

# Development & Infrastructure Services Committee Meeting

Minutes for Monday 11 February 2013

**CONFIRMED**



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## MINUTES

### 1.0 OFFICIAL OPENING

The Chairman opened the meeting at 6.50pm, and welcomed Councillors, Staff and Members of the Public Gallery.

### 2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

#### 2.1 Attendance

##### Councillors

Sue Bilich	(Shire President) North Ward
Margaret Thomas	(Chairman) North Ward
Allan Morton	South West Ward
Noreen Townsend	South West Ward
Justin Whitten	South West Ward
Geoff Stallard	South East Ward
John Giardina	South East Ward
Frank Lindsey	South East Ward
Dylan O'Connor	North West Ward
Bob Emery	North West Ward

##### Members of Staff

Rhonda Hardy	Acting Chief Executive Officer
Clayton Higham	Director Development & Infrastructure Services
Darrell Forrest	Manager Governance
Andrew Fowler-Tutt	Manager Development Services
Warwick Carter	Manager Economic Property & Procurement Services
Sam Assaad	Manager Infrastructure Operations
Michelle Clark	Executive Assistant to the CEO
Meri Comber	Governance Officer

**Members of the Public** 22

**Members of the Press** 1

#### 2.2 Apologies

##### Councillors

Martyn Cresswell	North West Ward
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#### 2.3 Leave of Absence Previously Approved

Nil.

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### 3.0 PUBLIC QUESTION TIME

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

3.1 Nil.

### 4.0 PETITIONS/DEPUTATION

4.1 A Petition was tabled from Jason Whittaker with 34 signatures, requesting the closure of the Pedestrian Access Way between 180 and 182 Maida Vale Road.

Comment: A similar request for the closure of this pedestrian access way was considered in May 2012, but did not proceed due to opposition by the Department of Planning. Further investigation will be undertaken from this request and a report presented to Council.

### 5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 That the Minutes of the Development & Infrastructure Services Committee Meeting held on 3 December 2012 are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (10/0)**

### 6.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

6.1 Nil.

### 7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

7.1 **14. Preferred Tenderer – Wattle Grove Nature Playspace Cell 9**

(Confidential Attachment 1) Provided under separate cover.

Reason for confidentiality. *Local Government Act 1995 S5.23 (2) (c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting”.*

7.2 **15. CONFIDENTIAL ITEM - Restructure of Technical Services and Infrastructure Operations Business Units**

Reason for confidentiality. *Local Government Act 1995 S5.23 (2) (a) – “a matter affecting an employee or employees”.*

### 8.0 DISCLOSURE OF INTERESTS

8.1 **Disclosure of Financial and Proximity Interests**

a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 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. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

8.1.1 Nil.

## 8.2 **Disclosure of Interest Affecting Impartiality**

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

8.2.1 Nil.

## 9.0 **REPORTS TO COUNCIL**

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

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

**01. Amendment to Local Planning Scheme No. 3 – Modifications to the Site Requirements Table**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	PG-LPS-003
Applicant	N/A
Owner	N/A
Attachment 1	Table 1 of the Residential Design Codes
Attachment 2	Table 2a and 2b of the Residential Design Codes

**PURPOSE**

1. To consider whether to initiate an Amendment to Local Planning Scheme No. 3 (“the Scheme”) to delete provisions in Table 2 (Site Requirements) of the Scheme regarding the side setback requirements for development on Residential R5 zoned properties.

**BACKGROUND**

2. Currently the Scheme requires all development on properties zoned Residential R5 to be setback a minimum of 6m from side boundaries, whereas the Residential Design Codes (R Codes) allow development to be setback as close as 1m from side boundaries on properties with the same zoning.
3. The Scheme only stipulates minimum setback requirements for Residential R5 zoned properties. The setback requirements for Residential zoned properties with other density codings are stipulated under the R Codes.

**DETAILS**

4. It is proposed that Table 2 (Site Requirements) of the Scheme be modified to so that the provisions regarding the side setback requirements for Residential R5 zoned properties are deleted, as shown in the following table:

Residential	As per the Residential Design Codes. <del>except the side setback in R5 zones which shall require a 6m side setback unless otherwise approved by the local government.</del>
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5. Table 2 is proposed to be modified so as to be consistent with the requirements of the R Codes.

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## STATUTORY AND LEGAL IMPLICATIONS

6. The *Town Planning Regulations 1967* establish procedures relating to amendments to local planning schemes. If Council resolves to adopt the proposed amendment, then ultimately the amendment will be determined by the Minister for Planning in allowing for a minimum side boundary setback of 1m.
7. Table 2 (Site Requirements) of the Scheme stipulates the minimum setbacks for structures and buildings from lot boundaries, amongst other matters, which cannot be varied unless otherwise approved by the Shire.

## POLICY IMPLICATIONS

8. Column 7 in Table 1 (General Site Requirements for all single house(s), all grouped dwellings, or multiple dwellings in areas with a coding of less than R30) of the R Codes, and Table 2a and 2b (Boundary Setbacks) of the R Codes stipulate the minimum setback requirements. Refer to Attachment 1 (Table 1 of the Residential Design Codes) and Attachment 2 (Table 2a and 2b of the Residential Design Codes).
9. The minimum side setback requirements stipulated in the R Codes are dependent on the length and height of the wall nearest the side boundary and whether there are any major openings. For example, walls with no major openings, less than nine metres in length allow for a one metre boundary setback.
10. Under Appendix 1 (Definitions) of the R Codes, a major opening is defined as being the following:

*“A window, door or other opening in the exterior wall of a habitable room that provides external means of light or view for that room or space, but does not include an opening or openings that:*

  - *In aggregate do not exceed 1sqm in any such wall (providing that adjoining or contiguous windows at the junction of two walls forming an internal angle of 90 degrees or less shall be aggregated); or*
  - *Are glazed in an obscure material and are not able to be opened, or have a sill height not less than 1.6m above floor level.”*
11. Any variation proposed to the requirements of the R Codes is required to be advertised to the affected landowner(s).

## PUBLIC CONSULTATION/COMMUNICATION

12. The *Town Planning Regulations 1967* establish the procedures relating to amendments to local planning schemes. If Council decides to approve the amendment, then ultimately it will be determined by the Minister for Planning. If the matter proceeds to the Minister's determination, there is no Right of Review (appeal), irrespective of the Minister's decision.

13. Should Council initiate the amendment, the formal advertising (which will last 42 days) will involve a local public notice in a paper circulating the District.

### **FINANCIAL IMPLICATIONS**

14. Costs associated with the preparation of the document and public consultation/advertising will be met through the Development Services budget.

### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

#### **Strategic Planning Implications**

15. Nil.

#### **Sustainability Implications**

##### Social Implications

16. Nil.

##### Economic Implications

17. Nil.

##### Environmental Implications

18. Nil.

### **OFFICER COMMENT**

19. From a planning perspective the current 6m side boundary setback requirement creates difficulties in designing a house, building extension or outbuilding on lots which typically have a lot frontage of between 20-30m. Consequently applicants are forced to seek dispensation for a reduced setback. The vast majority of applications for reduced setbacks are supported due to meeting the principles of good and orderly planning.
20. The proposed modified provision is consistent with the R Codes and surrounding local government Schemes, and will assist with the Shire's development control responsibilities. It is therefore recommended that Council initiates the amendment.



**Voting Requirements: Simple Majority**

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 01/2013)**

That Council:

1. Initiates the amendment to Local Planning Scheme No. 3, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME  
SHIRE OF KALAMUNDA  
LOCAL PLANNING SCHEME NO. 3  
AMENDMENT NO.

Resolved that Council, in pursuance of Part 5 of the *Planning and Development Act 2005*, amends the above Local Planning Scheme as follows:

- (a) Modify the provisions stipulated under Table 2 (Site Requirements) of Local Planning Scheme No. 3 for Residential zoned properties, as follows:

Residential	As per the Residential Design Codes.
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The amendment documents being adopted by Council and the Amendment being formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

Moved: **Cr Frank Lindsey**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (10/0)**

Attachment 1

**Table 1 - General site requirements for all single house(s), all grouped dwellings, or multiple dwellings in areas with a coding of less than R30**

1 R-Code	2 Dwelling type	3 Minimum site area per dwelling (m <sup>2</sup> ) *	4 Minimum lot area/rear setbacks (m) ▼	5 Minimum frontage (m) ▼	6 Open Space		7 Minimum setbacks (m)		
					min total (% of site)	min outdoor living (m <sup>2</sup> )	primary street	secondary street *	other/rear
<b>Low Density Codes</b>									
R2	Single house or grouped dwelling	Min 5000	-	50	80	-	20	10	10
R2.5	Single house or grouped dwelling	Min 4000	-	40	80	-	15	7.5	7.5
R3	Single house or grouped dwelling	Min 2000	-	20	70	-	12	6	<sup>1</sup> /6
R10	Single house or grouped dwelling	Min 875 Av 1000	925	20	60	-	7.5	3	<sup>1</sup> /6
	Multiple Dwelling	1000	-	20	-	-	7.5	3	<sup>1</sup> /6
R12.5	Single house or grouped dwelling	Min 700 Av 800	762.5	17	65	-	7.5	2	<sup>1</sup> /6
	Multiple Dwelling	800	-	20	-	-	7.5	2	<sup>1</sup> /6
R15	Single house or grouped dwelling	Min 550 Av 650	655	12	60	-	6	1.5	<sup>1</sup> /6
	Multiple Dwelling	666	-	20	-	-	6	1.5	-
R17.5	Single house or grouped dwelling	Min 500 Av 571	587.5	12	50	36	6	1.5	-
	Multiple Dwelling	571	-	20	-	-	6	1.5	-
R20	Single house or grouped dwelling	Min 440 Av 500	540	10	50	30	6	1.5	*
	Multiple Dwelling	500	-	20	-	-	6	1.5	*
R25	Single house or grouped dwelling	Min 320 Av 350	445	6	50	50	6	1.5	*
	Multiple Dwelling	400	-	20	-	-	6	1.5	-
<b>Medium Density Codes</b>									
R30	Single house or grouped dwelling	Min 270 Av 300	420	-	45	24	4	1.5	*
R35	Single house or grouped dwelling	Min 235 Av 260	410	-	45	24	4	1.5	*
R40	Single house or grouped dwelling	Min 200 Av 220	400	-	45	20	4	1.0	*
R50	Single house or grouped dwelling	Min 150 Av 180	400	-	45	16	4	1.0	*
R60	Single house or grouped dwelling	Min 100 Av 150	400	-	45	16	4	1.0	*

All standards for grouped dwellings and single houses within the R10 - R160 and R-AC areas are as for the R30 Code.

**Legend**

- \* Subject to the variations permitted under clause 6.1.3 A3.
- ▼ Only applies to single houses.
- \* Secondary street: includes commercial street, private street, right-of-way as street.
- Indicates not applicable.
- \* See tables 2a and 2b and design element 6.3.
- Av. - average site area not to be less than.

Amendment to Local Planning Scheme No. 3  
Modifications to the Site Requirements Table  
**Table 1 of the Residential Design Codes**



**Attachment 2**

**Table 2a - Boundary setbacks**

Walls with no major openings														
Wall height (m)	Wall length (m)													
	9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 30
3.5 or less*	1	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
4.0	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.7	1.7	1.8
4.5	1.1	1.5	1.5	1.5	1.5	1.6	1.6	1.7	1.7	1.7	1.7	1.7	1.8	2.0
5.0	1.1	1.5	1.5	1.5	1.5	1.6	1.7	1.8	1.8	1.8	1.8	1.8	2.0	2.5
5.5	1.2	1.5	1.5	1.5	1.6	1.7	1.8	1.9	1.9	2.0	2.0	2.1	2.3	2.5
6.0	1.2	1.5	1.5	1.5	1.6	1.8	1.9	2.0	2.0	2.1	2.1	2.2	2.4	2.8
6.5	1.2	1.5	1.5	1.6	1.7	1.9	2.0	2.1	2.1	2.2	2.2	2.3	2.7	3.0
7.0	1.2	1.5	1.5	1.6	1.8	2.0	2.1	2.2	2.2	2.3	2.4	2.5	2.8	3.2
7.5	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.3	2.3	2.4	2.5	2.6	3.0	3.5
8.0	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.4	2.4	2.5	2.6	2.7	3.1	3.8
8.5	1.4	1.6	1.7	1.8	2.0	2.2	2.3	2.5	2.6	2.7	2.8	2.9	3.3	4.1
9.0	1.4	1.7	1.7	1.8	2.0	2.3	2.4	2.6	2.7	2.8	2.9	3.0	3.6	4.3
9.5	1.4	1.7	1.8	1.9	2.1	2.4	2.5	2.7	2.8	2.9	3.0	3.2	3.8	4.6
10.0	1.5	1.8	1.9	2.0	2.2	2.4	2.6	2.8	2.9	3.0	3.1	3.3	4.0	4.8

Take the nearest higher value for all intermediate height and length values.  
\*Possible rail setback in accordance with clause B.3.2 of design element B.3.

**Table 2b - Boundary setbacks**

Walls with major openings														
Wall height (m)	Wall length (m)													
	9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 30
3.5 or less	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
4.0	1.8	2.0	2.2	2.4	2.5	2.7	2.8	3.0	3.1	3.3	3.4	3.6	4.5	5.0
4.5	2.0	2.2	2.4	2.6	2.8	3.0	3.1	3.2	3.4	3.7	3.8	4.0	4.8	5.4
5.0	2.1	2.5	2.6	2.8	3.0	3.2	3.3	3.5	3.7	3.9	4.0	4.2	5.1	5.7
5.5	2.5	2.7	2.9	3.1	3.3	3.5	3.6	3.7	3.9	4.2	4.4	4.6	5.5	6.0
6.0	2.8	3.0	3.1	3.3	3.5	3.8	3.9	4.0	4.2	4.5	4.7	4.9	5.7	6.3
6.5	3.0	3.2	3.4	3.6	3.8	4.1	4.1	4.2	4.4	4.7	4.9	5.2	6.1	6.6
7.0	3.3	3.5	3.7	3.8	4.1	4.3	4.4	4.6	4.8	5.0	5.2	5.5	6.4	7.0
7.5	3.5	3.7	3.9	4.2	4.4	4.6	4.7	4.9	5.1	5.3	5.5	5.7	6.6	7.2
8.0	3.8	4.0	4.2	4.4	4.6	4.9	5.0	5.2	5.4	5.6	5.8	6.0	7.0	7.7
8.5	4.0	4.3	4.5	4.7	4.9	5.2	5.3	5.5	5.7	5.9	6.1	6.3	7.3	8.0
9.0	4.5	4.5	4.7	5.0	5.2	5.4	5.6	5.8	6.0	6.2	6.4	6.6	7.6	8.3
9.5	4.6	4.8	5.0	5.2	5.4	5.7	5.8	6.0	6.2	6.4	6.6	6.9	8.0	8.7
10.0	4.8	5.0	5.2	5.4	5.7	6.0	6.1	6.3	6.5	6.7	6.9	7.2	8.2	9.0

Take the nearest higher value for all intermediate height and length values.

Amendment to Local Planning Scheme No. 3  
Modifications to the Site Requirements Table  
**Table 2a and 2b of the Residential Design Codes**



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

**02. Amendment to Local Planning Scheme No. 3 – Additional Use (Chalets) – Lot 203 (91) Tanner Road, Carmel**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	PG-LPS-003
Applicant	P Melville
Owner	P and Z Melville

**PURPOSE**

1. To consider whether to initiate an amendment to Local Planning Scheme No. 3 (“the Scheme”) to include the Additional Use of Chalets on Lot 203 (91) Tanner Road, Carmel.

**BACKGROUND**

**Land Details:**

- 2.

Land Area:	6ha
Local Planning Scheme Zone:	Rural Conservation
Metropolitan Region Scheme Zone:	Rural (Water Catchment Area)

**Locality Plan**

- 3.



4. The subject property contains a single dwelling, associated outbuildings, mature vegetation throughout, and falls within a Priority 2 Public Drinking Water Source Area ("PDWSA") in the *Bickley Brook Catchment Area*.
5. The surrounding properties contain single dwellings and associated outbuildings.

## DETAILS

6. It is proposed that the Chalets be included under Schedule 2 (Additional Uses) of the Scheme.
7. If the amendment is approved by the Minister for Planning, the applicant will be required to obtain planning consent for the development of chalets on the subject land from the Shire prior to the use commencing.
8. By way of justification in favour of the proposed amendment, the applicant has advised the following:

*"My wife and I have taken part in the Hills Orchard Study Review. We believe that as land owners we need to be able to derive alternate income from our properties."*

## STATUTORY AND LEGAL IMPLICATIONS

### Local Planning Scheme No. 3

9. The *Town Planning Regulations 1967* establish procedures relating to amendments to local planning schemes. If Council decides to initiate the proposed amendment, then ultimately the amendment will be determined by the Minister for Planning.
10. If Council does not initiate the amendment, the process ceases and there is no Right of Review (appeal) to the State Administrative Tribunal. If the proposal progresses to the Minister's determination, irrespective of the Minister's decision, there is no Right of Review.
11. Under Table 1 (Zoning Table) of the Scheme the use Chalets is listed as an 'X' use in the Rural Conservation zone, meaning the use is not permitted.
12. Clause 4.2.2 (Objectives of the Zones – Rural Zones) of the Scheme states that the objectives of Residential zoned areas are the following:
  - a. Ensure development is in harmony with the natural environment.
  - b. Ensure that land uses, activities and land management practices are consistent with natural resources conservation and are compatible with public water supply objectives.

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## Local Planning Strategy

13. The Local Planning Strategy (“The Strategy”) identifies sustainable tourist development as a key goal of the Shire as it can make a significant contribution to the local economy and the well-being of the community.
14. Objectives of the Strategy include promoting the unique characteristics and attractions in the Shire, provide for the diversification of rural land use to support tourism in rural areas subject to environmental sustainability, and enable the development of complementary tourist facilities such as chalets.

## POLICY IMPLICATIONS

### Water Quality Protection Note – Land Use Compatibility in Public Drinking Water Source Areas (June 2004)

15. The Department of Water’s Water Quality Protection Note – Land Use Compatibility in Public Drinking Water Source Areas (“Policy”) provides advice on the acceptability of land uses and activities within specific areas.
16. The Policy stipulates that a Priority 2 PDWSA is managed to ensure that there is no increased risk of water source contamination, and that these areas are to include low risk land development.
17. Chalets are deemed to be “compatible with conditions” in a Priority 2 PDWSA, which denotes the following:  
  
*“Means the land use is likely to be accepted by DoE (now the Department of Water) as not likely to harm the drinking water source, (and is consistent with the management objectives of the priority classification) provided best environmental management practices are used. This may result in the application of ‘specific conditions’ (via the planning or environmental approval processes) that must be complied with to ensure the water quality objective of the priority area is maintained.”*

## Directions 2031 and Beyond

18. *Directions 2031 and Beyond* is a high level strategic plan that establishes a vision for future growth of the Perth metropolitan area.
19. Key features include that the Perth Hills are identified as a ‘metropolitan attractor’ that entices tourists and is highly valued by local and regional residents.

## PUBLIC CONSULTATION/COMMUNICATION

20. If the amendment is initiated by Council, it would be formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*.
21. The amendment would be required to be advertised in the form of a notice being published in a district newspaper, advertised to nearby landowners and referred to government agencies for comment. The applicant would also be

requested to arrange for a sign advertising the proposal to be erected on the subject property.

## **FINANCIAL IMPLICATIONS**

22. Nil.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

23. The Strategy stipulates that planning for sustainable tourist development is one of the key goals of the Shire as it can make a significant contribution to the local economy of the Shire and the well-being of the community.

### **Sustainability Implications**

#### Social Implications

24. If the amendment, and subsequently the proposed use is approved, it may provide employment opportunities for the local population.

