- c) Statement of Financial Activity (showing, and the amount required to be raised from rates (which includes ex-Gratia rates) of \$56,676,446 and a net surplus current asset at the end of the financial year of \$23,817);
- d) Notes to and forming part of the Budget;
- e) Fees and Charges Schedule;
- f) Transfers to/from Reserve accounts.

2. NOTE the Capital Works Budget

Part 7- General and Minimum Rates, Instalment Payment Arrangements, and Incentives for Early Payments for 2026/2027

That Council:

1. IMPOSE, pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* the following differential general and minimum rates on Gross Rental and Unimproved Values adopted for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part 5 above.
- a) Notes the Ratepayer's submissions and acknowledges their concerns.
 - b) General Rates
 - i. General - Gross Rental Values (GRV) 5.3450 cents in the dollar
 - ii. Industrial/Commercial Values (GRV) 8.1550 cents in the dollar
 - iii. Vacant Land Value (GRV) 11.1000 cents in the dollar
 - iv. General - Unimproved Values (UV) 0.32700 cents in the dollar
 - v. Commercial - (UV) 0.41150 cents in the dollar
 - c) Minimum Rates
 - i. General - Gross Rental Values (GRV) \$1,400
 - ii. Industrial/Commercial - GRV \$1,600
 - iii. Vacant Land - GRV \$1,400
 - iv. General - Unimproved Values (UV) \$1,400
 - v. Commercial - UV \$1,600
 - d) Instalment Arrangements
 - i. NOMINATE, pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government*

(Financial Management) Regulations 1996, the following due dates for the payment of rates in full and by instalments:-

- A. Full payment Option
Full amount of rates and charges, including arrears, to be paid on or before 19 August 2026 or 35 days after the date of issue appearing on the rate notice, whichever is later.
 - B. Two Payment Option
First Instalment to be paid on or before 19 August 2026 or 35 days after the date of issue appearing on the rate notice, whichever is later, including all arrears; and
Second Instalment to be paid on or before 23 December 2026, or 2 months after the due date of the first instalment, whichever is later.
 - C. Four Payment Option
First Instalment to be paid on or before 19 August 2026 or 35 days after the date of issue appearing on the rate notice, whichever is later, including all arrears; and
Second Instalment to be paid on or before 21 October 2026, or 2 months after the due date of the first instalment, whichever is later.
Third Instalment to be paid on or before 23 December 2026, or 2 months after the due date of the second instalment, whichever is later.
Fourth Instalment to be paid on or before 24 February 2027, or 2 months after the due date of the third instalment, whichever is later.
- e) IMPOSE, Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$10 for each instalment after the initial instalment paid
- f) IMPOSE, Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, an interest rate of 5.5% where the owner has elected to pay rates and services charges through an instalment option.
- g) IMPOSE, Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, an interest rate of 11% for rates (and service charges) and costs of proceedings

to recover such charges that remains unpaid after becoming due and payable.

Part 8 – Material Variance Reporting for 2026/2027

That Council:

1. SET the material variance level to be used in statements of financial activity in the year 2026/2027 for reporting variances at 10% or \$100,000, whichever is the greater, in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and AAS 2018-7.

Moved: Cr Lisa Cooper

Seconded: Mayor Margaret Thomas

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY / EN BLOC (8/0)

10.6.5. Monthly Financial Statements to 31 May 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	1. Statement of Financial Position as at 31 May 2026 [10.6.5.1 - 1 page] 2. Statement of Financial Activities for the period ended 31 May 2026 [10.6.5.2 - 1 page] 3. Net Current Funding Position as at 31 May 2026 [10.6.5.3 - 1 page]

TYPE OF REPORT

	Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
	Executive	When Council is undertaking its substantive role of direction setting and oversight (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 eleven months ended 31 May 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 audited financial statements for of 2024-25.

3. It is recommended that Council receives the Monthly Statutory Financial Statements for the month of May 2026 and adopts the budget amendments and the Voted Works as detailed in Attachment 4 and 5.

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 eleven months ended 31 May 2026.

7. This Statement reveals a net result surplus of \$2,937,408 compared to the budgeted deficit of (\$1,059,240) resulting in a variance of \$3,996,648. The variance is largely due to an operating activities variance of \$11,664,426 and the variance of (\$3,507,357) & (\$4,160,419) respectively from investing & financing activities.

Operating Revenue

8. Total Revenue including rates is over budget by \$611,701. This is made up as follows:
- a) Rates generation remained in line with budget forecast with a minor variance of \$258,311 mainly due to the actual billing amount being slightly higher than budgeted amount and the generation of Interim rating.
 - b) Operating Grants, Subsidies and Contributions are over budget by \$787,916. The variance of \$521,464 is due to FAG grants received in advance.
 - c) Profit on disposal is under budget by \$492,037. Please refer to the comments on the investing activity variance, item 11 below.
 - d) Fees and charges are over budget by \$168,417 resulting mainly from Refuse collection fees remained higher than the budget by \$215,019.
 - e) Interest income is over budget by \$24,319 and within threshold.
 - f) Other revenue is under budget by \$29,544. This is due to variances in Discount Received and Fines & Penalties amounting to \$22,913 and \$11,624 respectively.
 - g) 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. The City is pursuing the matter with the relevant government agency.

Operating Expenditure

9. Total expenditure is under budget by \$5,068,758. The significant variances within the individual categories are as follows:
- a) Employment Costs remained slightly under budget by \$284,283 with the overall variance sitting at 0.9% of budget. This is partially due to vacancies, timing and adjustments to the annual and long service leave provisions.
 - b) Materials and Contracts are under budget by \$6,324,481. The variance is mainly due to a under-spends in Engineering works maintenance costs valued at \$940,154 and timing of invoices for waste services valued at \$1,309,567.

- c) Utilities are tracking along the budget with minor positive variance of \$116,051 with the bulk coming from street lighting valued at \$44,218 and park maintenance valued at \$29,670.
- d) Depreciation, although a non-cash cost, is tracking above budget with a variance of (\$1,767,242). This is due to the capitalisation of assets as of 30 June 2025.
- e) Interest expense remained slightly below the budget by \$5,327. The major reason for the variance is 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 under budget by 8,251 due to the LGIS premium received for buildings that was lower than budgeted.
- g) Loss on Asset Disposal reported an adverse variance of \$15,952. Please refer to the comments on the investing activity variance, item 11 below.
- h) Other expenditure is under budget by \$113,556 mainly due to a timing difference of contributions and donations to community groups and land acquisition costs of \$86,163 budgeted for the Forrestfield Industrial Area Scheme.

Investing Activities

Non-operating Grants and Contributions

10. The non-operating grants and contributions is under budget by \$13,425,656. This is mainly due to lower capital works.