#### Economic Implications

25. Allowing for the diversification of land uses will reduce reliance on primary production as an income stream. This in turn will contribute to the maintenance of the viability of primary production as stated in the Strategy.

#### Environmental Implications

26. The Site is located in a Priority 2 Area in the *Bickley Brook Catchment Area*. The purpose of this Strategy, amongst other matters, is to provide a planning framework for land use decision-making that promotes water resources, and particularly public drinking water source protection.

## **OFFICER COMMENT**

27. The proposal is consistent with the intent of the Strategy, Policy and the objectives of the Scheme for the Rural Conservation zone.
28. If the amendment is approved, issues relating to the appearance and location of future buildings on the property, the hours of operation and the maximum number of people on the property at any one time, will be dealt with at the development application stage.
29. Considering the above it is recommended that Council initiates the amendment.

**Voting Requirements: Simple Majority**

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 02/2013)**

That Council:

1. Initiates the amendment to Local Planning Scheme No. 3, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME  
SHIRE OF KALAMUNDA  
LOCAL PLANNING SCHEME NO. 3  
AMENDMENT NO.

Resolved that Council, in pursuance of Part 5 of the *Planning and Development Act 2005*, amends the above Local Planning Scheme as follows:

- (a) Amending Schedule 2 (Additional Uses) by including the following provision:

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
49.	Lot 203 (91) Tanner Road, Carmel	Chalets	The uses are not permitted unless approval is granted by the Local Government ("D")

The amendment documents being adopted by Council and the Amendment being formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

Moved: **Cr John Giardina**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (10/0)**



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

**03. Office Extensions – Lot 210 (161) Chisholm Crescent, Kewdale**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	CH-08/0161
Applicant	J Falcke
Owner	Wolfe Property Trust
Attachment 1	Site Plan
Attachment 2	Existing Ground Floor Plan
Attachment 3	Existing and Proposed First Floor Plan
Attachment 4	Elevations
Attachment 5	Photograph of the Property

**PURPOSE**

1. To consider a planning application to construct extensions to an existing office building at Lot 210 (161) Chisholm Crescent. Refer to (Attachments 1 to 5).
2. The applicant is seeking dispensation on the number of car parking bays required under Local Planning Scheme No. 3 ("Scheme").

**BACKGROUND**

**Land Details**

3.

Land Area:	2,729sqm
Local Planning Scheme Zone:	General Industry
Metropolitan Region Scheme Zone:	Urban

**Locality Plan**

4.



5. The property contains a workshop, offices, outbuildings and associated car parking used in conjunction with a civil engineering business.
6. Surrounding properties contain warehouse and office uses, and opposite is bushland which forms part of the Road Reserve for Roe Highway.

#### **DETAILS**

7. Details of the application are as follows:
  - An extension is proposed to be constructed on either side of the existing office building extending from the existing workshop.
  - The extensions are proposed to provide additional office space which is to be used in conjunction with the administration of the business operating on the property.
  - The existing building will continue to be used in conjunction with the civil engineering business currently operating at the premises.
  - The applicant has advised that at any one time there will be 14 staff on site.
  - Sixteen car parking bays exist on site and no additional car parking bays are proposed.

#### **STATUTORY AND LEGAL IMPLICATIONS**

8. Table 2 of the Scheme stipulates the following for properties zoned General Industry:

	<b>Scheme Requirement</b>	<b>Proposed</b>
<b>Front Setback</b>	15m Minimum	17m
<b>Side Setback</b>	0m	6m from the south boundary 13m from the north boundary
<b>Site Coverage</b>	60% Maximum	47%
<b>Landscaping Strip (Road Frontage)</b>	3m Minimum	4.5m

9. The car parking requirements for the use Industry – General and Office stipulated under Table 3 (Car Parking Requirements) of the Scheme are as follows:

Land Use	Scheme Parking Requirements	Bays Required	Bays Provided
Industry - General	2 bays per 100sqm of industrial area or 1 bay per employee plus 2 visitor bays, whichever is greater.	14 Employees plus 2 visitor bays = 16 car bays minimum	16 car bays
Office	4 bays per 100sqm of Net Lettable Area ("NLA")	399sqm NLA = 16 car bays minimum	
<b>Total</b>		32 car bays minimum	16 car bays

10. Based on the above table, the proposal has a shortfall of 16 car bays on site.
11. Clause 5.8.2 of the Scheme stipulates that Council may, at its discretion, apply a greater or lesser requirement for parking than that stipulated in the Scheme, if the proposed use is likely to demand a greater or lesser need for car parking bays, having regard to the scale and nature of the intended use.
12. In considering an application for planning approval, Clause 10.2 of the Scheme (Matters to be Considered by Local Government) requires Council to have due regard to number of matters, including:
- The compatibility of the development within its settings.
  - The likely effect of the scale and appearance of the proposal.
  - Whether the proposed means of access and egress from the property are adequate.
13. If Council refuses the development, or imposes conditions that are not acceptable to the applicant, there is a Right of Review (appeal) to the State Administrative Tribunal.

### **POLICY IMPLICATIONS**

14. Local Planning Policy DEV41 – Framework for Assessing Requests for Variation of the Number of Car Parking Bays ("the Policy") stipulates that a reduction in parking will only be considered by Council and not under delegation.

### **PUBLIC CONSULTATION/COMMUNICATION**

15. There is no Scheme requirement for the proposal to be advertised for comment.

### **FINANCIAL IMPLICATIONS**

16. Nil.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

17. Nil.

### **Sustainability Implications**

#### Social Implications

18. Nil.

#### Economic Implications

19. Nil.

#### Environmental Implications

20. Nil.

### **OFFICER COMMENT**

21. The proposal complies with the Scheme requirements with the exception of the car parking requirements.
22. Sixteen car bays are proposed to be available on site in lieu of the 32 car bays required by the Scheme for an operation of this size.
23. The Scheme allows Council to consider a lesser parking requirement if, in its opinion, the proposed use is likely to demand a lesser need for parking bays having due regard to the nature of the intended use and potential impact on future development of the locality.
24. Whilst the shortfall in the number of parking bays is significant it is considered acceptable given the business employs 14 staff on site. Importantly, the number of staff proposed is reflective of industry requirements for this type of building/activity and is therefore unlikely to change in future. Accordingly, the proposed number of bays is considered sufficient to address any potential future change in the land tenure.
25. Considering the above, it is recommended that Council approves the application.

<b>Voting Requirements: Simple Majority</b>
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**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 03/2013)**

That Council:

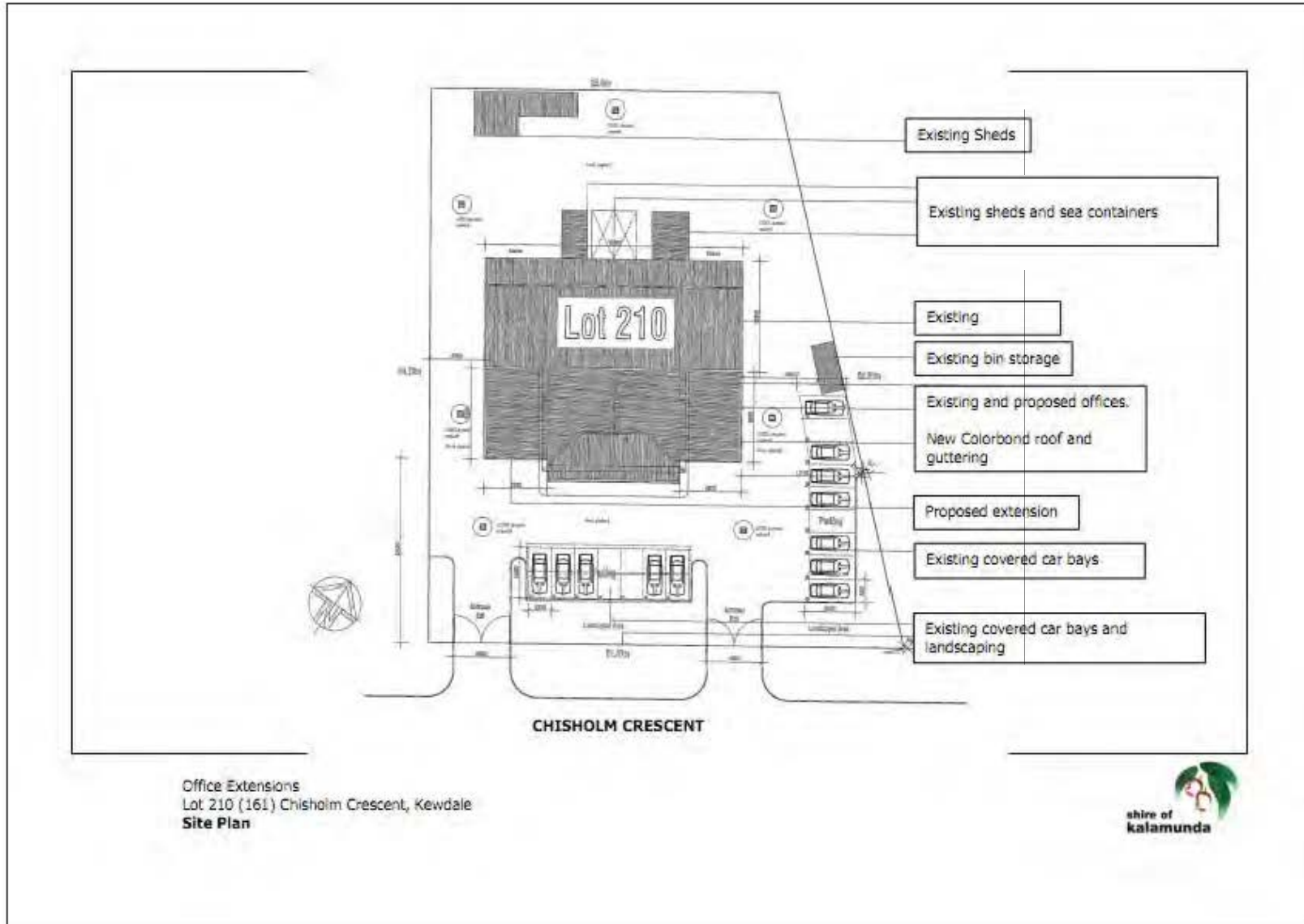
1. Approves the application dated 5 November 2012 for extensions to the existing office building at Lot 210 (161) Chisholm Crescent, Kewdale, subject to the following conditions:
  - a. The provision and maintenance of a total of 16 car spaces including a minimum of one disabled bay.
  - b. All car parking bays and vehicle access ways being maintained by the landowner to the satisfaction of the Shire.
  - c. The external colour and material details of the proposed extensions blending with existing development on the property.
  - d. Colour and material details of the proposed extension are to be submitted to and approved by the Shire prior to the building licence being issued.

Moved: **Cr Dylan O'Connor**

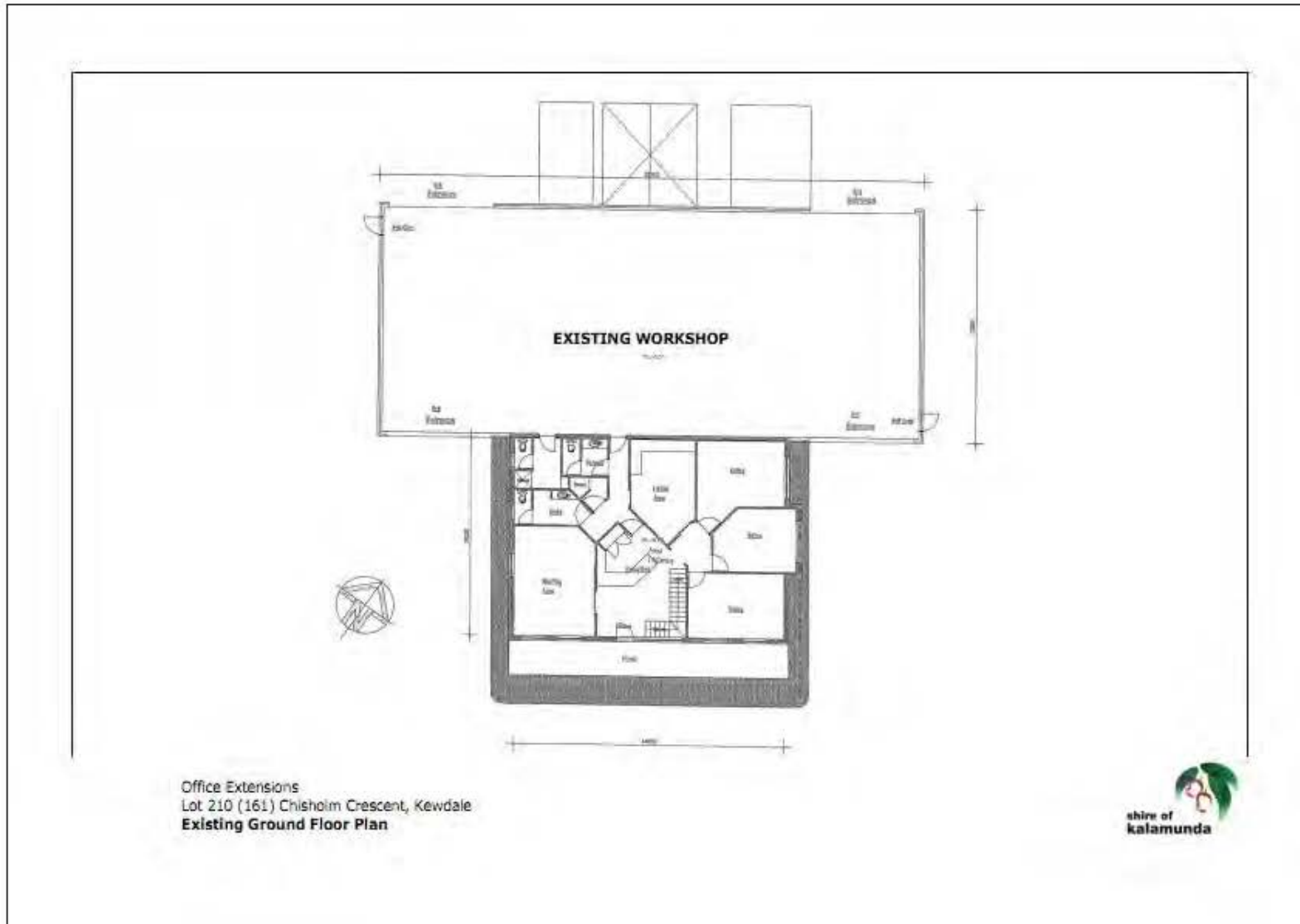
Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (10/0)**

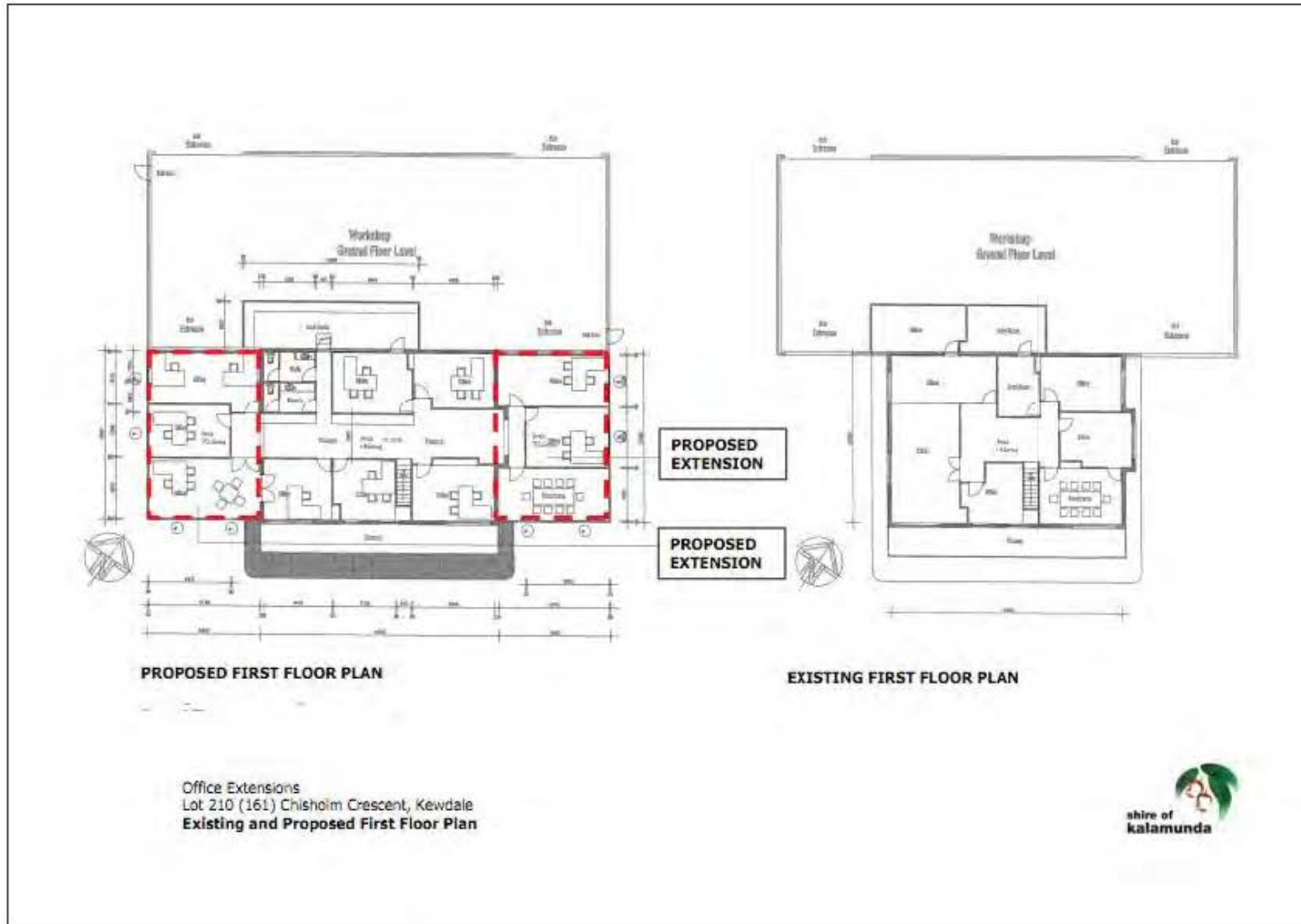
Attachment 1



**Attachment 2**

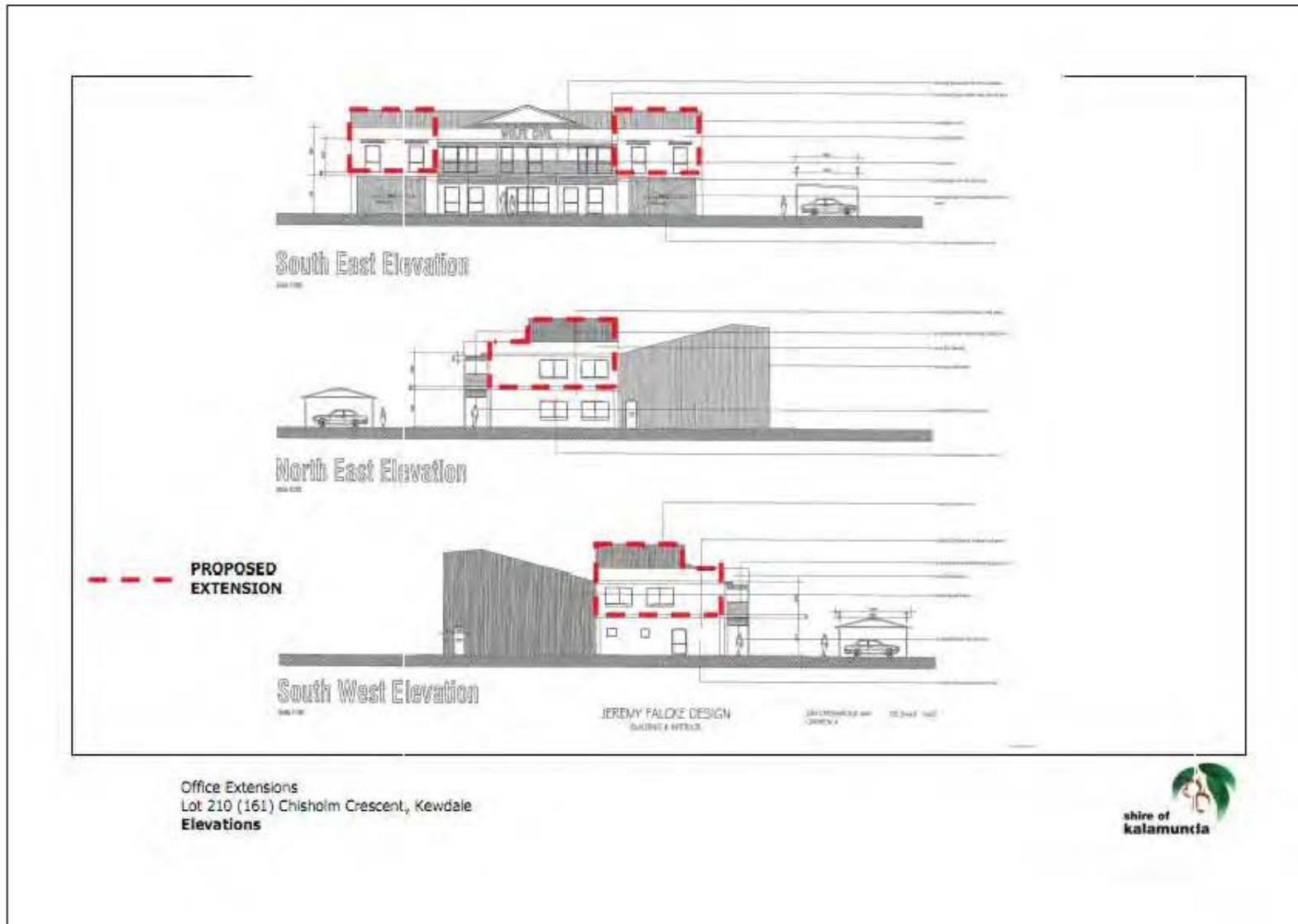


Attachment 3





Attachment 4



**Attachment 5**



Office Extensions  
Lot 210 (161) Chisholm Crescent, Kewdale  
**Photograph of the Property**



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

**04. Proposed Closure of Pedestrian Access Way– Parrot Court and Sparrow Court, High Wycombe**

Previous Items	OCM 140/05
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	PR-02/GEN
Applicant	N/A
Owner	Nil

Attachment 1                      Community Map

**PURPOSE**

1. To consider a request to close the pedestrian access way ("PAW") abutting Lot 174 (5) and 175 (3) Parrot Court and Lot 154 (7) and 155 (5) Sparrow Court, High Wycombe. Refer to Locality Plan.

**BACKGROUND**

**Land Details**

- 2.

Land Area:	191.67sqm
Local Planning Scheme Zone:	Nil
Metropolitan Region Scheme Zone:	Urban

**Locality Plan**

- 3.



- 
4. In December 2005, Council resolved (En Bloc Resolution OCM 140/05) to support the closure request, and requested the then Department of Planning and Infrastructure to reconsider its decision not to support the closure of the PAW.
  5. In October 2006, the WA Planning Commission advised that it did not support the proposed closure of the PAW by reason that:
    - *“The PAW forms part of the strategic pedestrian/cyclist network for the area, and its closure would have an adverse impact on the level of access to public transport routes and local recreation reserves.*
    - *Alternatives to closure have not been thoroughly explored, e.g. lighting within the PAW, and keeping the PAW clear of overhanging vegetation from abutting properties, in order to open-up and improve visibility within the PAW.*
    - *Incidents of nuisance and anti-social behaviour presented as justification for the closure do not appear to be directly attributed to the pedestrian accessway.”*
  6. In December 2012, a petition was tabled which requested Council to close the PAW.

#### **DETAILS**

7. The PAW between Parrot Court and Sparrow Court provides an alternative route for pedestrians and cyclists to High Wycombe Primary School, a library, Scott Reserve, Fleming Reserve and a nearby bus route. Refer to the Community Map (Attachment 2).

#### **STATUTORY AND LEGAL IMPLICATIONS**

8. PAW closure requests are dealt with in accordance with the *Land Administration Act 1997*, supplemented by the *Land Administration Regulations 1998* and ultimately the request will be determined by the Department of Planning.

#### **POLICY IMPLICATIONS**

9. Nil.

#### **PUBLIC CONSULTATION/COMMUNICATION**

10. If Council supports the advertising of the proposed closure, nearby landowners will be notified in writing, it will be referred to service authorities and a notice will be placed at both ends of the PAW for 21 days.
11. Following the advertising period, a report on the proposed closure will be presented to Council to consider any submissions received prior to forwarding its recommendation to the Department of Planning for determination.

#### **FINANCIAL IMPLICATIONS**

12. Nil.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

13. Nil.

### **Sustainability Implications**

#### Social Implications

14. Closing the PAW would not substantially increase the walking distance to High Wycombe Primary School, the library, the nearby Reserves and bus stops.

#### Economic Implications

15. Nil.

#### Environmental Implications

16. Closure of the PAW would not result in a substantial increase in the usage of private vehicles due to another PAW being available between Falcon Court and Newburn Road.

## **OFFICER COMMENT**

17. Council has the following options:
- a. To not support the closure based on the reasons given by the WA Planning Commission in October 2006; or
  - b. To support the closure on the basis of the problems the adjoining neighbours are experiencing and that it will not significantly affect pedestrian movement in the locality.
18. Notwithstanding the WA Planning Commission's grounds for not supporting the previous request for the closure of the PAW, the 26 signatures on the petition shows there is sufficient public interest in having the closure considered again. To this end, concerned residents have cited a recent spate of break-ins and general vandalism for the request.
19. Closure of the PAW would not result in a substantial increase in the usage of private vehicles, or increase in the walking distance to High Wycombe Primary School, the library, the nearby Reserves and bus stops, due to another PAW between Falcon Court and Newburn Road.
20. Having regard to the above it is recommended that the request to close the PAW being advertised for comment.

<b>Voting Requirements: Simple Majority</b>
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**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 04/2013)**

That Council:

1. Agrees to the closure of the pedestrian access way between Parrot Court and Sparrow Court, High Wycombe, and that the proposal be advertised for 21 days.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr John Giardina**

Vote: **For**  
**Cr John Giardina**  
**Cr Frank Lindsey**  
**Cr Geoff Stallard**  
**Cr Allan Morton**  
**Cr Justin Whitten**  
**Cr Bob Emery**  
**Cr Dylan O'Connor**  
**Cr Sue Bilich**  
**Cr Margaret Thomas**

**Against**  
**Cr Noreen Townsend**

**CARRIED (9/1)**

Attachment 1



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

**05. State Underground Power Program – Localised Enhancement Project - Kalamunda Town Centre**

Previous Items	N/A
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	PG-STU-019
Applicant	N/A
Owner	Various
Attachment 1	Schedule of time frames and responsibilities for the project

**PURPOSE**

1. To advise Council of the State Governments selection of the Kalamunda Town Centre as a Localised Enhancement Project (“LEP”) of the State Underground Power Program (“SUPP”).
2. To seek Council direction on the preferred method for raising the Shire of Kalamunda’s portion of the cost.

**BACKGROUND**

3. In October 2008, Council resolved to adopt the Kalamunda Town Centre Improvement Action Plan. The plan identified a number of actions to be undertaken to improve the Kalamunda Town Centre. These were identified in community workshops held to examine community values, concerns and visions for the town centre. The undergrounding of power in the town centre was identified as a key issue for the community.
4. An urban design consultant was appointed in 2009 to prepare Townscape Improvement Plans. The plans were advertised for public comment and subsequently adopted by the Council in December 2010.
5. Following the Council adoption of the Improvement Plans in October 2011, the Reference Group was formed to prepare a schedule of works. This details the extent of works, projected costs and timeframes for the implementation of the works program, including the undergrounding of power along Haynes Street.
6. In December 2011, the application for undergrounding of power in Kalamunda Centre was sent to the Office of Energy, for inclusion in the Undergrounding Power Program. This Program provides 50% of the funding for LEPs, to a maximum of \$500,000. Refer to Locality Plan.



## Locality Plan

7.



8. In October 2012, the Minister for Energy advised the Shire of Kalamunda that the Kalamunda Town Centre had been included as an LEP in Round 5 of the SUPP.

## DETAILS

9. The Kalamunda Town Centre has been successfully selected as a LEP as part of the SUPP subject to the successful completion of all tasks identified in the *Detailed Proposal Stage* (Attachment 1). Final selection of the LEP for funding allocation is dependent on the successful resolution of all associated tasks of the *Detailed Proposal Stage* between Western Power, the Shire of Kalamunda and the Public Utilities Office, with the approval of the SUPP Steering Committee.
10. The LEP project comprises land bounded by Stirk Street, Railway Road, Mead Street and Canning Road. Undergrounding of power is proposed along Haynes Street, Barber Street and Canning Road.
11. The LEP will be centrally managed by Western Power under the program. Importantly, the Shire cannot undertake any of their own underground power works.
12. Current estimates propose to have the works commence in February 2014.

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## STATUTORY AND LEGAL IMPLICATIONS

13. A legal agreement between the State and the Shire of Kalamunda will have to be signed at the completion of the Detailed Proposal Stage in order to formalise the commitment to funds, scope of works, responsibilities of the parties and the general terms and conditions of the agreement.

## POLICY IMPLICATIONS

14. Nil.

## PUBLIC CONSULTATION/COMMUNICATION

15. All the affected landowners will have to be informed of the works in advance.

## FINANCIAL IMPLICATIONS

16. Under the SUPP arrangements, LEP's are jointly funded up to \$1 million comprising 50% by the local government (\$500,000), 25% by Western Power (\$250,000) and 25% by the State Government (\$250,000). Project costs over the \$1 million threshold are to be 100% funded by the Shire.
17. The Shire will have to pay a non-refundable deposit of \$12,500 by the end of March 2013. The monies are provided for in the Design and Development (412) 2012/13 budget. In the event that the Shire is selected for funding allocation, the deposit will be credited to the Shire's costs under the funding agreement.
18. The Shire may secure external funding from another source for their portion or part portion of the costs for the project. Funding arrangements will have to conform to the requirements of the SUPP.
19. Section 6.38 of the *Local government Act 1995* states that local governments may impose a cost on owners or occupiers of a service charge. Regulation 54 of the *Local Government (Financial Management) Regulations 1996* prescribes the types of Service charges, which include underground electricity.
20. If the Shire decides to recover its portion of the cost directly from the ratepayers, it will have to demonstrate that it has community support for the proposed financial arrangement. Failure to receive a clear majority of support may result in the SUPP not proceeding.
21. Based on Program experience to date, where residential properties are included, local government is encouraged to give consideration to the following:
- Raising at least one fifth of the local government's contribution from the general rate base in recognition of reduced pruning costs and generally improved value of the area for the local community.
22. Where funding is raised from the directly affected ratepayers:
- Use a fixed service fee, rather than a variable Gross Rental Value approach.

- Give discounts to pensioners (50% is suggested).
- Give discounts to owners of properties adjacent to transmission lines (66kV or more) which will not be placed underground (note that the State funding will only apply in relation to local distribution lines).
- Give discounts to owners of properties where the customer connection is already underground.
- Give discounts to owners of properties where transformer or switchgear units are located on the front verge.
- Charge multiple customers on one lot as a single property in relation to the cost of placing the distribution line underground and providing an equivalent supply to that property, with the charge being equally divided between the connections.

23. Alternatively, the Shire might decide to provide all or some of the funds through municipal funds. In that case the request for funding of the project will be submitted as a non-recurrent project request in 2013/14 budget. Initial estimates suggest the total cost of the works will be in the vicinity of \$1 million. Advice from Western Power suggests a preliminary design costing should be available by April 2013.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

24. The undergrounding of power is a key element of the adopted Townscape Improvement Plan for the Kalamunda Town Centre and represents a major step towards the implementation of the upgrades to the town centre.

25. *Shire of Kalamunda Strategic Plan 2009 – 2014*

Strategy 2.3.1            Undertake revitalisation of town centres through the implementation of Town Centre Improvement Action Plans.

### **Sustainability Implications**

#### Social Implications

26. The proposed improvements to the town centre will make the area more attractive for the local residents as well as the visitors to the town centre.

#### Economic Implications

27. The improved Town Centre will assist local businesses in attracting more people thus improving the commercial viability of town centre area.

#### Environmental Implications

28. Undergrounding the power will result in more consistent and attractive landscaping for the in town centre. Appropriate streetscape improvements will be undertaken once the power is underground including providing greater shade in summer and sunlight in winter.

## OFFICER COMMENT

29. With the recent adoption of the Townscape Improvement Plan for the town centre, the LEP represents an opportunity to secure joint funding for a key element of the improvement plan. The proposal would enable other improvement works to follow which would result in significant and tangible improvements to the town centre.
30. Western Power has established and allocated responsibilities for the various stages of the SUPP with the first task to commence in February 2013; the actual works would commence February 2014.
31. Preliminary design costing are expect in April 2013, at this point the 50% funding allocation will be known and Council can determine whether they wish to proceed with the project or not. Should the costing be in excess of \$1 million, the excess amount would be 100% Shire funded. At this stage consideration could be given to scaling back the project to reduce the cost to the Shire.
32. The first task in the process is for the Shire to advise all landowners/businesses within the town centre of the proposal and the process. No commitment would be made by Council to any funding of the project will be given at this stage.
33. When writing to the businesses/landowners, Council must decide whether those affected will be requested to contribute to meeting a portion of the cost.
34. This option has its risks because an insufficient level of support may result in Western Power deciding to abandon the project and offer a place to another local government. Should the project be abandoned it would be many years before the town centre could or would be considered under the SUPP.
35. Given the undergrounding of power is a priority project identified under the adopted Townscape Improvement Plans and the inherent risks of securing sufficient business support for external funding, it is recommended that Council give consideration to funding its portion of the cost from municipal funds.
36. Whist no commitment to funding is required from Council at this stage in the process, Council would need to give consideration to the allocation in the 2013/14 budget.

<b>Voting Requirements: Simple Majority</b>
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**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 05/2013)**

That Council:

1. Notes the selection of the Kalamunda Town Centre as a Localised Enhancement Project and authorises the Shire staff to proceed with the tasks listed in the *Detailed Proposal Stage Responsibilities* (Attachment 2) in respect to the State Underground Power Program – Localised Enhancement Project for the Kalamunda Town Centre.
2. Lists for consideration in the mid-year budget review \$12,500 for design costs.
3. Lists for consideration in the 2012/2013 budget \$500,000 for funding of the Localised Enhancement Project for the Kalamunda Town Centre.
4. Advise Western Power of the Shire's desire to proceed with the project.

Moved: **Cr Frank Lindsey**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (10/0)**

**Attachment 1**

**STATE UNDERGROUND POWER PROGRAM (SUPP) ROUND 5  
DETAILED PROPOSAL STAGE RESPONSIBILITIES  
Proposed Kalamunda Project**

	Task	Responsible Party (P = Primary Party Responsible)	Western Power/ Public Utilities Office Contact ( <i>Note 1</i> )	Final Date for Task
1	Advice to property owners	Shire of Kalamunda (P)	T. Moore	February 2013
2	Deposit on design work	Shire of Kalamunda (P) Western Power	G. Coyte	March 2013
3	Transformer/switchgear and street light sign off by LG	Shire of Kalamunda (P) Western Power	T. Moore	April 2013
4	Project boundary finalised	Western Power (P) Shire of Kalamunda	J. Marshall	April 2013
5	Equivalent underground power system design finalised	Western Power (P) Shire of Kalamunda	J. Marshall	June 2013
6	Preliminary budget prepared based on equivalent power system design. Non equivalent direct costs identified.	Western Power (P)	J. Marshall	June 2013
7	Council finance raising modelling and cash process finalised	Shire of Kalamunda (P)		July 2013
8	If required, property owner support survey completed and reported.	Shire of Kalamunda (P) Public Utilities Office	T. Moore D. Rigoli	August 2013
9	Final detailed budget prepared inclusive of contract installation and material costs.	Western Power (P)	J. Marshall	October 2013
10	Partner Agreement and final budget approved.	Public Utilities Office (P) Western Power Shire of Kalamunda	D. Rigoli N. Bailey	December 2014
11	Agreement signed by all parties	Public Utilities Office (P) Western Power Shire of Kalamunda	D. Rigoli N. Bailey	January 2014
12	Project Start (Early) Project Start (Late) ( <i>Note 2</i> )	Western Power (P)	Project Manager	February 2014 March 2015

*Note 1: See Attachment 2 for contact details*

*Note 2: These dates are subject to change based on programming of projects*

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

**06. Old Road Board Street Block - Master Plan**

Previous Items	PS-07/2012
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	PG-STU-004
Applicant	Shire of Kalamunda
Owner	Various
Attachment 1	Old Road Board Street Block Master Plan Advertised
Attachment 2	Submission table
Attachment 3	Old Road Board Street Block Master Plan - Short Term Option
Attachment 4	Old Road Board Street Block Master Plan – Long Term Option

**PURPOSE**

1. To consider approving the Master Plan (“the Plan”) for the Old Road Board Street Block.

**BACKGROUND**

2. In September 2010, the Shire commissioned an urban design consultant to prepare a study on issues and opportunities related to the area bounded by Burt Street, Central Road, Mead Street and Canning Road, commonly referred to as the Old Road Board Street Block. Refer to Locality Plan.

**Locality Plan**

- 3.



- 
4. In February 2012, Council resolved to approve the Plan for the purpose of public advertising (Attachment 1).
  5. In July 2012, Council considered an application for an Office and Shop Unit development on Central Mall Kalamunda and resolved the following:  
*“Defer the item until Council has:*
    - a. *Finalised the Master Plan for the Old Road Board Street Block, bounded by Canning Road, Mead Street, Central Road and Burt Street; and*
    - b. *Identified whether any surplus land will exist within the super block for parking purposes, over and above that required for the anticipated new developments”.*

## DETAILS

6. The Plan covers an area comprising the following properties:
  - Jack Healey Centre (21 Mead Street).
  - Perth Transport Authority Bus Terminus (19 Mead Street).
  - Former Traffic Office (17a Mead Street).
  - Former Road Board Office (now a Dome Coffee Shop) (33 Canning Road).
  - Toy Library (33 Canning Road).
  - RSL Hall (35 Canning Road).
  - Child Health Centre (33 Canning Road).
  - CWA Op shop (22 Central Road).
  - Six privately owned residential properties to the South (10 Burt Street, 24 Central Road, 26 Central Road, 28 Central Road, 31 Canning Road and 43 Canning Road).
7. The majority of the site is reserved for Public Purposes under the Local Planning Scheme No.3, comprising community related uses, i.e. vehicle parking and community aged facilities. The lots which are privately owned are zoned Mixed Use/R20.
8. The main issues and development opportunities identified for the Plan are:
  - Four properties have varying heritage significance (former Road Board Office, Kalamunda Toy Library, former RSL Hall and former Doctor’s Residence on 26 Central Road).
  - Bus terminus poses a significant impediment to upgrading and future development of street block.
  - Corner site locations which could be redeveloped for mixed use development.
  - Canning Road and Mead Street streetscapes need upgrading.
  - There are large areas of vacant land and car parking areas within the block that are inefficiently laid out and connected.