Proceeds from Disposal of Assets

11. The proceeds from sale of 3 Land Parcels and Vehicles (under the vehicles replacement program) remained over budget by \$370,861 as the actual sales proceeds were higher than the estimates used for budgeting.

Capital Expenditure

12. The total Capital Expenditure on Property, Plant, Equipment, and Infrastructure Assets is under budget by \$5,599,390. The delayed spend is due to the City working through some large projects which are progressing through various stages.

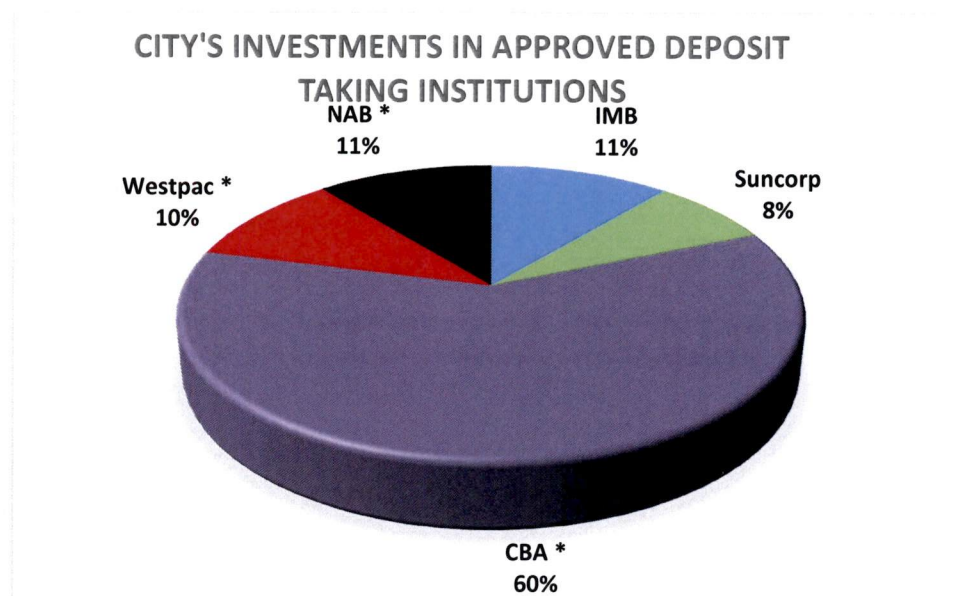
Financing Activities

13. The amounts attributable to financing activities show a variance from budget by (\$4,160,419) which is mainly due to transfers to reserves required in line with the Budget 2025-26. These are normally done at the year end.

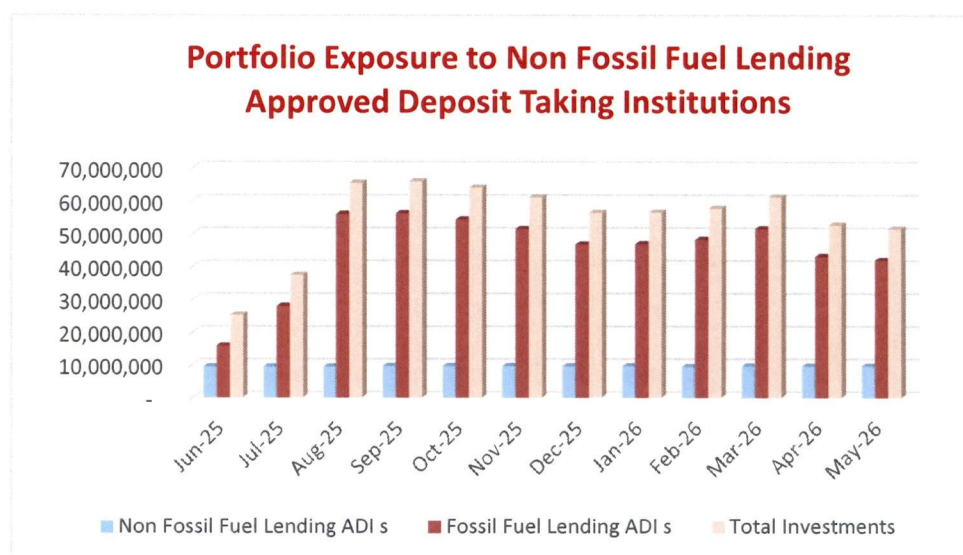
Statement of Net Current Funding Position as of 31 May 2026

14. The commentary on the net current funding position is based on a comparison of May 2026 to the May 2025 actuals.
15. Net Current Assets funding position (Current Assets less Current Liabilities) totals \$2.9 million as compared to \$19.07 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 \$40.1 million which is higher than the previous year's balance of \$31.1 million.
16. The following graph indicates the financial institutions where the City has investments as of 31 May 2026. Investments yields are between 4%-4.6% depending on the length of deposits.
- The CBA holds a high % of the City's investments as they hold overnight surplus funds beyond normal operational expenditures. As the City's reaches the financial year end, cashflows are tighter as inflows taper off. As such, the City cannot invest in longer term deposits for the short term until the new rates are issued for 2026/2027.
- The Reserve Bank of Australia increased the cash rate by a further 25 basis points to 4.35% on 6 May 2026 with new deposits attracting higher yields in the coming months.
- Recent economic data, indicates that further interest rates rises are likely in this financial year to manage inflation within the target band of 2-3%.

17.



*Financial Institutions with Investments in the Fossil Fuel Industry



18. Rates debtors are currently \$1.8 million (as compared to \$2.0 million in 2025), further details are contained in the Rates Report to Council.
19. Sundry debtors are higher than the prior year at \$4.9 million. Further details are contained in the Debtors and Creditors Report to Council.
20. Receivables Other represent \$32.9 million including:
- a) Emergency Service Levy receivables \$386,973.
 - b) Receivables Sanitation \$530,979.
 - c) Receivable from EMRC \$30.7 million.
- Except for EMRC, the above is all part of the rates billing cycle and form part of the rates statement for each property.

21. Provisions for annual and long service leave have increased by \$714,121 from \$4.5 million to \$5.2 million when compared to the previous year. The majority of the provision is cash backed via specific reserves.

Proposed Budget Amendments and Voted Works

22. There are no budget amendments or notice of motions on the voted works for the month of May.

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 30 May 2026 reflects a large draft closing surplus position of \$2,973,408 mainly due to underspends in materials and contracts and capital works projects.

Voting Requirements: Absolute Majority

RESOLVED OCM 2026/75

1. That Council RECEIVE the Monthly Statutory Financial Statement for the month of April 2026 which comprises:
 - a) Statement of Financial Activity (Nature or Type) (Attachment 1).
 - b) Statement of Net Current Funding Position, note to financial report. (Attachment 2).
 - c) Statement of Financial Position (Attachment 3).