- Many large, mature trees are scattered throughout the area. They have a strong visual presence and give the street block a distinct landscape character.

9. In order to upgrade the area and integrate its best heritage and natural attributes, the plan (Attachment 1) advertised to the local community proposed the following:

- Relocation of the bus Terminus by converting the existing cul-de-sac to a low speed public road linking Mead Street with Central Road.
- Redevelopment of the old Traffic Office site with a mixed use development comprising residential/commercial with limited retail.
- Acquisition of the old RSL Hall site, demolition of the building and the Toy Library and construction of the new Jack Healey District Community Centre over both properties.
- Removal of the existing Jack Healey Centre and redevelopment of the site as a mixed use development comprising residential/commercial with limited retail.
- Redevelopment of the former Road Board Office for use as a Dome café which has since been occupied.
- Encouragement of future private development as mixed use at the southern end of the street block.
- Formalising existing car parking areas to accommodate existing and future parking needs.

#### **STATUTORY AND LEGAL IMPLICATIONS**

10. The Plan shall be adopted in accordance with Clause 6.3 of the Scheme.

#### **POLICY IMPLICATIONS**

11. Nil.

#### **PUBLIC CONSULTATION/COMMUNICATION**

12. The proposal was advertised for a period of four weeks concluding on 20 April 2012. Advertising comprised letters being sent to all the landowners within the street block, advertisements being placed in two local papers for two consecutive weeks and on the Shire's website. The Plan was available for viewing in the Shire's offices and by request in Jack Healey and Peter Anderton Centres.

13. A total of 24 submissions were received to the Plan. The issues raised are summarised as follows:

- Retention of community facilities – Toy library, child health centre, services provided by the Jack Healey centre.
- Location of District Community Centre.
- Retention of vegetation, particularly mature trees.

- Protection of heritage buildings.
- Retention of the bus terminus in its present location.

## **FINANCIAL IMPLICATIONS**

14. Implementation of the recommendations contained in the Plan, in particular the District Community Centre, will require a significant financial commitment from the Council through the annual budgeting process and importantly incorporated into the 10 year financial plan. External funding will also be needed to assist with the funding of works.
15. Should the Council endorse the Plan, an implementation plan will need to be prepared incorporating a Schedule of Works Programme, detailing the extent of the proposed works, costs and timeframes. It is likely that the financial commitments will extend over at least 10 year period.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

16. The Plan is a strategic planning tool that will guide future development consistent with the values, concerns and visions expressed by the community and embraced by the Council for the next 20 years.
17. The Local Planning Strategy identifies Urban Design and Streetscape of the Kalamunda Town Centre as one of the Key Strategic Issues.
18. The relocation of the Jack Healey Centre to a new purpose built Community Centre is one of the recommendations contained in the Community Facilities Plan ("CFP"). In considering the recommendations of the CFP, Council resolved to endorse the proposal for a new Community Centre subject to appropriate business plans/ cases and financial modelling.

### **Sustainability Implications**

#### Social Implications

19. The proposed improvements to the Plan for the Old Road Board Street Block aim to centralise the existing community uses and improve connectivity with the future commercial and residential uses, thus making them more easily accessible and attractive for the community.

#### Economic Implications

20. Proposed improvements will contribute to the overall attractiveness of Kalamunda Centre which will result in better commercial viability of businesses in the centre.

### Environmental Implications

21. Careful landscaping with retention of a number of mature trees will result in the improved visual amenity as well as a shaded, comfortable environment, particularly in the areas identified for future car parking.

### **OFFICER COMMENT**

22. In response to the issues raised by the Community during the advertising of the Plan identified in (Attachment 1), the following comments are provided:

### **Retention of Existing Community facilities**

23. A number of the existing community groups have requested that services and facilities currently provided by their organisation will be incorporated into any proposed new community building identified on the current RSL site. A commitment has been given to the Toy Library that it and other community services will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process.
24. The move to build a new community centre will require a significant financial commitment from Council and external grant funding for the proposal to proceed. Such a proposal will need to be incorporated into the long term financial plan for the Shire.

### **Location of District Community Centre**

25. The Darling Range RSL raised concerns regarding the use of their site for the future District Community Centre. Acknowledging their particular building requirements for their premises, a subsequent meeting was held with the RSL to address their concerns, for example the provision of a separate annex to the community building solely for their use. Importantly, the location of a new District Community Centre on the RSL site will only proceed once approval has been granted by the Darling Range RSL.

### **Retention of Vegetation**

26. Existing mature trees within the street block have a strong visual presence and give the block a distinct landscape character. Accordingly, future development of the site particularly in relation to the car park area will seek to retain these trees where practically possible.

### **Protection of Heritage Buildings**

27. Lot 26 Central Road contains the former residence of pioneering and pre local hospital doctors especially Dr Moore (1930s) and Dr Barber (1935-50). The building was constructed in the 1920's and is considered a typical example of a better quality of architecture post "settler's cottage era". Accordingly, the building is included as a Category "B" place on the Shire's Municipal Heritage Inventory and therefore worthy of a high level of protection.

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28. Whilst the Plan does identify possible mixed use development over Lot 26, the expectation is that the existing heritage building will be retained as part of any future development. Given the land is privately owned, decisions around future development will be the domain of the owner of the property.

### **Retention of the Bus Terminus**

29. The Perth Transport Authority (“PTA”) and Department of Transport (“DoT”) have objected to the Master Plan design identified in the Locality Plan to relocate the bus terminus to allow for a through road connection to Central Road. The primary grounds for objecting are that the proposed location would result in decreased capacity of the terminus and therefore ability to cater for increased travel demand would diminish.
30. It is acknowledged from an officer perspective that the relocation of the terminus to a new location should not affect the capacity of the PTA and DoT to deliver its current and future services to the community. That said alternative locations should be considered which may satisfy the requirements of all stakeholders.
31. The current lease arrangement with the PTA has been in place since 1987. The Agreement simply states that the Shire provide the PTA with land for the development of a bus terminus. There are no details pertaining to the tenure of the agreement. Given the significance of the Master Plan as an urban design document, consideration should be given to a review of the leasing arrangements with the PTA.
32. Having regard to the submissions received and in particular the comments from the PTA regarding the relocation of the bus terminus two revised Master Plan options have been prepared as identified in Attachments 3 and 4.

### **Option 1 – Short to Medium Term – 0-10 years**

33. Proposes to retain the PTA bus terminus in its present location and remove the road connection through to Central Road with the balance of the land retained as car parking. The short term option proposes to reduce marginally the area set aside for mixed use on the corner of Mead and Central consistent with the lot boundary of the former Traffic Office lot. Effectively demarcating the boundary between private and public land.

### **Option 2 - Long Term Option – 10 years plus**

34. Proposes to relocate the bus terminus as per the plan advertised to the community. The Shire will work with the PTA through its leasing arrangements to relocate the terminus to allow for the through road connection to Central Road. The Shire will look to find a design solution to the satisfaction of all parties concerned. This option also proposes to reduce marginally the area set aside for mixed use on the corner of Mead and Central. A final design would be brought back to Council if and when an agreement between the Shire and PTA/DOT on the location of the bus terminus has been reached.

35. The recommendations/actions contained in the short and long term plan proposed for the Old Road Board Street Block build on the urban design principles adopted in the Townscape Improvement Plan for the Kalamunda Town centre, these include:

### **Active Street Frontages**

36. The identification of mixed use development on the Canning and Mead and Central and Mead Road frontages provides opportunities for buildings with an active street frontage presence. Typically this could comprise three storey development comprising retail/commercial on the ground floor with opportunities for residential on the upper floor with views potentially to the coastal plain.

### **Location of Car Parking Areas/Pedestrian Access**

37. Existing car park areas need to be upgraded and a more efficient car parking layout provided with appropriate vehicle circulation with designated pedestrian footpaths. Importantly mature trees providing shade can be retained and incorporated into the design.

### **New Development**

38. New development opportunities on corner lots to provide a strong street front presence on the corner of Canning Road and Mead Street and Central Road and Mead Street. These locations can be developed to a higher scale (up to three storeys) to provide an appropriate interface with existing commercial development located on the northern side of Mead Street.
39. In regard to the provision of parking within the subject land, Council previously deferred an application for a commercial development fronting Barber Street until such time as the Master Plan has been finalised and investigations had been undertaken as to whether any surplus land will exist for parking over and above that required for development purposes.
40. Parking designs were considered based on Option 1 and it was found that there are approximately 111 existing marked bays with the potential to provide approximately an additional 35 bays. It is considered that there is the potential to increase the number of car bays based on redesign of the existing parking area.
41. It should be noted that future development of the Jack Healy site and former Traffic Office site would require parking to be provided onsite. The extent to which any additional parking would need to be provided off site, if any, for new development would be dependent on the nature and design of the proposal submitted.
42. The Council resolution of July 2012 made reference to identifying whether any surplus land will exist within the street block for parking purposes, over and above that required for the anticipated new developments.

43. There are two aspects to consider in relation to this resolution. One is that public parking is considered as one of the potential new developments in its own right, and the other is, it would be anticipated that the new developments would cater for some of their own parking needs.
44. It is not possible at the master planning stage to establish sufficient detail to determine exactly what buildings are likely on the land available and therefore exactly what parking demands there would be.
45. Implementation of the recommendations contained in both options of the Plan will in all likelihood occur over a period of time in excess of 10 years. The provision of a new District Community Centre will be dependent on Council providing a significant financial contribution and securing external funding to enable the development to proceed. Ultimately, the success of the Master Plan will be the extent to which the private and public sectors view the opportunities the master plan presents to deliver real and tangible service and lifestyle improvements for the Kalamunda Community.
46. Having regard to the above, it is recommended that Council adopts the Old Road Board Street Master Plan identified in Option 1 and 2.

*A new Officer Recommendation had been circulated to councillors prior to the meeting*

*Four speakers made comments regarding this item. Doug Carpenter and Wayne Loughrey represented the Darling Range Returned Service Men's League which has been in this community since 1919. They explained that the League would only move to a standalone facility and would not be part of a shared complex. Wayne Loughrey endorsed Dough Carpenter's comments.*

*Steve Gates represented the Nature Reserves Preservation Group and felt the placement of the new buildings should be more sympathetic to the existing bushland which could be preserved and improved by allowing regeneration.*

*Michael Steward is oppose to the plan as it stands and felt more thought should be given to the overall design before the planning moves forward.*

*The Director Development & Infrastructure Services noted that this was only a concept plan and additional discussion and planning will take place before a final design is brought before Council. The retention of mature trees is considered important in the planning process.*

*The Chairman thanked the speakers for their input and interest in this important development and assured them their ideas will be considered.*

*Councillors debated the wording of the New Officer Recommendation and one felt it was unclear that Option 2 – Long Term Plans is being deferred pending further investigations.*

**Voting Requirements: Simple Majority**

**OFFICER RECOMMENDATION (D&I 06/2013)**

That Council:

1. Adopts the Old Road Board Street Block Master Plan Option 1 – Short to Medium Term and Option 2 – Long Term.
2. In respect to Option 2 requests the Chief Executive Officer to review the lease agreement with the Perth Transport Authority to assist in discussion with the possible relocation of the bus terminus.

Moved:

Seconded:

Vote:

**Voting Requirements: Simple Majority**

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 06/2013)**

That Council:

1. Adopts the Old Road Board Street Block Master Plan Option 1 – Short to Medium Term.
2. In respect to Option 2 – Long Term, requests the Chief Executive Officer to review the lease agreement with the Perth Transport Authority to assist in discussion with the possible relocation of the bus terminus, investigating the potential for the terminal to be located in Mead Street, and further investigating the use of the land fronting Central Road shown as “parking” on the plan for residential or mixed use.

Moved: **Cr Frank Lindsey**

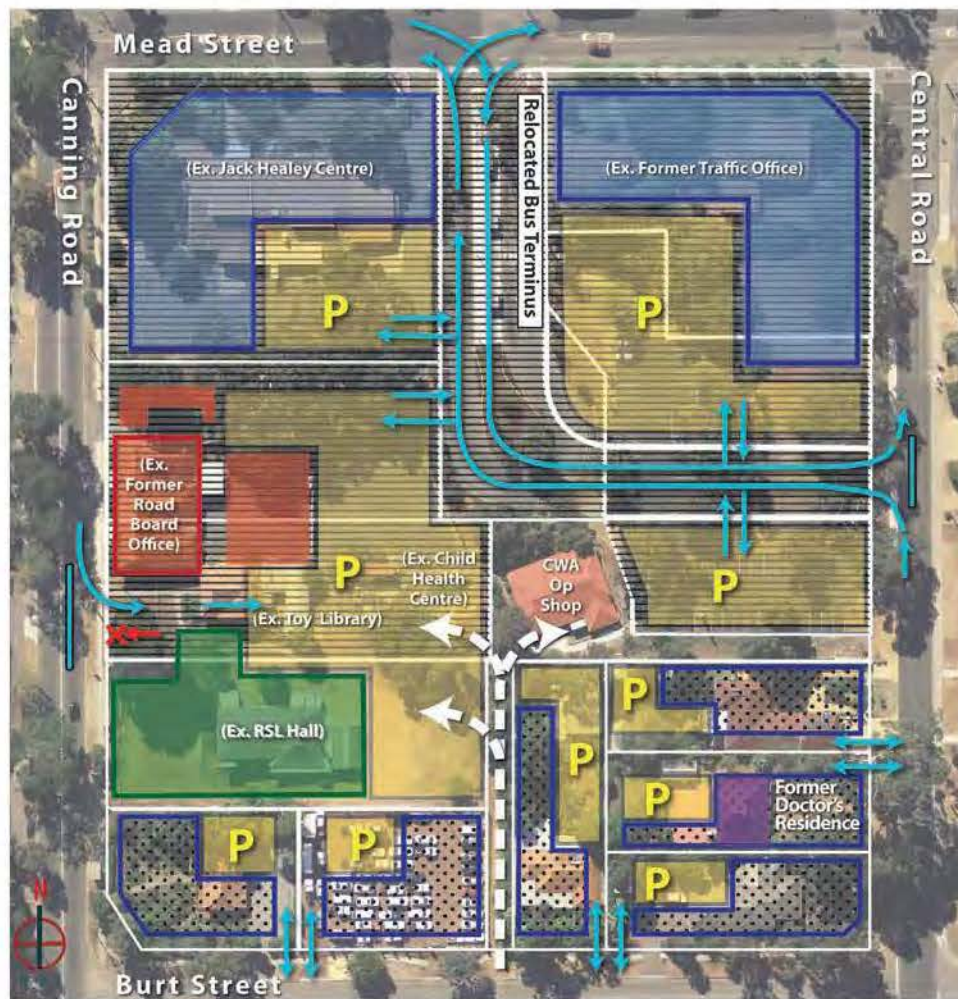
Seconded: **Cr Bob Emery**

Vote: **For**  
**Cr John Giardina**  
**Cr Frank Lindsey**  
**Cr Geoff Stallard**  
**Cr Allan Morton**  
**Cr Justin Whitten**  
**Cr Bob Emery**  
**Cr Dylan O'Connor**  
**Cr Sue Bilich**  
**Cr Margaret Thomas**

**Against**  
**Cr Noreen Townsend**

**CARRIED (9/1)**

Attachment 1



**PROPOSED ACTIONS:**

- Relocate the bus terminus and convert the existing cul-de-sac to an L-shaped, low speed public street, with left in/left out traffic management at Central Road. Use this new street for vehicular access to the rear parking areas of new developments.
- Redevelop the old Traffic Office site with a mixed use development.
- Remove the Jack Healey Centre building and redevelop that site for a mixed use development.
- Acquire the old RSL hall site, demolish the hall and Toy Library building, & construct a new District Community Centre over the two sites. Name the centre "The Jack Healey Centre".
- Accommodate the Dome café proposal.
- Encourage future private development (mixed use) at southern end of street block.

**LEGEND:**

-  Proposed mixed use – residential/commercial with limited retail.
-  Old Road Board building & surrounds proposed to be redeveloped by Dome Coffees Australia.
-  Proposed District Community Centre of 2,640 sq.m, provided in a one or two storey building. (Accommodating the recommended uses identified in the Community Facilities Plan.)
-  Parking areas, existing & proposed, with as many of the existing mature trees retained as possible.
-  Public land or land vested in the Shire.
-  Possible future mixed use development of private land.
-  The former Doctor's Residence is included as a Category 'B' place on the MHI; "Retain and conserve if possible. Worthy of a high level of protection"
-  Upgraded pedestrian connection.

NOVEMBER  
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**Old Road Board Street Block**  
*Planning and Urban Design Masterplan*





**Attachment 2**

<b>Submission</b>		<b>Details</b>	<b>Officer Comment</b>
1.	Naamah Newth 25 Burma Road Lesmurdie WA 6076	<p>1. I commend the shire for looking into ways to improve the townsite of Kalamunda. It is a beautiful and unique township that has several areas with redevelopment potential in order to serve the community that access it better. We are a young couple with a young family who deliberately chose to move to the Lesmurdie and Kalamunda area because of the lifestyle and facilities that are available for both us and our children. We feel that it presents opportunities that cannot be found in any/many other places in the Perth area.</p> <p>2. I like how the Doctor's Residence is specifically listed as "Worthy of a high level of protection", there are opportunities for some additional commercial development (although I am worried about the type of commercial development that the shire has in mind) and the parking spaces are ample.</p> <p>3. I do have some concerns however that the redevelopment of this area shows an overly large amount of space allocated to residential/commercial (with limited retail) in contrast with the amount of space allocated to a District Community Centre.</p> <p>4. The proposal states demolition of the toy library, the Jack Healey centre and the RSL hall but I also note an elimination of the existing child health centre. I find it hard to understand how all of these important services will fit into the space you have allocated for a District Community Centre.</p> <p>5. I note that the proposal details the possibility of a one OR TWO storey building which would allow for a larger building if the two storey option was utilised but I question whether this is taking into account the suitability of the group of people who currently are the main users of the existing facilities - senior citizens and the elderly, parents with small children, children themselves.</p> <p>6. I have not accessed the Jack Healey centre, my husband being 31 and myself being 30, but two services that I have a big interest in are the child health centre and the toy library. With small children in our family and another one on the way, these two services will remain very important to us during the next 10 or so years, as they are important to a large number of other people in the community. The child health centre is an amazing resource to</p>	<p>1. Noted</p> <p>2. The former Doctor's Residence is listed on the Shire's Municipal Inventory of heritage Places as a Category 'B' and therefore worthy of protection. Whilst the Master Plan does identify possible mixed use development over Lot 26, the expectation is that the existing heritage building will be retained and appropriately designed into any new development proposal for the site. Importantly, the heritage significance of the building will be paramount in any future design.</p> <p>3. The proposed mixed use areas will allow for limited retail development and will be zoned accordingly.</p> <p>4. A commitment has been given to the Toy Library that it, and other community services, will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process.</p> <p>5. A new District Community Centre may be a one or two storey building, depending on the number of uses that will ultimately be accommodated. The building will be designed with aging in mind. In particular the building will be assessed against the criteria for aged/disability access provided in the Building Codes of Australia</p> <p>6. Refer Comment 4.</p> <p>7. Noted, refer Comment 4.</p>

		<p>parents. The toy library is a service that is run by its members independent of shire support (except for some generous grants that I understand have allowed us to update some equipment from time to time) and one that I am worried will be bypassed in this redevelopment. I am fairly confident that the child health centre will remain on your priority list but have doubts about intentions for the toy library.</p> <p>7. I would therefore ask that in your plans for development, you include the toy library committee who represent us, its members, in your considerations and consult them on how best you can incorporate the space that they need into the District Community Centre. Please do not disregard the early childhood sector of the community simply because the majority of the people it services aren't tall enough to knot your tie. They and we are the future of the township of Kalamunda and should be valued as much and possibly more than the commercial clients you may be courting to fill up leasing space in this development.</p>	
2.	N Boyd-Ratcliff 155 Stanhope Rd Kalamunda WA 6076	<p>1. I feel it is very sad to see the Toy Library building being demolished while no provisions have been made for it in the new multipurpose building. The Toy Library has played a big role my children's life and my life.</p> <p>2. If you do demolish the present Toy Library building, please allocate an equivalent space in the new building and make it a permanent feature. It is a valuable community resource.</p>	<p>1. A commitment has been given to the Toy Library that it, and other community services, will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process.</p> <p>2. Noted.</p>
3.	C & B Raeveley 37 Recreation Road Kalamunda WA 6076	<p>1. The existing toy library has been a very useful resource for us. We are grandparents who regularly borrow toys for our grandchildren to minimise purchases of new toys. The library works remarkably well.</p> <p>2. Your new plan appears to propose demolishing the existing toy library. A new community centre is proposed in its place. We ask that any new centre incorporate the toy library along with any other facilities envisaged for children.</p> <p>3. We also ask that consultation with all groups who may occupy the centre is given priority.</p>	<p>1. A commitment has been given to the Toy Library that it, and other community services, will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process.</p> <p>2. Noted, refer above comments.</p> <p>3. Noted.</p>

4.	B & L Jones 78 Spring Road Kalamunda WA 6076	1. You plan to demolish the RSL hall and toy library building but there is no mention of where the new Toy Library will be housed. This institution has been important to our family over the years; my husband and I now take our 3-year old grand-daughter there. With the hugely important role it plays in our community I trust that it will be housed in the new building and I look forward to hearing from you to confirm this.	1. A commitment has been given to the Toy Library that it, and other community services, will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process
5.	S Kreemer Pickford 6 Waterloo Crescent Lesmurdie WA 6076	<ol style="list-style-type: none"> <li>1. If any new district community building is built, it must house services and community groups that support the early years eg child and adolescent health nurse, toy library, playgroup. Inclusion of such services in a mixed-use multi-generational facility will encourage and facilitate cross community group interactions and leverage opportunities that would not be realised through a segregated approach to providing community services.</li> <li>2. As the immediate past president of the Kalamunda Districts Toy Library, I can vouch for the continuing and growing relevance of the toy library services to its members as people are increasingly worried both about increasing household bills (therefore less money to spend on resources to educate their children) and reducing our impact on the environment (purchase of less toys for each household reduces greenhouse gases that are generated through manufacturing, transport and waste).</li> <li>3. Membership of the toy library has provided many of our members with additional benefits such as connecting with people in the community, particularly for new families moving into the area, and our active participation in and promotion of shire events, i.e. Zig Zag walk and Corymbia festival.</li> <li>4. The toy library committee is committed to ensuring its ongoing viability and needs to be counted as a stakeholder in discussions regards all future plans for this site through our nominated representative, Julie Oliver.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. One of the objectives of this plan is to facilitate a modern community facility that will promote interaction between different age groups and ultimately be a more up to date, busy, fully utilised hive of community activity with the resources pooled together to provide more for each community group than can be provided in the current, very fragmented fashion.</li> <li>2. Noted.</li> <li>3. It is planned that a new community centre will be able to continue and better provide for such community interaction.</li> <li>4. Noted.</li> </ol>
6.	Department for Communities Children Services Officer J Bender 281 Great Eastern Hwy	1. It is great to see the Shire developing this prominent central site in our shire. When you are working on the finer details of who will be 'users' in the centre, would you please consider services for families with young children, as the numbers in Kalamunda of children under	1. 2. & 3. Noted and will be carefully considered.

	Midland 6056	<p>4 is growing exponentially.</p> <p>2. It would be wonderful to be able to have the child health nurse, the toy library, rooms for allied health professionals to use, and reasonably sized meeting room/s where parenting courses for all ages could be held.</p> <p>3. I work with the child care industry in a support role to the centres and the families who use them. To be able to direct families to appropriate supports within easy access of the town centre would be terrific.</p>	
7.	J Tomlinson	<p>1. I am a High Wycombe resident and teacher at Edney PS and I would like to put forward that the building is used for services and community groups that support the early years. I had my first baby last year and as a Pre-Primary teacher I see the great need this community has for early childhood services for things such as the toy library and playgroups. These things are essential for our mums, dads, babies and children and it is imperative that they remain at the forefront in our minds when planning services. I hope that you consider my comment.</p>	<p>1. A commitment has been given to the Toy Library that it, and other community services, will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process.</p>
8.	M & J Steward 24 Central Road Kalamunda WA 6076	<p>1. Although this may have been in the Shire's planning agenda since 2009, this is the first time we as residents and landowner of this area have been made aware of it.</p> <p>2. The impact of this plan on us as residents of 24 Central Road is almost unmeasurable. It would change our current and planned future lifestyle completely and it would be impossible for us to replicate what we have built either for location of lifestyle.</p> <p>3. We cannot from a planning point of view see the advantage of destroying the existing infrastructure of the properties on the blocks that form the Southern area down Central Road and along Burt Street.</p> <p>4. It would appear more logical to use the Northern area on the corner of Central Road and Mead Street with one large and easily accessible car park with traffic flows in and out that do not need to come into contact with the Bus lane. The car parking behind the existing Jack Healy Centre and the CWA could all be as one with access in and out.</p> <p>5. I am puzzled by the number of small parking areas behind the proposed reduced blocks.</p>	<p>1. The Old Road Block Street Block Master Plan represents an extension of the adopted Townscape Improvement Plan for the Kalamunda Town Centre. The consultant and the staff have been working on the concept until it was at the point where the Council decided it was ready to be advertised for public comment. This process is common for most strategic planning projects.</p> <p>2. Private owners will have no obligation to develop their properties if they chose not to.</p> <p>3. From the planning point of view, if those properties are to be developed further, the plan provides for a more uniform approach in relation to the vehicular access, parking and built form.</p> <p>4. The idea of the master plan is to have</p>

		<p>6. When we decided to develop 24 Central Road in 2000 we checked with the Kalamunda Shire and were advised that nothing was in planning in the foreseeable future or change the zoning or planning of this area.</p>	<p>parking not immediately visible form the road- in line with the Kalamunda Town Centre Improvement Plans proposal, corner locations in particular are preferred as a built form. Depending on the outcome of the possible modification of the Bus Terminus, this site might need to be revisited.</p> <p>5. Ideally, they would become interconnected, depending on how a potential future development would proceed in that area.</p> <p>6. In November 2007, a planning workshop was conducted with the residents of Kalamunda that formed a base for further strategic planning of the locality. Since then, Kalamunda Town Centre Improvement Plans, Kalamunda Art Strategy, Kalamunda Town Centre Design Guidelines and this Master Plan have been designed in order to insure that any changes reflect needs and wishes of the residents.</p>
<p>9.</p>	<p>J Oliver        232 Glenisla Road        Carmel WA 6076</p>	<p>1. I would like the Kalamunda Districts Toy Library to be considered as a stakeholder in any new community building built on this site.</p> <p>2. I would like early year services provided by Government bodies, community and private practitioners to be included in any new community building including but not limited to toy library. Child and Adolescent Health Nurse, 3 year old kindy, KOSC, Playgroup, common offices rent a desk serviceing for practitioners eg speech pathologist, disability services etc.</p> <p>3. I would like office space at nominal rent for NGO's so we can have greater participation in this Shire ie WA Association of Toy Libraries, The Smith Family, YMCA.</p> <p>4. I would like to see colocation of the services provided by the Jack Healy Centre, Kalamunda Community Learning Centre and Mens Shed.</p>	<p>1. Noted. A commitment has been given to the Toy Library that it, and other community services, will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process.</p> <p>2. Noted</p> <p>3. Noted.</p> <p>4. Noted.</p> <p>5. Noted.</p> <p>6. Noted.</p>

		<ol style="list-style-type: none"> <li>5. I would like secure space for Bendigo Community Bank Kalamunda &amp; Medicare &amp; a new police facility like a PCYC.</li> <li>6. I would like space provision (developed in consultation with our youth) and a program for teenagers particularly for alcohol and drug awareness and other addictive behaviour prevention by finding a positive way to connect to their community.</li> </ol>	
10.	D Carpenter Hon Secretary WA RSL State HQ 35 Canning Road Kalamunda	<ol style="list-style-type: none"> <li>1. The treasurer and myself met with the Shire President and yourself on 3 November 2010 when we were advised of the Shire's concept planning for this block, but at no stage was it suggested that the Toy Library and our RSL Hall be incorporated into a new Community Centre. It was always to remain Darling Range RSL.</li> <li>2. It was our firm understanding that in return for surrendering the Sub-Branch land, a new purpose built RSL Hall would be built by the Shire so that we could maintain our presence in the community.</li> <li>3. This remains our position and we would not countenance anything other than a stand-alone building or purpose built annex for our own exclusive use. We need to be readily apparent to all as a separate RSL building.</li> <li>4. Retention of the liquor licence is a must.</li> <li>5. Should the masterplan proceed in its current form we don't see where the Shire would propose to relocate us in the interim along with our furniture and memorabilia.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. A subsequent meeting was held with the RSL, where their concerns in respect to the particular building requirements were discussed and addressed. It is understood that the RSL require specific requirements for their members, for example a separate annex solely for their use. These will be addressed as part of any future building design.</li> <li>2. It is understood that the RSL would have to agree with the future proposal prior to the land swap and redevelopment</li> <li>3. Noted, it will be considered.</li> <li>4. Noted.</li> <li>5. Refer to above comments.</li> </ol>
11.	S Rollason 9 Cotrell Road Carmel	<ol style="list-style-type: none"> <li>1. I have not been able to locate the position of the toy library in the new development.</li> <li>2. The service of the toy library needs to continue as an important new service to the new young families that are growing and revitalizing Kalamunda at this time.</li> </ol>	<ol style="list-style-type: none"> <li>1. A commitment has been given to the Toy Library that it, and other community services, will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process.</li> <li>2. Noted.</li> </ol>
12.	B & J Urquhart 26 Central Road Kalamunda WA 6076	<ol style="list-style-type: none"> <li>1. The proposed parking area sited at the rear (to the west of the existing premises) impinges on an area in which the toilets, septic tanks, plumbing and sump tank area located. Removal of such will make the existing premises inhabitable in any form. Accordingly, this provision should be removed, or extensively modified.</li> <li>2. The proposed egress/access point fronting Central Road and on the</li> </ol>	<ol style="list-style-type: none"> <li>1. There would be an expectation that future development of the site would be required to connect to reticulated sewer.</li> <li>2. Any future development of the site would need to be cognisant of the tree in question and the value this affords the</li> </ol>

		<p>northern perimeter of the lot will necessitate removal of a tree which was planted at around the time the premises were constructed in 1919. It has similar historical significance to that of the premises and therefore should be protected.</p> <ol style="list-style-type: none"> <li>3. The premises where the residence and the consulting room of Dr Barber.</li> <li>4. We believe and contend to council that no masterplan or rezoning proposal should be considered or approved, if it adversely impacts on the premises and property located at 26 Central Road, Kalamunda.</li> </ol>	<p>area aesthetically. This would need to be addressed as part of any future development proposal for the site.</p> <ol style="list-style-type: none"> <li>3. The heritage value of the property is acknowledged. Whilst the Master Plan does identify possible mixed use development over Lot 26, the expectation is that the existing heritage building will be retained and appropriately designed into any new development proposal for the site. Importantly, the heritage significance of the building will be paramount in any future design.</li> <li>4. The Master Plan proposes how the future development might occur in order to, amongst other things, unify the parking and common areas within the block. The plan presupposes further, potentially more intensive commercial development in the future. The plan does not bind or force any of the private owners to develop or give up any part of their property, particularly in the case when no further development occurs on the property.</li> </ol>
<p>13.</p>	<p>R Faulkner                  14/138 Lewis Road                  Forrestfield WA 6058</p>	<ol style="list-style-type: none"> <li>1. I cannot find the new location for the bus terminus.</li> <li>2. Where are the facilities of the Jack Healy Centre going to be placed?</li> <li>3. What is the intended use of the Doctor's residence and how is its upkeep to be funded?</li> <li>4. What will happen to the Child Health Centre, the CWA Hall and the Toy Library?</li> <li>5. The proposed shops are too far from the town centre.</li> </ol>	<ol style="list-style-type: none"> <li>1. Short term there will be no change. The long term plan is to work with the PTA to relocate the bus terminus to allow for a road connection through to Central Road.</li> <li>2. It is proposed that the Jack Healy centre will comprise part of any new community centre building proposed on the current RSL site.</li> <li>3. The former Doctor's Residence is listed on the Shire's Municipal Inventory of heritage Places as a Category 'B' and therefore worthy of protection. Whilst the Master Plan does identify possible mixed use</li> </ol>

			<p>development over Lot 26, the expectation is that the existing heritage building will be retained and appropriately designed into any new development proposal for the site. Importantly, the heritage significance of the building will be paramount in any future design. Given the building is privately owned costs associated with its upkeep will be the responsibility of the property owners.</p> <p>4. A commitment has been given to the Toy Library that it, and other community services, will be accommodated within the new community centre. Future planning for this building will be subject to extensive community consultation enabling all community groups to have input into the process.</p> <p>5. The proposed mixed use area with limited retail is located directly opposite the town centre area. Those areas identified for mixed use fronting Burt Street are not proposed to include a retail component.</p>
14.	C & F Mansfield 20 Landor Road Gooseberry Hill WA 6076	<p>1. Is it feasible and cost effective to retain and redevelop or re-use the RSL Hall, incorporating it in the proposed new District Community Centre?</p> <p>2. We regard it of the utmost importance that 'as many of the existing mature trees as possible' in the whole area be retained. Most of the trees are indigenous Western Australian eucalypts, uniquely adapted to 'Our Home in the Forest'. We believe that a clause should be inserted in the final contract, making it mandatory to retain every mature tree unless specific permission is granted otherwise.</p> <p>3. It is significant that there are 3 large and mature Moreton Bay Fig trees in proximity of the former Roads Board Office. It is likely that these trees were contemporary with the early office built in 1909. Similarly there is a mature Pepper tree near the Child Health Centre.</p>	<p>1. That will be determined later at a more detailed stage of the process when costs and funding options will be considered.</p> <p>2. The mature trees in the block have a strong visual presence and give the block a distinct landscape character and would therefore be recommended for retention where practically possible.</p> <p>3. Noted, refer above comments.</p>



15.	G Blackall 8/10 Brooks Street Kalamunda WA 6076	<ol style="list-style-type: none"> <li>1. On behalf of the Kalamunda Senior Citizens Club I am writing to express our concerns and objection to the development of the area of the Jack Healy Centre. We require at this present stage assurance that existing facilities available to the Senior Citizens Club will be maintained in any development. These facilities are: Bowling area, storage room, Kitchen and aged person amenities.</li> </ol>	<ol style="list-style-type: none"> <li>1. It is proposed that the Jack Healy Centre will be relocated as part of any new proposal to construct a new community building on the RSL site.</li> </ol>
16.	Government of WA Dept of Transport 140 Williams Street Perth WA 6000	<ol style="list-style-type: none"> <li>1. The Department of Transport (DoT) and the Public Transport Authority (PTA) do not support the Masterplan.</li> <li>2. The PTA has raised concerns in relation to the proposed relocation of the bus terminus which was upgraded in August 2009 and has been designed to cater for current and projected travel demand. The proposal to relocate the terminus to the east would result in decreased capacity of the terminus and hence the ability to cater for increased travel demand would diminish.</li> <li>3. The DoT recommends that the Masterplan be redesigned such that the bus terminus does not require relocation or modification.</li> <li>4. The Masterplan indicates that the entry to the terminus would also service general road traffic, which has the potential to increase safety issues. The PTA recommends that bus movements be segregated from general traffic movements due to the large number of manoeuvring buses.</li> <li>5. The Masterplan is very focused on vehicular movements with a seemingly high level of car parking provision. Limited pedestrian access and no obvious cyclist access to and through the site. Given the proximity to the bus terminus, it is considered that the provision of car parking will exceed parking demand, which is consistent with the findings of the Parking Study for the Kalamunda Town Centre that concluded that there is a car parking surplus.</li> <li>6. DoT requires that key pedestrian access points and safe routes through the site are identified and a footpath is included along the full extent of the perimeter to encourage pedestrian activity.</li> <li>7. The Shire of Kalamunda Bike Plan identifies Canning Road as a location for a future bike land and therefore the Masterplan should indicate where cycling connections to this future bike route will be located.</li> </ol>	<ol style="list-style-type: none"> <li>1. The concerns on the PTA regarding the relocation of the bus terminus are acknowledged. It is therefore proposed to consider a short and long term master plan option for the site. The short term option will retain the status quo regarding the location of the bus terminus. Under a long term option the Shire will seek to work with the PTA to relocate the terminus to allow for the through road connection to Central Road.</li> <li>2. Noted, refer above comments.</li> <li>3. Noted, refer above comments.</li> <li>4. Noted, refer above comments.</li> <li>5. Noted, pedestrian access is identified on the plan and will be linked to existing footpaths with new treatment identified as part of future car parking designs proposed for the master plan.</li> <li>6. Noted.</li> <li>7. Noted.</li> </ol>

17.	Department of Planning M Muttaqui Planning Manager Transport & Movement 140 William Street Perth WA 6000	<ol style="list-style-type: none"> <li>1. The subject property abuts Canning Road, which is reserved as a Category 2 Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS). The site does not appear to be affected by the ORR reservation for Canning Road per the WAPC Land Requirement Plan number 1.5177.</li> <li>2. The site currently has two access-ways on Canning Road. Only one access is proposed off Canning Road which will be left-in only. This is in accordance with the Commission's Regional Roads Policy D.C.5.1 which seeks to minimise the number of new crossovers onto regional roads. We recommend that the Shire of Kalamunda investigate the possibility of a left slip-lane being provided in the interest of traffic safety and efficiency on Canning Road.</li> <li>3. The Department has no objections in principle to the proposal.</li> <li>4. A transport impact assessment will be required to determine the impact of the proposal on the regional road network, as the proposal might become a significant traffic generator in the future.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted</li> <li>3. Noted</li> <li>4. Noted</li> </ol>
18.	Kalamunda Community Radio PO Box 916 Kalamunda WA 6926	<ol style="list-style-type: none"> <li>1. We find ourselves in the invidious position of, in accordance with your plan, being without any premises from which to broadcast. We were tentatively offered the Toy Library, which was unsuitable for our purpose and in accordance with your plan is due for redevelopment.</li> <li>2. Kalamunda Community Radio started from initial meetings in 1992 to an ongoing successful community broadcaster twenty years later, which has a listening audience of over 30000 people per week.</li> <li>3. As a local community broadcaster, KCR-FM has made it policy to promote the Shire of Kalamunda, which it has effectively done throughout the years and in the future wishes to be more active with events within the Shire.</li> <li>4. Kalamunda is one of only four metropolitan shires to have its own community broadcaster and we therefore ask that consideration be given to Kalamunda Community Radio for a permanent home in the new development, with an opportunity to be involved in discussions of the availability of suitable premises.</li> </ol>	<ol style="list-style-type: none"> <li>1. Every effort can be made to accommodate Kalamunda Radio in any future new community building. Importantly this process will be subject to extensive community consultation enabling all community groups to have input into the process.</li> <li>2. Noted.</li> <li>3. Noted.</li> <li>4. Noted.</li> </ol>
19.	Rob Waller Jack Healey Advisory	<ol style="list-style-type: none"> <li>1. I congratulate the planning committee on the proposed plan for the Urban Design Masterplan.</li> <li>2. Will there be a limit on the amount of and type of commercial development?</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Residential/Commercial with limited retail is proposed for the corners of Mead and Canning Roads and Mead and Central</li> </ol>