Moved: Cr David Modolo

Seconded: Cr Lisa Cooper

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY (8/0)

10.6.6. Debtors and Creditors Reports for the month of May 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	1. Creditor Payments for the period ended 31 May 2026 – Public [10.6.3.1 - 15 pages] 2. Corporate Credit Card Payments from 26 March 2026 to 27 April 2026 – Public [10.6.3.2 - 3 pages] 3. Summary of Creditors for month of May 2026 [10.6.3.3 - 1 page] 4. Summary of Debtors for month of May 2026 [10.6.3.4 - 2 pages]
Confidential Attachments	5. Creditor Payments for the period ended 31 May 2026 – (Confidential) 6. Corporate Credit Card Payments from 26 March 2026 to 27 April 2026 – (Confidential)

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

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 for the month of April 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 month of May 2026.
3. The report provides details of payments made from the Municipal and Trust Fund Accounts for May 2026. It also includes details of employee purchases made via purchasing cards from 26 March 2026 to 27 April 2026.
4. It is recommended that Council receive the list of:
 - a) payments made from the Municipal and Trust Fund Accounts for the Month of May 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 from 26 March 2026 to 27 April 2026.
 - c) the outstanding debtors and creditors report for the month of May 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 May was \$4,940,879 This includes \$222,547 of current debts and \$17,039 unallocated credits (excess or overpayments).
- 9. Invoices over 30 days total \$47,620; debts of significance are:
 - a) Dome Coffees Australia, \$18,424, Lease Fees;
 - b) Hartfield Country Club, \$11,018, Lease Fees; and
 - c) Pyramids Plumbing, \$7,198, Unallocated Maintenance Jobs and Admin Fees.
- 10. Invoices over 60 days total \$2,856,634; debts of significance are:
 - a) Department of Creative Ind., \$2,750,000, WA Recovery Plan – Ray Owen Milestone Payment 3. This amount has subsequently been paid in June 2026;
 - b) Municipal Workcare (LGIS), \$92,773, Insurance Claims - Various;
 - c) Australian Library and Information, \$4,400, ALIA Community Cohesion Grant Project; and
 - d) Kalamunda Senior High School, \$3,033.50, KPAC Event Hire.
- 11. Invoices over 90 days total \$1,814,076; debts of significance are:
 - a) Department of Planning, Land & Heritage, \$1,800,000, High Wycombe South Community HUB Grant. The matter will be escalated with higher authorities as it has significant repercussions to the project status.;
 - b) Forrestfield Cricket Club, \$3,578, Reserve Hire;
 - c) Kalamunda City FC (Inc), \$2099, Reserve Hire;
 - d) Private Citizen, \$1815, Hazard Reduction Burn; and
 - e) Private Citizen, \$1,807, Veterinary fees.

Creditors

- 12. Payments totalling \$9,923,154 were made during the month of May 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	\$
Asphaltech Pty. Ltd.	Supply of road materials for profiling at various locations	1,584,469.12
AE Hoskins Building Services	Progress claim # 7 for various projects & building maintenance services & claim # & 14 for redevelopment of Norm Sadler Pavilion.	1,134,988.12
Cleanaway	Waste / recycling & bulk bin disposal services fees	883,121.21
Roadline Civil Contractors	Progress claim # 5 & 6 - capital works - roads, drainage & footpaths project	728,567.99
Australian Taxation Office	PAYG payments	553,034.95
Electricity Networks Corp T/A Western Power	Stage 1 of Kalamunda Road/Hawkevale Road High Wycombe master plan	528,136.00
Ausco Modular Pty. Limited	Project claim 1 - design development and construction of the modular changerooms and store for Forrestfield United Football Club (FUFC)	380,783.43
Aware Super Pty. Ltd.	Superannuation contributions	369,369.77
Re.Cycle (Canning Vale) Pty. Ltd.	FOGO & recycle waste processing	204,688.68
Western Australian Treasury Corporation	Loan no.216 (SSL), 239 & 245 interest payments	199,739.18
Synergy	Power charges	189,093.79
AWB Co. Pty. Ltd. (Access Without Barriers)	General building services at various locations	116,092.11
Kennedys Tree Services (Cosmag Pty Ltd)	Tree removal / under powerline pruning for various locations	100,507.00

These payments total \$6,972,591.35 and represent 70% of all payments for the month.

Payroll

14. Salaries are paid in fortnightly cycles. A total of \$1,772,748.14 was paid in net salaries for the month of May 2026.
15. Details are provided in Attachment 1, 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 May 2026.

CELL 9		Amount (\$)
Date	Description	
26/05/2026	ChoiceOne- Project Management Services - Capital Projects	6,586.67

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

RESOLVED OCM 2026/76

That Council:

1. RECEIVE the monthly lists of payments made from the Municipal Accounts for the months of May 2026 (Confidential Attachments 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
2. RECEIVE the list of payments made from 26 March 2026 to 27 April 2026 using Corporate Purchasing Cards (Confidential Attachment 2) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 13A)*.

3. RECEIVE the outstanding debtors and creditors reports (Attachments 3 & 4) for the month of May 2026.

Moved: Cr Josh Clark

Seconded: Cr Lisa Cooper

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY (8/0)

10.6.7. Rates Debtors Report for the period 1 May to 31 May 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 May was \$53,374,916. This balance includes, initial billing, interims and the brought forward balance from 2024/25. Collections to date stand at \$51,819,002.

BACKGROUND

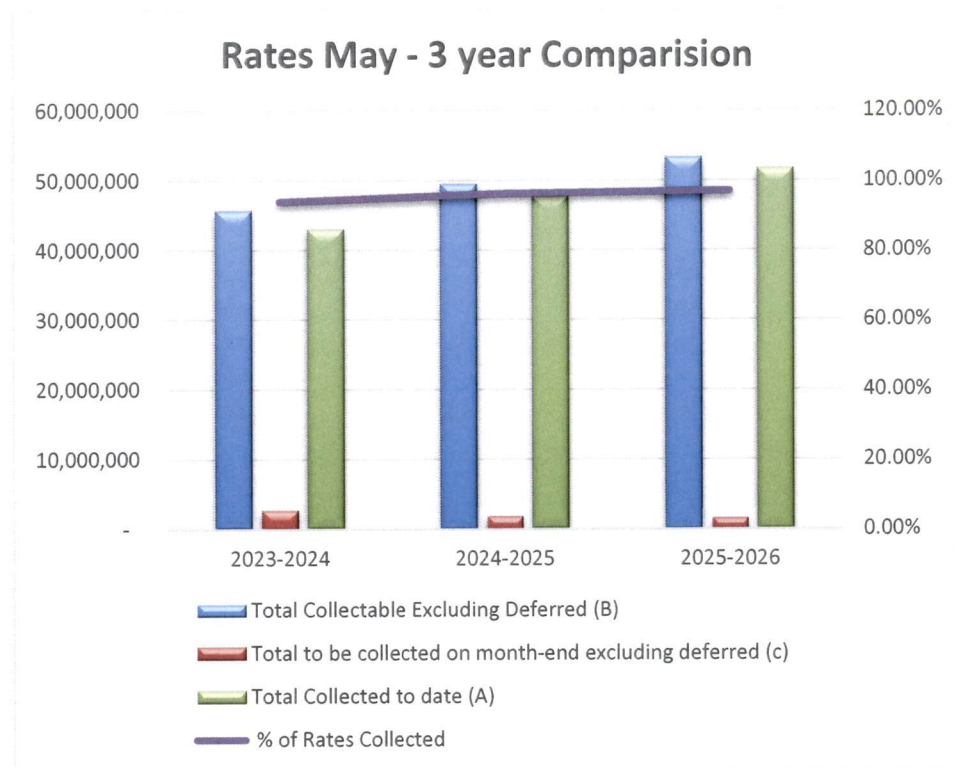
3. Rate Notices were issued on 15 July 2025 with the following payment options available:

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 May 2026, rates levied and collectable for the 2025/2026 Financial Year total is \$53,374,916 (excluding deferred rates), with collections standing at \$51,819,002
6. The above collection rate of \$51,819,002 represents a collection rate of 97.08% which is slightly better than the previous year of 96.34% and shows a significant improvement when compared to 2023/24 when the collection rate was 94.03%. 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's Rates Team are actively managing the debt outstanding. This is particularly noted in the amount outstanding for previous years having reduced by 38% (\$981,955). The City commends the team for achieving this result which improves the City's cashflows and interest earning opportunity.
- c) The % collectable at 31 May 2026 is 2.92% 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 Property (Seizure and Sale) Order (PSSO) and Judgements in May 2026 which will be followed up with Property (Seizure and Sales - Land) Order (PSSO) in June 2026.

9.

The interim rating has commenced for 2025/2026. To 31 May 2026 \$781,340 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 9,782 ratepayers has taken up an instalment option or have entered a payment arrangement. This represents a 5.8% 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	1,105	1,000
Payment Arrangement	Pay by payment Arrangement	171	82
Total	Ratepayers on payment options	9,782	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 May 2026 to 31 May 2026, there was a total of 505 calls, equating to 25.51 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	Likelihood`	Rating
Moderate	Possible	Medium
Action/Strategy		
Ensure debt collections are rigorously maintained.		

CONCLUSION

22. The current year collection rate is higher at 97.08% compared to 96.34% last year. The City continues to effectively implement its rate collection strategy and meet best practise standards.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/77

That Council RECEIVE the Rates Debtors Report for the Period covering 1 May 2026 to 31 May 2026.

Moved: Cr Josh Clark

Seconded: Cr Lisa Cooper

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

10.6.8. Application for Leave - Chief Executive Officer - August 2026

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

Anthony Vuleta (Chief Executive Officer) declared an impartiality interest in this item. This matter relates to conditions of his employment.

Previous Items	N/A
Directorate	Office of the Chief Executive Officer
Business Unit	Governance
File Reference	
Applicant	N/A
Owner	N/A
Attachments	Nil

TYPE OF REPORT

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

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

EXECUTIVE SUMMARY

1. To seek approval of Council for leave arrangements for the Chief Executive Officer (CEO).
2. Council is responsible for the approval of annual leave for the CEO.
3. It is recommended leave be approved for the CEO for the period 28 August 2026 to 13 September 2026 (inclusive).

BACKGROUND

4. Nil

DETAILS AND ANALYSIS

5. The CEO, Anthony Vuleta, wishes to be absent from the position on annual leave from 28 August 2026 to 13 September 2026 (inclusive).
6. Sufficient leave will be available to enable the CEO to take annual leave at this time.
7. For leave between 6 weeks and 12 months, Governance Policy 18 provides that Council will appoint an Acting CEO.
8. The requested period is for 17 days. It is considered reasonable that the CEO be authorised to appoint an appropriate Acting CEO and inform Council accordingly.

APPLICABLE LAW

9. *Local Government Act 1995*
Section 5.36 – Local government employees

APPLICABLE POLICY

10. Governance 18 – Appointment of Acting CEO

STAKEHOLDER ENGAGEMENT

11. Nil

FINANCIAL CONSIDERATIONS

12. There are no financial implications arising from this proposal, as annual leave is paid from the annual leave provision account.

SUSTAINABILITY

13. N/A

RISK MANAGEMENT

14.	Risk: Health and wellbeing of an employee is detrimental.		
	Consequence	Likelihood	Rating
	Major	Unlikely	Medium
	Action/Strategy		
	Ensure the CEO's leave entitlements are supported.		

Risk: Annual leave liabilities accrue and become a significant financial risk which will be identified by auditors.		
Consequence	Likelihood	Rating
Minor	Unlikely	Low
Action/Strategy		
Ensure leave liabilities are managed and all staff utilise their leave entitlements regularly.		

CONCLUSION

15. The leave requested is an entitlement of the CEO's contract of employment.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/78

That Council:

1. APPROVE the Chief Executive Officer to have annual leave for the period 28 August 2026 to 13 September 2026 (inclusive).
2. AUTHORISE the Chief Executive Officer to appoint an Acting Chief Executive Officer for this period of time.

Moved: Cr John Giardina

Seconded: Cr Josh Clark

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY (8/0)

10.6.9. Chief Executive Officer Performance Review Policy

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

Anthony Vuleta (Chief Executive Officer) declared an impartiality interest in this item. This matter relates to conditions of his employment.

Previous
Items

Directorate Chief Executive Officer

Business Unit People and Culture

File Reference

Applicant

Owner

Attachments 1. Draft CEO Performance Review Policy [10.6.9.1 - 5 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 to propose a Chief Executive Officer (CEO) Performance Review Policy.

BACKGROUND

2. It is a requirement of the *Local Government Act 1995* (the Act) and the CEO's employment contract that a performance review is carried out each year.
3. The City is also required to have a Standards for the Recruitment, Performance Appraisal and Termination of the Chief Executive Officer (the Standards). The purpose of this document is to set out the standards of these matters and is based on the model contained in the *Local Government (Administration) Regulations 1996*. This does not outline how the standards will be applied.

DETAILS AND ANALYSIS

4. Following the 2025 review of the CEO's performance, feedback from Elected Members identified that improvements could be made to the process. It was identified that improvements could be made to the structure and consistency of the process as well as the Elected Members engagement in the process.
5. To address these identified improvements, a CEO Performance Review Policy is proposed (Attachment 1). This policy provides guidance on the CEO's performance review process to ensure it is based on the principles of fairness, integrity and impartiality in accordance with section 5.38 of the Act and the adopted Standards.
6. The draft proposed policy also provides information on the timing of the performance review and development of key performance indicators, and the roles and responsibilities of Elected Members, the independent consultant and the Administration.

APPLICABLE LAW

7. *Local Government Act 1995*
 - s.5.36 – Local government employees
 - s.5.38 – Annual review of employees' performance
 - s.5.39A – Model standards for CEO recruitment, performance and termination

APPLICABLE POLICY

8. Standards for the Recruitment, Performance Appraisal and Termination of the Chief Executive Officer

STAKEHOLDER ENGAGEMENT

9. Internal consultation was undertaken to ensure the draft proposed policy is consistent with legislative requirements. A review of what other local governments have in place was also done.

Further reference was made to best practice guidance from the Department of Local Government in relation to CEO performance review processes.

FINANCIAL CONSIDERATIONS

10. Nil

SUSTAINABILITY

11. N/A

RISK MANAGEMENT

12.	Risk: Delays may occur to the CEO Performance Review.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Adoption of a policy that clearly outlines the roles and responsibilities for the review process.		

CONCLUSION

13. In response to Elected Member feedback a draft CEO Performance Review policy has been prepared to provide for a consistent approach for future reviews.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/79

That Council ADOPT the Chief Executive Officer Performance Review Policy contained at Attachment 1.

Moved: Cr Lisa Cooper

Seconded: Cr David Modolo

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

10.6.10. Public Interest Disclosure Guidelines

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

Previous Items	
Directorate	Office of the Chief Executive Officer
Business Unit	Governance
File Reference	n/a
Applicant	n/a
Owner	n/a
Attachments	1. City of Kalamunda - Public Interest Disclosure Guidelines [10.6.10.1 - 21 pages]

TYPE OF REPORT

	Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
	Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
	Information	For Council to note
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 to seek approval to repeal the existing City of Kalamunda Whistleblower Policy and recommend the endorsement of a Public Interest Disclosure (PID) Guideline to ensure compliance with current legislative and governance requirements.

BACKGROUND

2. The City currently has a Whistleblower Policy which was adopted by Council on 12 October 2021. This policy was developed to support the reporting of misconduct, unethical behaviour and improper conduct, protecting those making the reports.

DETAILS AND ANALYSIS

3. The *Public Interest Disclosure Act 2003* (PID Act) allows people to make disclosures about wrongdoing in public authorities, which includes the State public sector, local governments, government trading enterprises, public universities and some government boards and committees (public authorities), and protects them when they do.
4. As a local government, the City of Kalamunda is a public authority and has certain responsibilities under the Act. These include the Chief Executive Officer being identified as the Principal Executive Officer, Public Interest Disclosure Officers being designated and the City having appropriate procedures in place for the receipt and management of public disclosures.
5. It is not a requirement for the City to have a Whistleblower Policy, and the current document does not provide a reasonable amount of information relating to the procedures for public interest disclosures. There is an emphasis on clear, procedural guidance rather than standalone policy documents.
6. The draft Public Interest Disclosure Guidelines (Attachment 1) have been prepared consistent with the information provided by the Public Sector Commission and:
 - Outlines how to report public interest disclosures;
 - Defines roles and responsibilities of the City's Officers and disclosers for public interest disclosures
 - Detail assessment, investigation, and reporting processes;
 - Provide guidance on confidentiality and protections;
 - Explain rights and obligations of disclosers and recipients.These Guidelines replace the Whistleblower Policy.

APPLICABLE LAW

7. *Public Interest Disclosure Act 2003*

APPLICABLE POLICY

8. Nil.

STAKEHOLDER ENGAGEMENT

9. A review of other local governments was undertaken to identify the preferred way to manage PID's. None of the local governments reviewed had a Whistleblower Policy. Where PID information was available, it was in the form of Public Interest Disclosure Guidelines.
10. The City's Principal Executive Officer and current PID Officer were consulted in the preparation of this report.

FINANCIAL CONSIDERATIONS

11. Nil

SUSTAINABILITY

12. N/A

RISK MANAGEMENT

- 13.
- | | | |
|---|-------------------|---------------|
| Risk: Retain existing Whistleblower Policy results in non compliance with updated legislation, confusion arising from inconsistent terminology and increased legal and reputations risk. | | |
| Consequence | Likelihood | Rating |
| Moderate | Rare | Low |
| Action/Strategy | | |
| Clear publication of the new guidelines, ongoing monitoring and review and training for PID Officers | | |

CONCLUSION

14. Repealing the Whistleblower Policy and replacing it with the Public Interest Disclosure Guidelines ensures practical, operational clarity, aligns internal procerus with legal obligations and reduces duplication across documents.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/80

That Council:

1. REPEAL the Whistleblower Policy; and

2. ENDORSE the Public Interest Disclosure Guideline at Attachment 1.

Moved: Cr Lisa Cooper

Seconded: Cr David Modolo

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY (8/0)

10.7 Audit, Risk and Improvement Committee

10.7.1. Risk Management Policy Review

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

Previous Items

Directorate Corporate Services

Business Unit Corporate Services

File Reference

Applicant

Owner

Attachments 1. Governance 8 – Risk Management

2. Integrated Risk Management Plan – April 2026

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 purpose of this report is for Council to consider the adoption of the:
 - a) Risk Management Policy
 - b) Integrated Risk Management Plan

2. The Risk Management Policy (the Policy) establishes organisation wide risk management principles, systems and processes to ensure consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.
3. The Integrated Risk Management Plan (the Plan) is structured around AS/NZS/ISO 31000:2018 and the requirements of the Local Government (Audit) Regulations 1996. The Plan identifies the processes, systems and templates used by the City to manage risk. Moreover, the Plan provides the tools and instructions to enable risk to be managed throughout the City. It is recommended that Council adopt:
 - a) The Risk Management Policy
 - b) The Integrated Risk Management Plan

BACKGROUND

4. The City's Risk Management Policy and Risk Management Plan have been revised to better reflect contemporary standards in risk management and to guide the City in the management of risk in the current environment.
5. The Risk Management Policy forms part of the Governance Framework for the City and reflects a firm commitment to the proactive management of risk to enhance the wellbeing of the community, the efficiency of the City's services and the achievement of strategic objectives.
6. Central to the Risk Management Policy is the embedding of risk management into the City's normal decision making processes, to minimise adverse impacts on achieving strategic goals, and by increasing opportunities to drive innovation and improvement. The Risk Management Policy is managed in accordance with AS/NZS/ISO 31000:2018. Risk Management is embedded in all aspects of management, ensuring that the principles of risk management are applied to all levels and functions across the organisation.
7. The Risk Management Plan (the Plan) is structured around AS/NZS/ISO 31000:2018 and the requirements of the Local Government (Audit) Regulations 1996. The Plan identifies the process, systems and templates used by the City to manage risk. Moreover, the Plan provides the tools and instructions to enable risk to be managed throughout the City.
8. Risk Management is defined as the effect of uncertainty (either negative or positive) on the achievement of business objectives.
9. Risk Management is the coordination of activities that direct and control the organisation regarding risk. Importantly, risk management involves both the

management of adverse effects together with the realisation of potential opportunities.