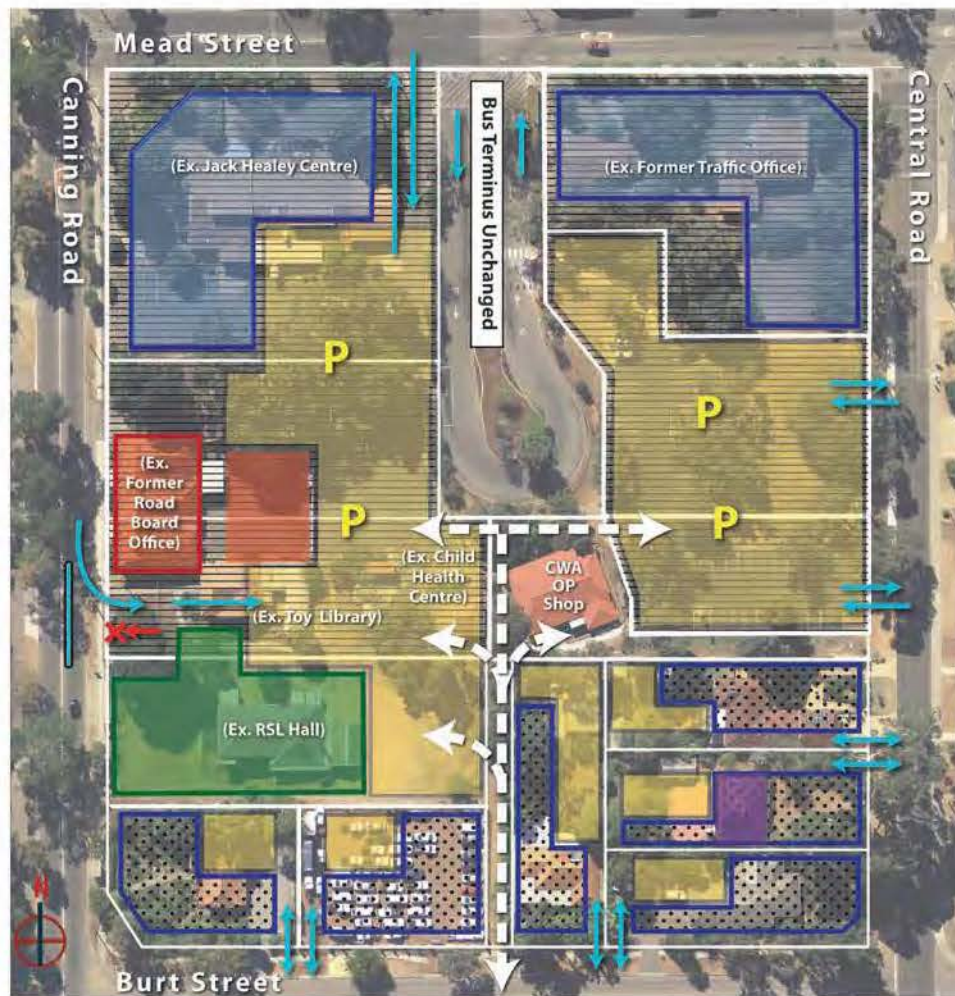
		<ol style="list-style-type: none"> <li>3. What level of control will the Shire have in regard to private and commercial development?</li> <li>4. The new Jack Healy Centre could be a two storey building according to the plan, which in my opinion is most advisable.</li> <li>5. Is there any limit regarding the height of buildings?</li> <li>6. There appears to be no gardens or passive areas which I feel would be much appreciated by users of the Jack Healy Centre.</li> <li>7. The community of Kalamunda is a pleasant place in which to live and has a high proportion of retirees. Although I understand the desire of business it must not do so at the expense of residents of the shire.</li> </ol>	<p>Roads. The amount of retail development will be determined at a later stage in the planning process.</p> <ol style="list-style-type: none"> <li>3. No private owner will have to develop their land if they chose not to. If they chose to develop, they will be expected to follow broadly the recommendations in the Master Plan, once adopted.</li> <li>4. That is the proposal, but will be considered at the planning design stage of the process.</li> <li>5. The building height will be subject to the discretion of Council, however a maximum of three storeys would be considered appropriate.</li> <li>6. Noted.</li> <li>7. Noted.</li> </ol>
20.	<p>Kalamunda &amp; Districts Historical Society Inc                  A Crowder President                  PO Box 121                  Kalamunda WA 6926</p>	<ol style="list-style-type: none"> <li>1. The society is keen to see that the significant elements of this area are recognised and protected wherever possible and those buildings which are already listed within the municipal inventory be given due consideration.</li> <li>2. The toy library building is listed as category D and represents one of the few remaining buildings constructed by A J Secrett in Kalamunda.</li> <li>3. The RSL Hall is also listed but as category C which infers a building of significance and one which should be protected if at all possible.</li> <li>4. We note that the area shown for redevelopment is central to the town and should reflect the Town Centre study outcome which stated the need to retain the 'Village atmosphere' of Kalamunda.</li> <li>5. Of more concern is the preservation of the mature trees in the area and we would ask that any development must be conditional on obtaining specific approval to remove any mature trees.</li> </ol>	<ol style="list-style-type: none"> <li>1. Properties on Municipal Inventory have been identified and the Shire intends to follow the recommendations assigned to the level of protection according to their categories.</li> <li>2. Noted, refer above comments.</li> <li>3. Noted, refer above comments.</li> <li>4. It is intended to develop this block generally in line with the Town Centre Design Guidelines that the Council adopted for Kalamunda.</li> <li>5. The mature trees in the block have a strong visual presence and give the block a distinct landscape character and would therefore be recommended for retention wherever possible.</li> </ol>

21.	R Wood 2705 Clayton Road Helena Valley WA 6056	1. I have provided the Shire of Kalamunda with a design idea for the new bus facility, which is located in Barber Street and would be used as a loop system. (see plan)	1. The design has been reviewed by the engineering department and a preliminary comment was given that the distribution of buses through Haynes Street might not be possible in terms of traffic impact as well as the street design.
22.	T & E Mattiske 28 Central Road Kalamunda WA 6076	<ol style="list-style-type: none"> <li>1. At this stage we park some of our work vehicles on the property and would be reluctant at this stage to alter any pattern of parking within our property.</li> <li>2. As there are many elderly people and school children that use the footpaths and verges along Central Road and Burt Street, we believe that there will be a need for a detailed traffic study of the adjacent streets and within the proposed development area, because people tend to miss the stop sign on the corner of Burt Street and Central Road. As a result there have been several accidents on this intersection. Elderly people and young students walk regularly down these roads. If there is increased traffic near this block it may increase the risk of a further incident.</li> <li>3. Although we agree with the concept of always improving facilities in Kalamunda for the different age groups, we would like to restress the importance of considering the residents who have been encouraged through zoning to live near the proposed developments on the Old Road Board Street Block. We have recently been impacted from the upgrades of some nearby businesses influencing noise and dust levels.</li> <li>4. We would encourage any community development to cater for community groups, including catering for nursing mothers, young children, the youth and the elderly within the precinct of Kalamunda. These facilities are critical to the maintenance of an active and healthy community in the Kalamunda area.</li> <li>5. We would appreciate careful consideration of walkways and gardens. As ecologists it would be encouraging to see the use of native species that can tolerate our drying climate conditions in these designs.</li> </ol>	<ol style="list-style-type: none"> <li>1. That wouldn't be necessary unless the owner chose to develop the property</li> <li>2. Considering that the plan proposes changes to the road configuration, consideration will be given to a detailed traffic study as part of the planning process for this site.</li> <li>3. The plan does not propose any major zoning changes except for the properties facing Mead Street that would mirror the zoning on the other side of the road, in Kalamunda Town Centre.</li> <li>4. That is the intention of this plan.</li> <li>5. Noted.</li> </ol>

<p>23.</p>	<p>Lesmurdie &amp; Districts                  Community Association                  G Gray                  156 Welshpool Road                  Lesmurdie WA 6076</p>	<ol style="list-style-type: none"> <li>1. Our members feel it is appropriate and timely that this parcel of land be looked at in terms of its best possible future use to the community and recommend that a comprehensive consultation process be undertaken wherein all the relevant stakeholders and the general community have input and that this is followed through to the culmination of the project.</li> <li>2. A Stakeholders Working Party should be developed as soon as possible including a member of Lesmurdie Community Association and that this be publicly advertised.</li> <li>3. Although most of our members feel the future lies with a new multi-use centre, it is also felt that the Jack Healey Centre means a great deal to the current users and that Mr Jack Healey should be acknowledged and the name 'Jack Healey' be retained in any new building.</li> <li>4. Council should reconsider the sale of community land on the north side of the block, in particular where the Jack Healey Centre stands and that if demolition is decided upon, the Hack Healey Centre site be considered as an alternative to the RSL site for a new multi-use facility.</li> <li>5. The RSL wish to retain their identity and some kind of a stand-alone facility with a purpose built hall in any exchange of their land and that if a new building is required, a 'refuge' facility is included in the design and the RSL have responsibility for this component.</li> <li>6. The community's expectations of a shared facility are high and the concern is that there may not be enough space to accommodate the collective needs on the RSL site, but if a new building on the RSL site is agreed, then the Kalamunda &amp; Districts Historical Society and the Pickering Brook Heritage Group be involved in the consultation process in regards to the historical significance of the buildings in particular part of the façade, the veranda, dado work and fireplace.</li> <li>7. It is recommended that the access and car parking in all areas of the block take native bushland and unique trees into account and preserve them as a priority.</li> <li>8. We would like to see developers of the block avoid block walls and be more innovative in their design as a community preference and that the Shire offers an incentive to potential developers for such innovation.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Future development of a new community building will be subject to extensive community consultation.</li> <li>3. It is proposed that the new community centre would retain the name Jack Healey Centre.</li> <li>4. Noted.</li> <li>5. Noted. Discussions with the RSL have been ongoing regarding any future proposal for a community building and the needs of the RSL.</li> <li>6. Every effort can be made to accommodate all existing community groups in any future new community building. This process will be subject to extensive community consultation enabling all community groups to have input into the process.</li> <li>7. It is proposed that existing mature vegetation be retained where practically possible.</li> <li>8. Noted, this would be addressed at the planning design stage of the process.</li> <li>9. Noted.</li> <li>10. Funding of a new community facility will be critical to the process. External funding at both a state and federal level will be required to assist the Shire is provided the necessary funds.</li> </ol>
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		<p>9. The Shire should keep with the Cultural Plan and consider a Community Art Project as part of a Per Cent for Art component suggested for the redevelopment of the block with an appointed community artist working with the community throughout the development.</p> <p>10. We recommend that the Shire should investigate all avenues of external funding for the redevelopment to avoid the sale of community land and that all proceeds of any sale of land be reinvested in community facilities.</p>	
<p>24.</p>	<p>Nature Reserves Preservation Group                  T Fowler                  PO Box 656                  Kalamunda WA 6926</p>	<p>1. NRPG suggests the use of compacted hills gravel 'Permpave' on parking areas and driveways to reduce the amount of stormwater runoff, which will cause problems in erosion of our streams.</p> <p>2. NRPG doesn't see reason to change the cul-de-sac to be made a thoroughfare, as the additional roadway takes additional space and displaces parking.</p> <p>3. The proposed expanded parking area East of the bus terminus will further reduce the amount of shaded areas and further asphalt will add to the 'heat island effect' which results in higher summer temperatures.</p> <p>4. The proposed parking area east of the bus terminus also means the loss of bushland which if protected would likely regenerate largely on its own and would remain a spot for residents to enjoy.</p>	<p>1. Noted.</p> <p>2. It is proposed to consider a short and long term master plan option for the site. The short term option will retain the status quo regarding the current cul de sac arrangement and location of the bus terminus. Under a long term option the Shire will seek to work with the PTA to relocate the terminus to allow for the through road connection to Central Road.</p> <p>3. The exact amount of parking necessary for the new development of the block will be established at the future time. Design Guidelines for Kalamunda Centre suggest the parking areas treatment that is permeable and shaded- the same principles would be adhered to on this site.</p> <p>4. The retention of mature vegetation as part of a future car parking area will be paramount in the design process.</p>

**Attachment 3**



**PROPOSED ACTIONS:**

- Retain existing bus terminus as is.
- Redevelop the former Traffic Office site with a mixed use development and increase the size of the existing car park to the rear.
- Remove the Jack Healey Centre building and redevelop that site for a mixed use development.
- Acquire the old RSL hall site, demolish the hall and Toy Library building, & construct a new District Community Centre over the two sites. Name the centre "The Jack Healey Centre".
- Encourage future private development (mixed use) at southern end of street block.

**LEGEND:**

- Proposed mixed use – residential/commercial with limited retail.
- Old Road Board building, currently tenanted by Dome Coffees Australia.
- Proposed District Community Centre of 2,640 sq.m, provided in a one or two storey building. (Accommodating the recommended uses identified in the Community Facilities Plan.)
- Parking areas, existing & proposed, with as many of the existing mature trees retained as possible.
- Public land or land vested in the Shire.
- Possible future mixed use development of private land.
- The former Doctor's Residence is included as a Category 'B' place on the MHI; "Retain and conserve if possible. Worthy of a high level of protection"
- Upgraded pedestrian connection.

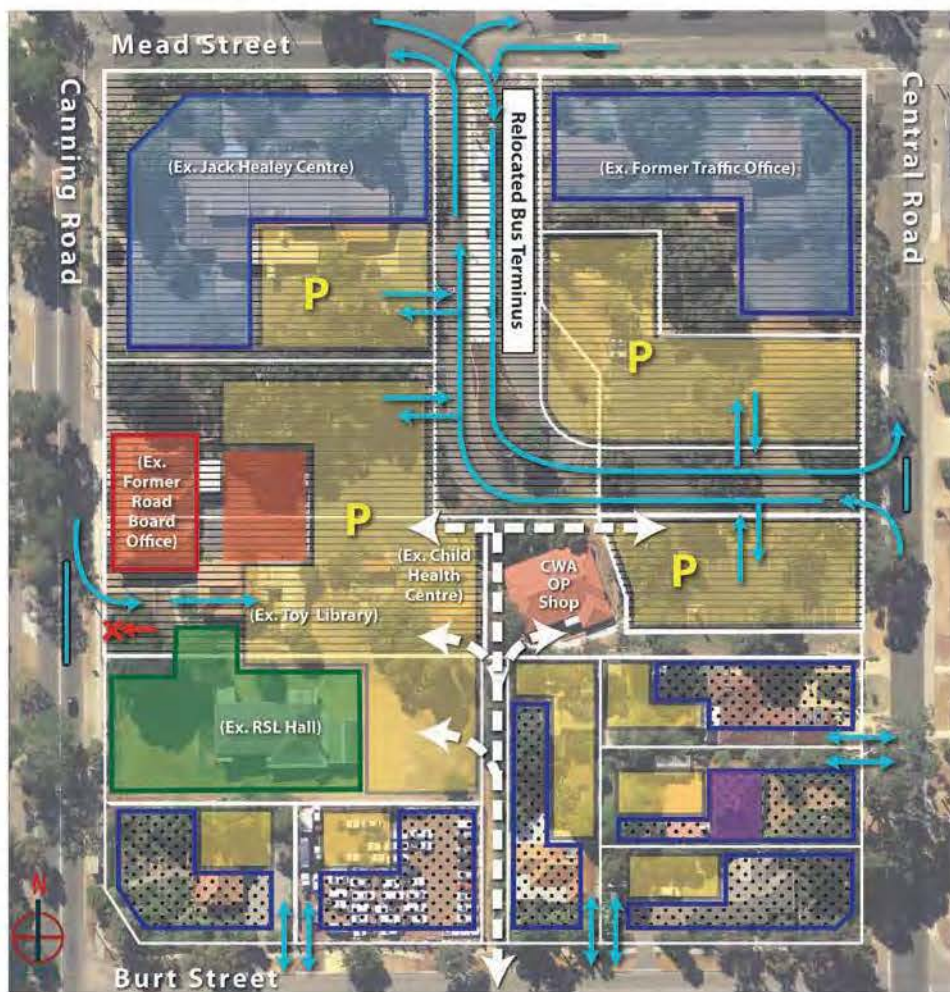
**DRAFT**

January  
2013

**Old Road Board Street Block ~ Short-Term Option**  
 Planning and Urban Design Masterplan



Attachment 4



**PROPOSED ACTIONS:**

- Relocate the bus terminus and convert the existing cul-de-sac into an L-shaped, low speed public street, with left in/left out traffic management at Central Road. Use this new street for vehicular access to the rear parking areas of new developments.
- Redevelop the old Traffic Office site with a mixed use development.
- Remove the Jack Healey Centre building and redevelop that site for a mixed use development.
- Acquire the old RSL hall site, demolish the hall and Toy Library building, & construct a new District Community Centre over the two sites. Name the centre "The Jack Healey Centre".
- Encourage future private development (mixed use) at southern end of street block.

**LEGEND:**

- Proposed mixed use – residential/commercial with limited retail.
- Old Road Board building, currently tenanted by Dome Coffees Australia.
- Proposed District Community Centre of 2,640 sq.m, provided in a one or two storey building. (Accommodating the recommended uses identified in the Community Facilities Plan.)
- Parking areas, existing & proposed, with as many of the existing mature trees retained as possible.
- Public land or land vested in the Shire.
- Possible future mixed use development of private land.
- The former Doctor's Residence is included as a Category 'B' place on the MHI; "Retain and conserve if possible. Worthy of a high level of protection"
- Upgraded pedestrian connection.

**DRAFT**

January  
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**Old Road Board Street Block ~ Long-Term Option**  
*Planning and Urban Design Masterplan*





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

**07. *Australian Constitution Act 1901 – Will Of The People Demand For Public Works - Pinker Crescent Public Open Space***

Previous Items	N/A
Responsible Officer	Director Development & Infrastructure Services
Service Area	Technical Services
File Reference	EG-CMP-015
Applicant	Malcolm Donald Nicholson
Owner	State of Western Australia
Attachment 1	Petition Received
Attachment 2	Cadastral Plan
Attachment 3	Aerial Photograph

**PURPOSE**

1. To consider a petition seeking that the Shire undertake improvements to the Pinker Crescent Public Open Space ("POS"), Maida Vale.

**BACKGROUND**

2. In November 2012, a petition was received regarding the open space located in Pinker Crescent Maida Vale. The petition contained 23 signatories. A copy of the petition is provided as (Attachment 1).
3. In particular, the residents have requested upgrades to seating, shade, removal of sand softfall and weed treatments.
4. A cadastral plan and aerial photograph is provided as (Attachments 2 and 3) respectively.
5. As such, the petition to undertake improvements at Pinker Crescent POS is presented to Council for consideration.

**DETAILS**

6. Pinker Crescent POS is a small open area located in a residential area, with limited parking either both on or off-street.
7. The petition sought the following works to be undertaken:
  - Installation of shade sails over the playground and seating areas.
  - Provision of additional seating.
  - Core matting be installed and the removal of sand.
  - Grass area to be treated for the removal of bindii.
8. The Community Facilities Plan outlines a set of community facility planning standards to guide the future development of facilities within the Shire.