DETAILS AND ANALYSIS

10. The benefits of risk management embedded in all aspects of management are:
 - a) Effective management of adverse events or opportunities impacting on the City's purpose or objectives
 - b) Ability to make informed decisions regarding the management of potential negative effects of risk and taking potential advantage of opportunities
 - c) Improved planning and performance management processes enabling a strong focus on core business service delivery and implementation of business improvement initiatives
 - d) Ability to direct resources to risks of greatest significance and impact
 - e) Improvement in organisational culture enhancing staff capability to understand their role in contributing to achievement of objectives

11. The Australian Standard for Risk Management (AS/NZISO 31000:2018) is based on 11 best practice principles:
 - a) Creating and protecting value
 - b) An integral part of organisational processes – forming a key element of the City's governance and accountability framework
 - c) Part of decision making – aids decision-makers to make informed choices, prioritise activities
 - d) Explicitly addresses uncertainty – identifies the nature of uncertainty and how it can best be managed
 - e) Systematic, structured and well timed – contributing to efficiency and to consistent, comparable results
 - f) Based on the best available information – drawing on diverse resources, expert judgement and stakeholder feedback enabling evidence based decisions
 - g) Tailored – risk management aligns with internal and external environments and in the context of the City's risk profile
 - h) Human and Culture Factors – risk management recognises that the capabilities and perceptions of people may aid or hinder the achievement of objectives
 - i) Transparent and inclusive – requires the appropriate and timely involvement of stakeholders to ensure that it remains relevant, captures diverse views when determining risk criteria
 - j) Dynamic, interactive and responsive to change – risk management swiftly to internal and external events, changing environmental context
 - k) Continual improvement of the City – risk management facilitates continuous improvement

12. Risk appetite and risk tolerance are central to the City's Risk Management Policy and Risk Management Framework. Risk appetite refers to the amount of risk that the City is willing to accept in order to achieve its objectives. The City is currently risk averse, with acceptable tolerances defined as:
 - a) Low tolerance
 - b) Moderate tolerance
 - c) High tolerance
13. The City's risk appetite is typically lower when considering risks that may result in serious injury or fatality, significant financial loss and significant reputational damage. Conversely, the City has a higher risk tolerance when pursuing activities that have the potential to provide financial return or improved outcomes.
14. The City's Integrated Risk Management Plan identifies the manner in which risk is managed to ensure strategic, operational and project objectives are met. The Plan identifies the process, systems, and templates used by the City to manage risk and is structured around AS/NZS/31000:2018 and the requirements under the Local Government *Audit Regulations 1996*.
15. The City's Executive Leadership Team recently undertook a workshop to review and update the Strategic Risk Register. From the workshop, the top twelve strategic risks likely to impact the City's ability to achieve its strategic objectives has been prepared for Council consideration.

APPLICABLE LAW

4. Local Government (*Audit*) Regulations 1996 (WA) Amendment.
Amendments to the Local Government *Audit Regulations 1996* came into effect on 8 February 2013. Specifically, Regulation 17 which states:

"17. CEO to review certain systems and procedures
 - 1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –*
 - a) *risk management; and*
 - b) *internal control; and*
 - c) *legislative compliance*
 - 2) *The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*

- 3) *The CEO is to report to the audit committee the results of that review."*

In addition to the requirement for the CEO to prepare a report as outlined in Regulation 17, the Regulations also stipulate an additional responsibility for the Audit Committee as detailed in Regulation 16(c) which states the Audit Committee:

"(c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to –

- i) The City's Report to the council the results of that review; and*
- ii) Give a copy of the CEO's report to the council."*

APPLICABLE POLICY

5. The City's Risk Register has been developed based on the City's Risk Management Plan and the City's Risk Management Policy (C-HR06)

STAKEHOLDER ENGAGEMENT

6. The Risk Register was reviewed by the Executive Management Team in April 2026.

FINANCIAL CONSIDERATIONS

7. Nil

SUSTAINABILITY

8. **Social Implications**
Nil
9. **Economic Implications**
Nil
10. **Environmental Implications**
Nil

RISK MANAGEMENT

11.

Risk: Without an effective enterprise risk management system, the City would not be fulfilling its obligations of duty of care and due diligence as prescribed by the <i>Local Government Act 1995</i>		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Ensure the City has an enterprise risk management system in place that complies with the Australian Standards containing the following elements:		
a) Risk Appetite Statement b) Risk Assessment based on the Risk Policy and Risk Management Plan, risk registers and established standards c) Risk Profile reviewed by the Council and Administration on a regular basis		

Risk: The City fails to effectively manage risks impacting the delivery of objectives.		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
a) Ensure the City has an enterprise risk management system in place that complies with Australian Standards. b) Undertake a review of the City's Risk Profile by the administration and Council on a regular basis.		

CONCLUSION

12. As a result of the review of the City's Risk Register identifying the top twelve strategic risks, the City is well placed to manage its risks. It is recommended that Council adopt the Risk Management Policy and Integrated Risk Management Plan.

Voting Requirements: Simple Majority

RESOLVED OCM 2026/81

That Council:

- a) Adopt the Risk Management Policy as contained at Attachment 1; and
- b) Adopt the Integrated Risk Management Plan as contained at Attachment 2.

Moved: Cr Lisa Cooper

Seconded: Cr David Modolo

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

10.7.2. Audit Reports

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

Previous Items	
Directorate	Corporate
Business Unit	Corporate
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachments	Nil
Confidential Attachments	1. Fraud Management Review 2. Governance Framework Review 3. Business Continuity Plan and Disaster Recovery Report 4. Office of the Auditor General (OAG) Audit Plan
	<u>Reason for Confidentiality:</u> "Information the making public of which would be likely to endanger the security (including cybersecurity) of any of the local government's property or operations" [Act s.5.23(4)(e)]

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.