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9. Within the standards, Pinker Crescent POS has been identified as a Local Level (Developed) Park.
10. A Local Level (Developed) Park is recommended to meet the following planning and design criteria:
- Within a 400 metre radius or 5 minute walk of most dwellings.
  - Minimum site 0.5 ha.
  - Street frontage on all sides, maximum 25% of perimeter abutting development.
  - Rectangular in shape and minimum width of 50 metres.
  - Playground equipment/play space(s) capable of catering for:
    - 0-3 yr olds
    - 3-5 yr olds
    - 5-7 yr olds
    - 8-12 yr olds
  - Incorporate natural and designed play elements.
  - Quiet space with shade, views and bench seating.
  - Grassed area in most local parks.
  - In natural/bush local parks softfall (sand, bark or similar) or synthetic surface.
  - Amenities – natural or artificial shade, bench seating, pathways on to the park and to the play space.
  - Involve the surrounding local area in the design of the park.
  - Design elements to reflect the identity and culture area.
11. Whilst in the main, the current level of facility provision at Pinker Crescent POS is adequate to meet the basic level of amenity outlined for a Local Level (Developed) Park the primary deficiencies are:
- The amount of shade currently provided.
  - The lack of pathways to or within the POS.
12. The treatment of the grass for bindii and other weeds is part of the ongoing maintenance of this open space and has been actioned as part of the spraying cycle.

#### **STATUTORY AND LEGAL IMPLICATIONS**

13. Nil.

#### **POLICY IMPLICATIONS**

14. Nil.

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## **PUBLIC CONSULTATION/COMMUNICATION**

15. A petition was received from nearby residents of Pinker Crescent POS in November 2012. Further consultation will take place based on Council's decision on the matter.

## **FINANCIAL IMPLICATIONS**

16. Should Council be supportive of the proposal the following will need to be considered as part of the long term financial plan:
- Install shade structure - \$72,000
  - Seating - \$10,000
  - Footpath - \$60,000

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

17. A review of the needs within the Maida Vale area identified a strategic planning alignment between this proposal and both the asset management and community facilities plans.

### **Sustainability Implications**

#### Social Implications

18. The petition requested the following works to be undertaken:
- Installation of shade sails over the playground and seating areas – this fits into the profile of a local area (Developed) Park, and should be programmed in future capital programs.
  - Provision of additional seating – there appears to be a shortfall of seating within the POS and additional seating should be considered.
  - Core matting be installed and the removal of sand – sand under playgrounds is appropriate for this location.
  - Grass area to be treated for the removal of bindii – maintenance has been programmed.

#### Economic Implications

19. Nil.

#### Environmental Implications

20. Nil.

## **OFFICER COMMENT**

21. Pinker Crescent POS is classified as Local Level (Developed) Park and largely already includes sufficient facilities and equipment to meet this classification.

22. However, one shortfall is that there is no formalised shade structure in place to cover either the playspace or seating provided.
23. Officers are currently developing an implementation plan to prioritise the retrofitting of shade over existing playspaces within the Shire, with the view to an item being presented as part of the 2013/14 budget process. The installation of shade at Pinker Crescent POS could be considered as part of this process.
24. The current level of seating and softfall provision at the reserve is considered adequate to meet the standards of Local Level (Developed) Park facility provision.
25. In terms of the weed treatments, this is part of an ongoing program and has also been actioned as part of the spraying cycle.
26. In summary, the current level of facility provision is considered adequate with the exception of a lack of shade and seating. In addition, connecting paths would be appropriate. Should Council endorse the proposed position on the current level of amenity at Pinker Crescent it is recommended that an item be considered as part of the 2013/14 budget process for the installation of a shade structure and future years for seating and footpath. In addition, that the petitioners be written to and advised of the Shires position on the existing level of amenity and that funds will be considered to install a shade structure within the 2013/14 budget process.

*Mr Malcolm Nicholson outlined the inadequacies of the Pinker Crescent POS for families who lived in the area. He explained that the strong easterly winds have blown away the majority of the fine playground sand and children had had accidents as a result of the lack of 'soft fall', he noted the importance of core matting in place of sand. There are no trees and lack of shade is also a major concern to parents with young children.*

*A councillor queried the condition of the area and if there was a significant problem with prickles, Mr Nicholson reported that there were many prickles in the grass and children were unable to play in bare feet on it.*

*The Chairman thanked Mr Nicholson for attending and asked the Director Development & Infrastructure Services if anything could be done to assist in the short-term, in addition to the Recommendation; the Director agreed that short term improvements would be considered.*

<b>Voting Requirements: Simple Majority</b>
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### **COMMITTEE RECOMMENDATION TO COUNCIL (D&I 07/2013)**

That Council:

1. Considers an allocation of \$142,000 (\$72,000 in 2013/14 and balance in future years) as part of the long term financial plan for the installation of a shade structure, seating and footpath at the Pinker Crescent Public Open Space.

2. Acknowledges that the current level of seating, sand softfall and weed treatments are in line with the Pinker Crescent Public Open Space's classification as a Local Level (Developed) Park.

3. Advises the petitioners of Council's decision.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (10/0)**

## Attachment 1

"We the People" – Demand for public works by the constituents of Kalamunda Council.

"We the under-signed people put forward that it is 'our will' that you, Kalamunda Council, maintain and upgrade the public space at Pinker Crescent Maida Vale, illustrated in the attached photo labelled "Public Open Space". We demand that the Kalamunda council erect shade sails deemed 'reasonable by the people' for coverage of the playground area and seating area/s. 'We the people' also demand that extra seating be placed to accommodate the local people and must meet the standards of the people prior to commencement of works. 'We the people' also demand that 'approved under Australian standards' core matting be installed and that the current white sand be removed. 'We the people' also demand that the grassed area be serviced to rid the 'bindi's' and other intrusive grasses from the area. The motion to upgrade by Kalamunda Council must be made public and notice be put forward to the issuer of these demands (Stated at the bottom of this "We the People" demands) and that 'reasonable' time 'no longer than acceptable by the people' for works to commence."

This is not a petition but a 'demand for services' by 'We The People' under 'The Commonwealth of Australia Constitution act 1901'

Issued by and representing 'We the people'

Malcolm Donald Nicholson



21/11/2012  
17 Pinker Crescent

Maida Vale

Perth W.A 6057

Email: [hqn@inet.net.au](mailto:hqn@inet.net.au)

Mob: 0438991026

RECEIVED FRONT COUNTER	
DATE 23/11/12	TIME 11:35
RECEIVED BY	KM

11/21/12

PhotoMaps by NearMap






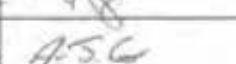
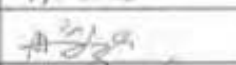




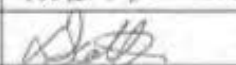


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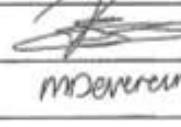

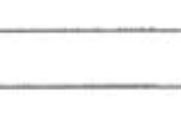
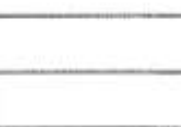


www.nearmap.com

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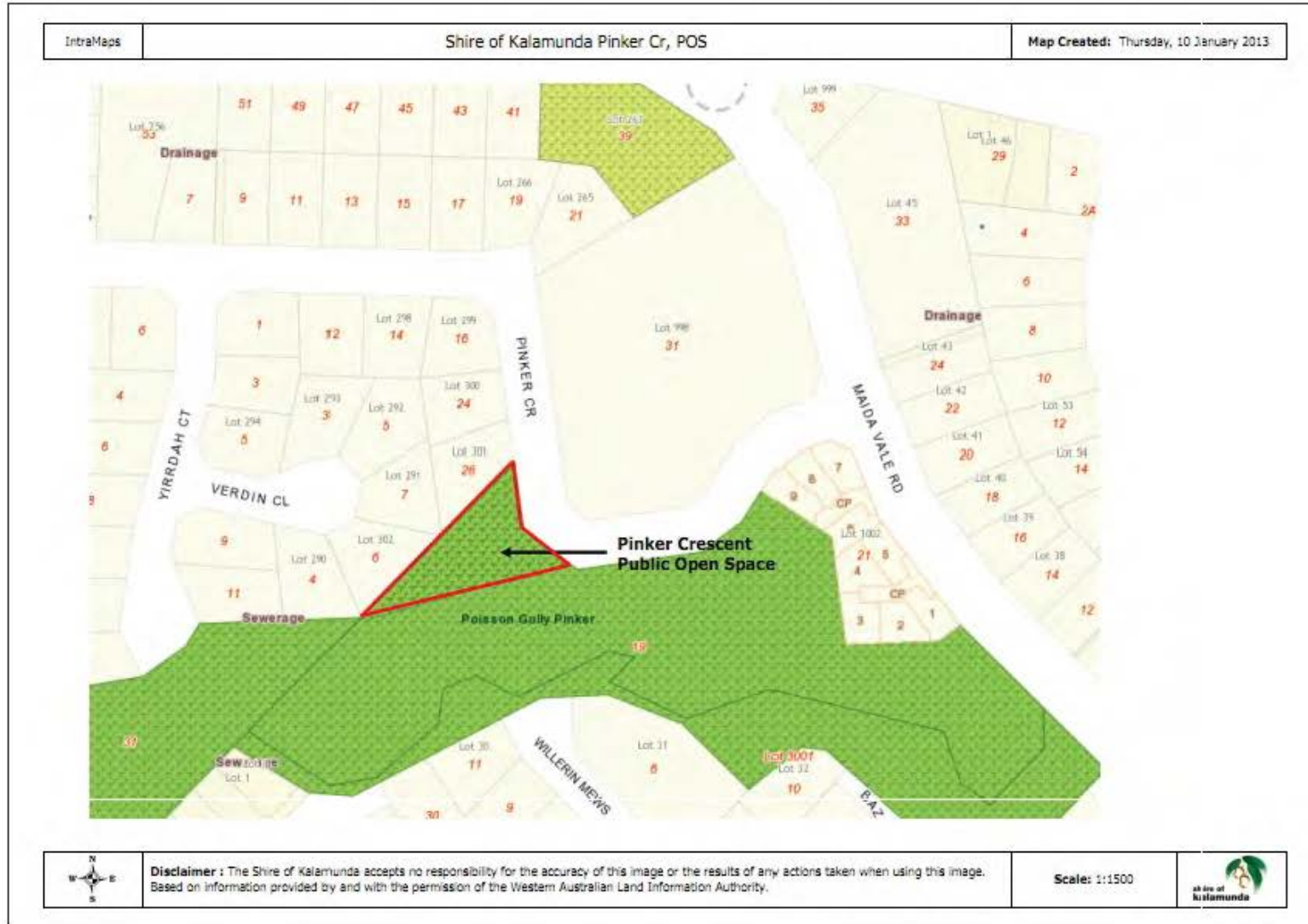
Name	Address	Contact number	Signature
Malcolm Nicholson	17 Pinker Crescent Maida Vale W.A 6057	0438991026	
Brenda New	16 Pinker Cres Maida Vale W.A 6057	081153069	
Marie Moin	15 Pinker Cres Maida Vale 6057	0439693027	
Tabitha Moin	15 Pinker Cres Maida Vale	042085156	
Flannah Lamp	16 Pinker Cres Maida Vale	0431722821	
Loisann Spier	12 Pinker Cres M/V	0401008012	
A S GARNER	9 PINKER CRES	0605822047	A.S.G.
Helen Fentong	3 Sheffield Road	0488 912821	
VICKI GEE	61 Calluna Way Ffield	0425733911	
Naive Reeve	7 Edward Court High Wycombe	0414308031	
John Devieux	19 Pinker Cres Maida Vale	0438083772	
BRAO GRAHAM	26 PINKER CRES MAIDA VALE	0621 688101	
Kerra Nicholson	17 PINKER CRESCENT MAIDA VALE	0422649840	
M+N Richards.	6 Pinker Crescent Maida Vale	94546008	M+N.R.
N + O Scott.	6 Yuridan Court Maida Vale	9257 2342	
S. B. Orrell	12 Yuridan Ct Maida Vale	93521017	S.Orrell



Name	Address	Contact number	Signature
Malcolm Nicholson (SAMPLE)	17 Pinker Crescent Maida Vale W.A 6057	0438991026	
R & J Wood	14 YIRRDAN CRT	94549239	
K & C AUBES	4 VERDIN CLOSE	0417144072	
J. + P. BERANEK	7 VERDIN CLOSE M/VALE	94544174	
A & A CUMMINGS	5 VERDIN CLOSE MAIDA VALE	0410607098	
Josh LAMP	16 PINKER CRESCENT	0427001645	
Melissa Fagan Deveraux	19 PINKER Cres Maida Vale	0409101161	mdeveraux
<del>Jerry Deveraux</del>			
Bill OLVER	24 PINKER CR MAIDA VALE	0429679749	

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### Attachment 2



Attachment 3



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

**08. Development Assessment Panel – Member Nominations**

Previous Items	OCM 66/2011
Responsible Officer	Acting Chief Executive Officer
Service Area	Office of the CEO
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachment 1	Letter from the Development Assessment Panels (E Lumsden)

**PURPOSE**

1. To consider nominations for two Development Assessment Panel (“DAP”) members and two alternate DAP members for the Metro East Region. Nominees will take on these roles for a two-year term, expiring on 26 April 2015. Existing members will be eligible for reconsideration.

**BACKGROUND**

2. In March 2009, the Department of Planning released the *Building a Better Planning System* consultation paper, which set out the broader planning agenda for the reform of the planning system. One of the reform initiatives was the introduction of DAPs to determine significant development applications in an attempt to simplify planning approvals.
3. The new *Planning and Development (Development Assessment Panels) Regulations 2011* (“DAP Regulations”) commenced on 24 March 2011. DAPs commenced operation on 1 July 2011 and the following councillors were, at that time, nominated DAP members and alternate members on behalf of Council:  
  
Member:
  - Cr Martyn Cresswell
  - Cr Donald McKechnieAlternate Member:
  - Cr Allan Morton
  - Cr Margaret Thomas
4. A DAP comprises a mix of three technical experts and two local government representatives with the power to determine applications for development approval in place of the relevant decision maker. The local government representatives will only be required to sit on a DAP where the application is for a development in their local government area.

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## DETAILS

5. The DAP Regulations require local governments to submit to the Minister nominations for two DAP members and two alternate DAP members. Local governments have until 28 March 2013 to submit their nominations.
6. Each DAP member will be appointed for a term of no more than two years at a time. All members will be required to attend a training workshop on planning law and Codes of Conduct. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.
7. It will be mandatory to refer a development proposal which has a total value of more than \$7 million to a DAP for determination. Exclusions to this mandatory requirement are for a single house, less than 10 grouped or multiple dwellings and development by the local government or WA Planning Commission.
8. When an application is lodged with the Shire, which has a value between \$3 million and \$7 million, the applicant may nominate it be determined by a DAP rather than the responsible authority.
9. It is anticipated that DAPs will meet fortnightly or monthly, dependent upon the number of applications to be determined.

## STATUTORY AND LEGAL IMPLICATIONS

10. The *Planning and Development (Development Assessment Panels) Regulations 2010* will provide for the operation, constitution and administration of DAPs.

## POLICY IMPLICATIONS

11. Nil.

## PUBLIC CONSULTATION/COMMUNICATION

12. Nil.

## FINANCIAL IMPLICATIONS

13. The DAP Regulations prevent a DAP member from attending a meeting without first completing mandatory training. Any DAP member who successfully completes training is entitled to be paid for their attendance at DAP training and DAP meetings.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

14. Nil.

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## Sustainability Implications

### Social Implications

15. Nil.

### Economic Implications

16. Nil.

### Environmental Implications

17. Nil.

## OFFICER COMMENT

18. Membership on a DAP will provide those with the required knowledge and experience the opportunity to consider development applications of regional and state significance.
19. Based on the development threshold of \$7 million it is likely that very few development proposals in the Shire of Kalamunda will need to be determined by a DAP. It is estimated there would not be more than approximately five applications per year.
20. It is recommended that Council nominates members to attend DAPs for the Metro East Region.

*A councillor queried the efficiency of the DAP Process, the Director Development & Infrastructure Services reported that the Shire of Kalamunda had only been involved in one DAP application and therefore it would be very difficult to make comment for this Shire Council. He noted that WALGA have produced a report regarding DAP which councillors may like to read.*

<b>Voting Requirements: Simple Majority</b>
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## COMMITTEE RECOMMENDATION TO COUNCIL (D&I 08/2013)

That Council:

1. Nominates the following members and alternate members for the Development Assessment Panel representing the Metro East Region, and forwards the nominations to the Minister for Planning for consideration:
- Members
- Cr Sue Bilich
  - Cr Bob Emery
- Alternate Members:
- Cr Allan Morton
  - Cr Justin Whitten

Moved: **Cr Allan Morton**

Seconded: **Cr Frank Lindsey**

Vote: **CARRIED UNANIMOUSLY (10/0)**

## Attachment 1



Government of Western Australia  
Development Assessment Panels

Our Ref: DP/12/00609  
Enquiries: Karen Newman  
Telephone: 6551 9604

Mr James Trail  
Chief Executive Officer  
Shire of Kalamunda  
PO Box 42  
KALAMUNDA WA 6926

Dear Mr Trail

### **DEVELOPMENT ASSESSMENT PANELS: LOCAL GOVERNMENT NOMINATIONS**

You would be aware that on 1 July 2011 fifteen Development Assessment Panels (DAP) came into operation in order to determine development applications that meet a certain threshold value. Each DAP comprises five members: three specialist members, one of which is the presiding member, and two local government members.

Appointments of all local government DAP members expire on 26 April, 2013. Members whose term has expired will be eligible for re-consideration at this time.

An Expression of Interest for Development Assessment Panel specialist members was advertised in the West Australian on 8 and 12 December, 2012 and in regional newspapers in the week commencing 10 December, 2012. Nominations for specialist members will close on Friday, 25 January, 2013.

Under regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, your local council is requested to nominate four elected members of the Council, comprising two local members and two alternate local members to sit on your local DAP as required.

Using the attached form, please provide names, address, email, mobile and land line telephone numbers, date of birth, employer(s), position(s) and include curriculum vitae details of your four local government DAP nominees.

### **Nominations are required to be received no later than Friday 15 February, 2013.**

Following receipt of all local government nominations, the Minister for Planning will consider and appoint all nominees for up to a two-year term, expiring on 26 April 2015. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

140 William Street, Perth, Western Australia 6000  
Tel: (08) 6551 9000 Fax: (08) 6551 9001 <http://daps.planning.wa.gov.au/>  
ABN 79 051 750 68



Local government elections may result in a change to local DAP membership if current councillors, who are DAP members, are not re-elected. In this instance, the deputy local DAP members will take the place of the former local DAP members. If both local and alternate (deputy) local members are not re-elected, the local government will need to re-nominate for the Minister's consideration of appointment.

The Council should consider the above matters in selecting nominees as local DAP members.

Local DAP members are entitled to be paid for their attendance at DAP training and at DAP meetings, unless they fall within a class of persons excluded from payment.

Members who are not entitled to payment of sitting, training and State Administrative Tribunal attendance fees include Federal, State and local government employees, active or retired judicial officers and employees of public institutions. These DAP members are not entitled to be paid without the Minister's consent, and such consent can only be given with the prior approval of Cabinet. This position is in accordance with *Premier's circular – State Government Boards and Committees Circular (2010/02)*.

Further information, including DAP location maps and the Premier's Circular, is available online at <http://daps.planning.wa.gov.au>.

Local representation is vital to DAPs. If no nominations are received by 28 March, 2013, or if I have not allowed the local government a longer nomination period, regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, enables me to include on the local government register a person who is an eligible voter of your local government district and who has relevant knowledge or experience that will enable that person to represent the interest of the local community of your district.

An Expression of Interest for specialist members was advertised in December 2012, with applications closing on 25 January, 2013. You will be advised of the new specialist members once they have been appointed by the Minister.

If you have any queries regarding this request for nominations, please contact Karen Newman at the DAPs secretariat – phone 6551 9604 or email [Karen.newman@planning.wa.gov.au](mailto:Karen.newman@planning.wa.gov.au).