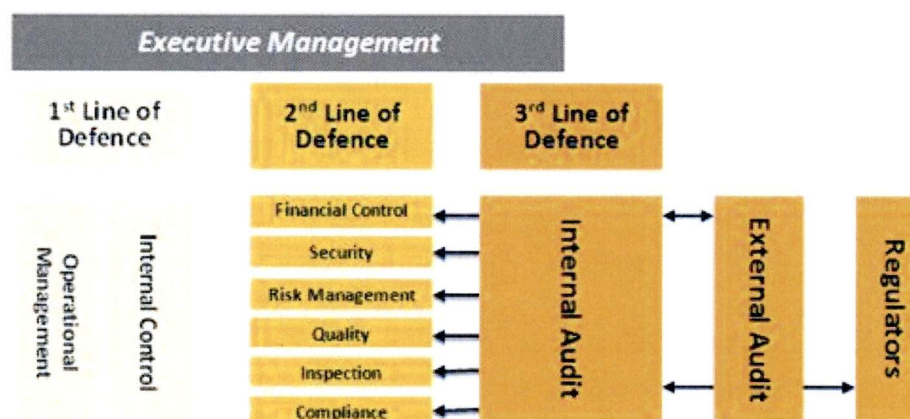
Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with details of the Internal Audit Reviews conducted during the last six months.
2. The internal audits were completed in accordance with the provisions of the *Local Government Act 1995*, associated regulations, and *Australian Accounting Standards*. The internal audits have identified several improvement opportunities that the City of Kalamunda (the City) is committed to implementing.
3. It is recommended that Council receive the details of the following internal audit reviews:
 - a) Fraud Management Review
 - b) Governance Framework Review
 - c) Business Continuity Plan and Disaster Recovery Report
 - d) Office of the Auditor General (OAG) Audit Plan

BACKGROUND

4. The internal audit program is delivered in line with the City's three-year Strategic Internal Audit Plan (Plan) which contains a mix of compliance, financial, and performance / operational audits
5. The City's appointed Internal Auditor is William Buck who have undertaken a number of audit reviews, which included:
 - a) Reviewing recommendations from previous audits
 - b) Providing input into the formulation of the Strategic Internal Audit Plan
 - c) Attendance and presentation of internal audit reports to the Audit Risk and Improvement Committee
 - d) Client liaison and engagement
6. Internal Audit is a core element of the City's risk management and governance framework. The relationship between Internal Audit and the City is illustrated using the "Three Lines of Defence Model" below:



7. Broadly, Internal Audit Reviews are focused on:
- Compliance Audits – focused on the City's (or their suppliers) compliance with legislation, regulations, directions, policies, plans and procedures.
 - Financial Audits - focused on practices and activities relating to the accounting, and financial reporting of transactions, reliability and integrity of financial information and the safeguarding of City Assets.
 - Performance (Operational Audits) – focused on all or part of the City's activities to assess the economy, efficiency and effectiveness. Considers the adequacy of internal control structures, the extent to which resources have been managed economically and efficiently, the extent to which activities have been effective in achieving organisational objectives.

DETAILS AND ANALYSIS

8. The Internal Audit reviews during the past six months are:
- Fraud Management
 - Governance Framework
 - Business Continuity and Disaster Recovery Plans
9. In addition, the OAG presented their Audit Plan to the City during an entrance meeting during April 2026.
10. **Fraud Management**
The objective of this audit was to determine whether effective controls are in place to identify, prevent and respond to fraud and corruption.

The scope of the audit was to:

- Identify the availability of a fraud and corruption control plan, that is reviewed periodically to ensure the plan includes controls surrounding:
 - Fraud risk assessment

- Preventative measures and controls clearly describing and assigning roles and accountabilities for detecting reporting and preventing fraud and corruption
- Detection controls that clearly identify financial fraud and corruption detection program, including analysis of management accounting reports and random audits or spot checks where there are multiple and regular transactions under threshold limits

b) Complete a high-level review of controls related to the process for investigation and reporting mechanism for identified fraud and corruption.

11. The results of the Fraud Management Audit are detailed in Confidential Attachment 1.

12. **Governance Framework Review**

The objectives of this audit were to assess the adequacy and effectiveness of the City's governance framework to ensure alignment with legislative requirements and support sound decision making

The scope of the audit was to:

- Review Governance Policies and Frameworks, including availability of the Governance Framework, Code of Conduct, Delegations Register, segregation of duties
- Assess whether policies are documented, current, approved and aligned with legislative and regulatory requirements

13. The results of the Governance Framework Audit are detailed in Confidential Attachment 2

14. **Business and Disaster Recovery Plan**

The objective of this audit was to assess whether the City's Crisis Business Continuity and Disaster Recovery framework is adequate, covering governance, documentation and periodic review processes to support the organisation's ability to respond to and recover from potential disruptions.

The scope of the audit was to:

- a) Review the Governance and Oversight
 - Existence of approved Business Continuity and Disaster policies and frameworks
 - Review defined governance structures, roles and responsibilities for continuity management
 - Review the management of committee oversight and reporting mechanisms for Business Continuity/Disaster Recovery

- b) Review the Framework and Documentation
 - Review whether a documented Business Continuity and Disaster Recovery framework exists
 - Review alignment of the framework with relevant internal policies and regulatory expectations
 - Review the evidence that continuity and recovery plans for critical functions and systems
 - c) Review Business Impact Analysis (BIA)
 - Review whether a BIA process is defined and has been performed to identify critical business functions and establish recovery objectives
 - Review whether continuity and recovery plans are aligned with BIA outcomes
 - d) Testing, Review, and Continuous Improvement
 - Whether management has established processes for periodic review or testing of the Business Continuity/Disaster Recovery Plans
 - Whether outcomes of tests or exercises are reviewed and improvements identified
 - Review of plan update or maintenance procedures.
15. The results of the Business Continuity and Disaster Recovery Plan Audit are detailed in Confidential Attachment 3.
16. **OAG Audit Plan**
The OAG Audit Plan outlines the approach to the audit of the City's financial statements. The audit schedule commences with the planning and interim audit work which commenced in April and concludes in late October following the final audit of the financial statements.
The Audit focuses on areas considered to represent risks of material misstatement to the financial report. A review of the following key business cycles will include:
- a) Revenue and receivables
 - b) Expenditure and payables
 - c) Payroll and employee provisions
 - d) Cash and financing
 - e) Property, plant and equipment

17. The details of OAG Audit Plan are contained in Confidential Attachment 4.

APPLICABLE LAW

18. *Local Government Act 1995*
Local Government Financial Management Regulations 1996

APPLICABLE POLICY

19. NIL.

STAKEHOLDER ENGAGEMENT

20. Internal Audit findings were discussed with relevant business unit managers and have been reviewed by the City's Executive Management Team.

FINANCIAL CONSIDERATIONS

21. The cost of the Internal Audit program is provisioned within the City's annual budget.

SUSTAINABILITY

22. **Social Implications**
Nil.
23. **Economic Implications**
Nil.
24. **Environmental Implications**
Nil.

RISK MANAGEMENT

- 25.
- | | | |
|--|-------------------|---------------|
| Risk: Internal Audit fails to identify material non-compliance or control deficiencies | | |
| Consequence | Likelihood | Rating |
| Moderate | Unlikely | Low |
| Action/Strategy | | |
| Internal Audit Plan developed and reviewed annually.
Internal Audit papers reviewed by OAG.
Evaluation of key controls for identified processes. | | |
-
- | | | |
|--|-------------------|---------------|
| Risk: Audit recommendations are not implemented in a timely fashion. | | |
| Consequence | Likelihood | Rating |
| Moderate | Unlikely | Low |
| Action/Strategy | | |
| Internal Audit Plan developed and reviewed annually.
Monitoring and review of implementation of audit recommendations | | |

CONCLUSION

26. Internal Audit is a key element of the City's risk management and governance framework. The audit program is informed by the Strategic Audit Plan consisting of compliance audits, financial audits and performance (operational audits).

Voting Requirements: Simple Majority

RESOLVED OCM 2026/82

It is recommended that Council receive the details of the following Internal Audit Reviews:

- a) Fraud Management Review
- b) Governance Framework Review
- c) Business and Disaster Recovery Reviews
- d) OAG Audit Plan

Moved: Cr David Modolo

Seconded: Cr Lisa Cooper

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

11. Motions of Which Previous Notice has been Given

11.1 Notice of Motion - Observatory Signage

Voting Requirements: Simple Majority

RESOLVED OCM 2026/83

That Council APPROVE an allocation of up to \$2,000 from the Voted Works Budget for the purchase and installation of wayfinding signage at the Perth Observatory site.

Moved: Cr David Modolo

Seconded: Cr Josh Clark

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: **Nil**

CARRIED UNANIMOUSLY (8/0)

11.2 Notice of Motion - Mobile Phone Coverage and Telecommunications Resilience in the Perth Hills

Voting Requirements: Simple Majority

RESOLVED OCM 2026/84

That Council:

1. ACKNOWLEDGES ongoing community concern regarding mobile phone black spots, unreliable mobile reception and telecommunications resilience across parts of the City of Kalamunda.
2. NOTES that reliable mobile phone coverage is an important public safety, emergency management, community resilience and liveability issue for residents, visitors, volunteer emergency services, schools, aged persons, people with medical vulnerabilities, local businesses and isolated households.
3. NOTES recent public advocacy and funding announcements relating to telecommunications resilience in the Perth Hills, including the targeted Perth Hills round of the Mobile Network Hardening Program.
4. NOTES that, by the time this matter is considered by Council, applications for the current Perth Hills round of the Mobile Network Hardening Program will have closed, but that there remains an important role for the City in advocating for improved coverage, supporting future funding opportunities and ensuring local black spot concerns are properly identified and communicated.
5. REQUESTS the Chief Executive Officer liaise with relevant stakeholders, including but not limited to neighbouring local governments such as the Shire of Mundaring and City of Swan, to identify opportunities for coordinated advocacy to improve mobile phone coverage and telecommunications resilience across the Perth Hills.
6. REQUESTS that the Chief Executive Officer provide an update to Councillors by way of briefing note, Councillor information bulletin or other appropriate mechanism within six months.

Moved: Cr David Modolo

Seconded: Cr John Giardina

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr David Modolo, Cr Brooke O'Donnell, Cr Sue Bilich, Cr Lisa Cooper, Cr Kathy Ritchie, Cr Josh Clark**

Against: Nil

CARRIED UNANIMOUSLY (8/0)

12. Questions by Members Without Notice

Nil.

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

13.1.1 Cr Brooke O'Donnell (Public Agenda Briefing Forum 9 June 2026)

[Referring to item 10.1.2 Development Application for Tree Removal – Lot 823 (No.16) Brenda Road, Maida Vale]

Q1. Is it true this development had 186 trees assessed and only 24 were kept?

A1. That is correct.

13.1.2 Cr Mary Cannon (Public Agenda Briefing Forum 9 June 2026)

[Referring to item 10.1.2 Development Application for Tree Removal – Lot 823 (No.16) Brenda Road, Maida Vale]

Q1. What's the setback from the road when you build on those 400m blocks?

A1. Confirmed 4 metres.

13.1.3 Cr Josh Clark (Public Agenda Briefing Forum 9 June 2026)

[Referring to item 10.1.3 Carmel Schoolhouse Project]

Q1. Around bushfire compliance requirements. Under 3C, have we accounted for the fact that summer's peak for this type of tourism and potentially due to the bushfire risk, we may have to close that during the peak period. Has the business case looked at modelling that accounts for lost revenue in that scenario?

- A1. The business case attached to the Public Agenda Briefing did not go into that level of detail, however, is being updated for future consideration to reflect trading limitations during high or extreme risk periods - typically 30-40 days a year. It is acknowledged that the specific management controls would be determined through a Bushfire Management Plan and it is yet to be determined if limited trading is necessary. This is not considered to change the officer's recommendation.

13.1.4 Cr Brooke O'Donnell (Public Agenda Briefing Forum 9 June 2026)

[Referring to item 10.2.1 Main Roads WA Black Spot Submission 2027/2028]

- Q1. Regarding Hale Road and Morrison Road. Now it's 1.97. If it's above two, we could potentially apply for 100% funding. Would it not make sense to just wait and see for the sake of \$130,000 in this economic environment?

- A1. For the Black Spot Program, the City uses the 'CrashMap' application developed by Main Roads WA to calculate the BCR. This is a mandatory and integral component of the Black Spot application assessment process.

BCR values can vary as projects develop from a concept to a final design, as the BCR can change as project estimates become final costings. However, we put effort into ensuring initial cost estimates for concepts at the application stage are as accurate as possible which see's BCRs generally remaining within the same range when final quotes and costs are confirmed at a later stage. The BCR for a project could increase as additional crashes are recorded or as the significance and associated cost of the crashes increase, or if the project delivery cost can be reduced.

Deferral of the project carries risk that the evidenced pattern of crashes could continue. As the cost of the project is unlikely to reduce whilst inflation increases, the BCR is unlikely to increase over time as a result of reduced project costs. The BCR would only be likely to increase if there were increased crashes or a more significant crash at this roundabout.

1. BCR Calculations

Austroads Guidance

The technical basis for BCR calculations is generally derived from:

[Austroads Guide to Road Safety Part 8 – Treatment of Crash Locations](#)

These guides explain that:
$$BCR = \frac{\text{Present Value of Crash Cost Savings}}{\text{Present Value of Project Costs}}$$

where:

- Crash savings are estimated using historical crash data.
- Expected crash reductions are based on Crash Modification Factors (CMFs).
- Crash costs are assigned using Austroads/BITRE crash cost values.

- Future benefits are discounted to present value.

2. The BCR values achieved for each project have been included in the Council report. As noted above, these values were derived using the CrashMap application, which is developed and maintained by Main Roads WA (MRWA) and forms part of the Black Spot assessment process.

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

Nil.

15. Meeting Closed to the Public

Nil.

16. Tabled Documents

Tabled documents are listed in the agenda on page {insert}.

17. Closure

There being no further business, the Presiding Member declared the Meeting closed at 10:09pm.

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

Signed: 
Presiding Member

Dated this 28th day July of 2026