Yours sincerely



Eric Lumsden PSM  
Director General

**DEVELOPMENT ASSESSMENT PANEL NOMINATION FORM**

<b>Local Government:</b>	<b>DAP Name:</b>
<b>Nominated Local DAP Member 1</b>	<b>Nominated Alternate Local Member 1</b>
Name: Address:  Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):	Name: Address:  Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):
<b>Nominated Local DAP Member 2</b>	<b>Nominated Alternate Local Member 2</b>
Name: Address:  Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):	Name: Address:  Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):

**Note:** Employer name and position details are required for Cabinet submission and to determine if the nominee is entitled to be paid fees in accordance with the Premiers Circular 2010/02.

Name and contact details of local government minute taker and/or DAP meeting contact (if known):

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**DAP Secretariat Use**

Date received: \_\_\_\_\_ Officer Name: \_\_\_\_\_ Date Registered: \_\_\_\_\_

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

**09. Lot 1 (90) Pomeroy Road, Walliston - Application to Keep More Than Two Dogs**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Health and Ranger Services
File Reference	RA-ANC-011: ICS-50190
Applicant	Patricia Skilton
Owner	Patricia Skilton

**PURPOSE**

1. To consider an application for an exemption under Section 26(3) of the *Dog Act 1976* to keep more than two dogs.

**BACKGROUND**

2. The applicant at Lot 1 (90) Pomeroy Road, Walliston, has recently applied to Council requesting permission to keep more than two dogs on their property.

**DETAILS**

3. The applicant is requesting approval to keep the following dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Reg Number	Age	Local Authority
1.	Staffy Cross	F	Yes	Tan	Bonnie	15-0755	12	Kalamunda
2.	Papillion	F	Yes	Tri Colour	Sweetie	15-0754	2	Kalamunda
3.	Maltese	F	Yes	White	Nina	15-0753	11	Kalamunda

4. In considering the merit of the application, an inspection was undertaken by Ranger Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing three dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
5. The property at Lot 1 (90) Pomeroy Road, Walliston is 2 hectares and zoned Rural Landscape Interest.

**STATUTORY AND LEGAL IMPLICATIONS**

6. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.

7. Clause 3.2 of the Local Law reads:
- “3.2 Limitation on the number of dogs**
1. This clause does not apply to premises which have been –
- (a) licensed under part 4 as an approved kennel establishment; or
  - (b) granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age.”
8. If Council refuses to permit three dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

### POLICY IMPLICATIONS

9. Nil.

### PUBLIC CONSULTATION/COMMUNICATION

10. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant’s property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.
11. There are six adjoining properties within the vicinity of the applicant’s property that may be directly affected, see location map. The occupants of these properties have been contacted by the attending Ranger, four properties have supported the application and two properties did not respond.

### Location Map



## **FINANCIAL IMPLICATIONS**

12. Nil.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

13. Nil.

### **Sustainability Implications**

#### Social Implications

14. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or convenience of neighbours within the immediate vicinity of the property concerned.

#### Economic Implications

15. Nil.

#### Environmental Implications

16. Nil.

## **OFFICER COMMENT**

17. In considering this application for exemption, the following two options are available:
- a. Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or
  - b. Council may refuse permission to keep more than two dogs.
18. As part of the assessment process, the Shire has not received any formal complaints regarding these dogs.
19. It is in the opinion of the inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing three dogs. The Ranger can also confirm that the fences and gates are compliant with the *Dog Act 1976*.
20. It is recommended that the application to keep more than two dogs is supported and is noted that this approval may be varied or revoked should any dog complaints be received which are considered reasonable.

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

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 09/2013)**

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of at Lot 1 (90) Pomeroy Road, Walliston, to keep three dogs on this property.

Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (10/0)**

---

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

**10. Lot 49 (22) Range View Road, High Wycombe - Application to Keep More Than Two Dogs**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Health and Ranger Services
File Reference	RA-ANC-011: ICS-48376
Applicant	Desmond Maddock
Owner	Department of Housing

**PURPOSE**

1. To consider an application for an exemption under Section 26(3) of the *Dog Act 1976* to keep more than two dogs.

**BACKGROUND**

2. The applicant at Lot 49 (22) Range View Road, High Wycombe, has recently applied to Council requesting permission to keep more than two dogs on their property.

**DETAILS**

3. The applicant is requesting approval to keep the following dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Registration Number	Age	Local Authority
1.	Shih Tzu	M	No	Tri Colour	Peter Rabbit	15-0249	4	Kalamunda
2.	Shih Tzu	F	No	Black & White	Jarra	14-2414	4	Kalamunda
3.	Shih Tzu	F	No	Black & White	Suzie	14-2413	1	Kalamunda

4. In considering the merit of the application, an inspection was undertaken by Ranger Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing three dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
5. The property at Lot 49 (22) Range View Road, High Wycombe is 925sqm and zoned Residential.

**STATUTORY AND LEGAL IMPLICATIONS**

6. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.

7. Clause 3.2 of the Local Law reads:

**“3.2 Limitation on the number of dogs**

1. This clause does not apply to premises which have been –
  - (a) licensed under part 4 as an approved kennel establishment; or
  - (b) granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age.”
8. If Council refuses to permit three dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

**POLICY IMPLICATIONS**

9. Nil.

**PUBLIC CONSULTATION/COMMUNICATION**

10. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant’s property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.
11. There are fourteen adjoining properties within the vicinity of the applicant’s property that may be directly affected, see location map. The occupants of these properties have been contacted by the attending Ranger, ten properties have supported the application, two properties did not respond and two properties are vacant.

**Location Map**





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## FINANCIAL IMPLICATIONS

12. Nil.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

13. Nil.

### Sustainability Implications

#### Social Implications

14. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or convenience of neighbours within the immediate vicinity of the property concerned.

#### Economic Implications

15. Nil.

#### Environmental Implications

16. Nil.

## OFFICER COMMENT

17. In considering this application for exemption, the following two options are available:
- a. Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or
  - b. Council may refuse permission to keep more than two dogs.
18. As part of the assessment process, the Shire has not received any formal complaints regarding these dogs. However it is noted, that one of the dogs was impounded in March 2012. A caution was issued as a result, for the offence *S31(3) Dog not held by a leash in certain public places*.
19. The owner of the property has given permission for the applicant to have three dogs on the property.
20. It is in the opinion of the inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing three dogs. The Ranger can also confirm that the fences and gates are compliant with the *Dog Act 1976*.
21. It is recommended that the application to keep more than two dogs is supported and is noted that this approval may be varied or revoked should any dog complaints be received which are considered reasonable.

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

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 10/2013)**

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of at Lot 49 (22) Range View Road, High Wycombe, to keep three dogs on this property.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

**11. Lot 69 (98) Kalamunda Road, Kalamunda - Application to Keep More Than Two Dogs**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Health and Ranger Services
File Reference	RA-ANC-011: ICS-51116
Applicant	Susan Michele Heywood
Owner	MJ & SM Heywood

**PURPOSE**

1. To consider an application for an exemption under Section 26(3) of the *Dog Act 1976* to keep more than two dogs.

**BACKGROUND**

2. The applicant at Lot 69 (98) Kalamunda Road, Kalamunda, has recently applied to Council requesting permission to keep more than two dogs on their property.

**DETAILS**

3. The applicant is requesting approval to keep the following dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Registration Number	Age	Local Authority
1.	Shih Tzu	M	Yes	White/Gold	Curtis	15-0570	7	Kalamunda
2.	Shih Tzu	F	Yes	Grey/Black	Chloe	15-0569	5	Kalamunda
3.	Minature Schnauzer	F	Yes	Black/Silver	Stella	15-0568	7 mths	Kalamunda

4. In considering the merit of the application, an inspection was undertaken by Ranger Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing three dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
5. The property at Lot 69 (98) Kalamunda Road, Kalamunda is 2000sqm and zoned Residential.

**STATUTORY AND LEGAL IMPLICATIONS**

6. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.

7. Clause 3.2 of the Local Law reads:
- “3.2 Limitation on the number of dogs**
1. This clause does not apply to premises which have been –
    - (a) licensed under part 4 as an approved kennel establishment; or
    - (b) granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age.”
8. If Council refuses to permit three dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

## POLICY IMPLICATIONS

9. Nil.

## PUBLIC CONSULTATION/COMMUNICATION

10. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant's property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.
11. There are four adjoining properties within the vicinity of the applicant's property that may be directly affected, see location map. The occupants of these properties have been contacted by the attending Ranger, two properties have supported the application and two properties did not respond.

## Location Map



## FINANCIAL IMPLICATIONS

12. Nil.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

13. Nil.

### Sustainability Implications

#### Social Implications

14. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or convenience of neighbours within the immediate vicinity of the property concerned.

#### Economic Implications

15. Nil.

#### Environmental Implications

16. Nil.

## OFFICER COMMENT

17. In considering this application for exemption, the following two options are available:
- a. Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or
  - b. Council may refuse permission to keep more than two dogs.
18. As part of the assessment process, the Shire has not received any formal complaints regarding these dogs.
19. It is in the opinion of the inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing three dogs. The Ranger can also confirm that the fences and gates are compliant with the *Dog Act 1976*.
20. It is recommended that the application to keep more than two dogs is supported and is noted that this approval may be varied or revoked should any dog complaints be received which are considered reasonable.

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

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 11/2013)**

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of at Lot 69 (98) Kalamunda Road, Kalamunda, to keep three dogs on this property.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

**12. Lot 102 (217) Pomeroy Road, Lesmurdie - Application to Keep More Than Two Dogs**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Health and Ranger Services
File Reference	RA-ANC-011: ICS-51465
Applicant	Robin Carole Lyons
Owner	RA Lyons & CM Lyons

**PURPOSE**

1. To consider an application for an exemption under Section 26(3) of the *Dog Act 1976* to keep more than two dogs.

**BACKGROUND**

2. The applicant at Lot 102 (217) Pomeroy Road, Lesmurdie, has recently applied to Council requesting permission to keep more than two dogs on their property.

**DETAILS**

3. The applicant is requesting approval to keep the following dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Registration Number	Age	Local Authority
1.	Poodle	F	Yes	Black	Trixie	13-0946	14 ¾ yrs	Kalamunda
2.	Poodle/ Shih Tzu	F	Yes	Blonde	Georgie	13-0945	14 ¾ yrs	Kalamunda
3.	Poodle	M	Yes	Black	Peppe	15-01507	7	Kalamunda

4. In considering the merit of the application, an inspection was undertaken by Ranger Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing three dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
5. The property at Lot 102 (217) Pomeroy Road, Lesmurdie is 4307sqm and zoned Urban.

**STATUTORY AND LEGAL IMPLICATIONS**

6. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.

7. Clause 3.2 of the Local Law reads:  
"3.2 Limitation on the number of dogs
  1. This clause does not apply to premises which have been –
    - (a) licensed under part 4 as an approved kennel establishment; or
    - (b) granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age."
8. If Council refuses to permit three dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

## POLICY IMPLICATIONS

9. Nil.

## PUBLIC CONSULTATION/COMMUNICATION

10. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant's property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.
11. There are five adjoining properties within the vicinity of the applicant's property that may be directly affected, see location map. The occupants of these properties have been contacted by the attending Ranger, three properties have supported the application and two properties did not respond.

## Location Map





## FINANCIAL IMPLICATIONS

12. Nil.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

13. Nil.

### Sustainability Implications

#### Social Implications

14. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or convenience of neighbours within the immediate vicinity of the property concerned.

#### Economic Implications

15. Nil.

#### Environmental Implications

16. Nil.

## OFFICER COMMENT

17. In considering this application for exemption, the following two options are available:
- a. Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or
  - b. Council may refuse permission to keep more than two dogs.
18. As part of the assessment process, the Shire has not received any formal complaints regarding these dogs.
19. It is in the opinion of the inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing three dogs. The Ranger can also confirm that the gates and fences are compliant with the *Dog Act 1976*.
20. It is recommended that the application to keep more than two dogs is supported.

<b>Voting Requirements: Simple Majority</b>
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**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 12/2013)**

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of at Lot 102 (217) Pomeroy Road, Lesmurdie, to keep three dogs on this property.

Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

**13. Lot 484 (69) Lyndhurst Road, Kalamunda - Application to Keep More Than Two Dogs**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Health and Ranger Services
File Reference	RA-ANC-011: ICS-51887
Applicant	Kerry Hawdon
Owner	BW Hawdon

**PURPOSE**

1. To consider an application for an exemption under Section 26(3) of the *Dog Act 1976* to keep more than two dogs.

**BACKGROUND**

2. The applicant at Lot 484 (69) Lyndhurst Road, Kalamunda, has recently applied to Council requesting permission to keep more than two dogs on their property.

**DETAILS**

3. The applicant is requesting approval to keep the following dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Registration Number	Age	Local Authority
1.	Poodle/Maltese	F	Yes	White	Sugar	14-1408	9	Kalamunda
2.	Jack Russel /Shih Tzu	M	Yes	Brown/White	Felix	14-1407	10	Kalamunda
3.	Cavoodle	M	Yes	Tan	Ted	15-1958	6 mths	Kalamunda

4. In considering the merit of the application, an inspection was undertaken by Ranger Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing three dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
5. The property at Lot 484 (69) Lyndhurst Road, Kalamunda, is 1032sqm and zoned Residential.

**STATUTORY AND LEGAL IMPLICATIONS**

6. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.

7. Clause 3.2 of the Local Law reads:  
"3.2 Limitation on the number of dogs
  1. This clause does not apply to premises which have been –
    - (a) licensed under part 4 as an approved kennel establishment; or
    - (b) granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age."
8. If Council refuses to permit three dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

## POLICY IMPLICATIONS

9. Nil.

## PUBLIC CONSULTATION/COMMUNICATION

10. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant's property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.
11. There are six adjoining properties within the vicinity of the applicant's property that may be directly affected, see location map. The occupants of these properties have been contacted by the attending Ranger, four properties have supported the application and two properties did not respond.

## Location Map



## FINANCIAL IMPLICATIONS

12. Nil.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

13. Nil.

### Sustainability Implications

#### Social Implications

14. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or convenience of neighbours within the immediate vicinity of the property concerned.

#### Economic Implications

15. Nil.

#### Environmental Implications

16. Nil.

## OFFICER COMMENT

17. In considering this application for exemption, the following two options are available:
- a. Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or
  - b. Council may refuse permission to keep more than two dogs.
18. As part of the assessment process, the Shire has not received any formal complaints regarding these dogs.
19. It is in the opinion of the inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing three dogs. The Ranger can also confirm that the gates and fences are compliant with the *Dog Act 1976*.
20. It is recommended that the application to keep more than two dogs is supported.

<b>Voting Requirements: Simple Majority</b>
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**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 13/2013)**

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of at Lot 484 (69) Lyndhurst Road, Kalamunda, to keep three dogs on this property.

Moved: **Cr Justin Whitten**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

**14. Preferred Tenderer – Wattle Grove Nature Playspace Cell 9**

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	
Applicant	Nil
Owner	
Confidential Attachment 1	Tender Evaluation Report RFT 1211 <u>Reason for confidentiality.</u> <i>Local Government Act 1995 S5.23 (2) (c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting”.</i>

**PURPOSE**

1. To receive the evaluation report of the tenders received for RFT 1211, to undertake the development of a nature playspace at Lenihan Corner, Wattle Grove. Refer to Locality Plan.

**Locality Plan**

- 2.



**BACKGROUND**

3. In May 2012, the Shire was successful in obtaining \$80,000 in external funding from Lotterywest and \$5,000 from Perth Airport to undertake the construction of a Nature Playspace.

- 
4. The Shire then engaged Nature Play Solutions to assist in undertaking the development of a design for a Nature Playspace at the subject site.
  5. In July 2012, as part of the design process, a public consultation session was held with local residents surrounding the open space to seek feedback and input from the community into the overall design of the playspace.
  6. In August 2012, Council were presented with a draft of the playspace design.
  7. Since this time, the design has been finalised and advertised for the purposes of a Tender for the construction of the playspace.
  8. As such, Council is now presented with the Officers tender evaluation (Confidential Attachment 1) and preferred tenderer recommendation for consideration.

#### **DETAILS**

9. The Nature Playspace playground fulfils one of goals to improve amenity services to residents in the Wattle Grove Cell 9 area as noted in the draft Wattle Grove Landscape Master Plan and the Community Facilities Plan.
10. The site selected for the playspace provides an interactive area in a lineal section of public open space adjoining the Woodlupine Drain and in the future will be connected to the commercial area planned for Hale Road.
11. The three Tender documents were received in accordance with the specifications outlined in the Shire of Kalamunda's Request for Tender RFT 1211.
12. The three tenderer's were Earthcare Landscapes, Environmental Industries and Frogmat Quality Built Landscapes. The tender applications closed on 20 December 2012.
13. All submissions were further assessed against the qualitative and pricing criteria.

#### **STATUTORY AND LEGAL IMPLICATIONS**

14. Nil.

#### **POLICY IMPLICATIONS**

15. Policy PUR1 – The Purchasing Policy has been followed and complied with.

#### **PUBLIC CONSULTATION/COMMUNICATION**

16. A community consultation session was held in May 2012 to seek feedback and input into the design of the playspace from the local community. In December 2012, the design for the Nature based playground was advertised for the purpose of a Tender to undertake the construction works.



17. A total of three submissions were received within the designated timeframes outlined within the tender advertisement.

## FINANCIAL IMPLICATIONS

18. Funding allocation for the project is as follows:

Municipal Funds	\$212,794.91
Lotteries & Airport	\$85,000
Cell 9 Funds	\$38,836.60
<b>Total:</b>	<b>\$336,631.51 (ex GST)</b>

19. The total cost of the project was originally budgeted at \$213,000 based on cost estimates provided by the consultant at that time. The additional cost of the project has been met through a combination of municipal funds allocated from a non-related playground project (\$85,000) not required this financial year and an additional allocation of \$42,794.91 from the Woodlupine Living Stream Project. These budget changes were endorsed by the Council in the quarterly budget review (OCM 191/2012).
20. The allocation of funds as described above was included in the quarterly budget review adopted by Council in December 2012.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

21. *Shire of Kalamunda Strategic Plan 2009-2014*

Goal 1 – COMMUNITY DEVELOPMENT - A strong sense of community

Outcome 1.3 The community have access to a diverse range of recreational opportunities.

Goal 2 – BUILT ENVIRONMENT - An integrated built environment

Outcome 2.2 Development of urban design to meet community aspirations of history, heritage and lifestyle values

Outcome 2.3 Long term viability of infrastructure and facilities.

### Sustainability Implications

#### Social Implications

22. Children's senses will be stimulated by the layout and natural features in this playspace, where curiosity and interaction with other children is encouraged. The playspace encourages a connection with nature as natural materials and features are used. A BBQ and picnic seating will also be provided promoting family interaction.

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### Economic Implications

23. Nil.

### Environmental Implications

24. Mature trees with distinctive features have been retained as part of the playspace. Materials such as logs and the on ground feature tree (dead) will potentially be sourced from Shire operations eliminating chipping or disposal at one of the Shires green waste sites.
25. Water received on site will naturally flow through the vegetated dry stream bed improving water quality prior to entering the Woodlupine drain.
26. Plant species used in the landscape are hardy water wise species and reduce the requirement of ground water.

### **OFFICER COMMENT**

27. In assessing the tenders, Officers reviewed the applicant's experience, skills of project team, adherence with tender requirements and value for money.

### **Earthcare Landscapes**

28. The tender evaluation process indicated that Earthcare Landscapes provided the most favourable application. In particular, the application demonstrated a high level of significant experience in similar and larger type projects including Yokine Playspace and Faulkner Park Playspace. Earthcare Landscapes have also received awards for a number of their previous playspace constructions.
29. In addition, Earthcare Landscapes provided a pricing schedule that met the required needs of the playspace and specifications outlined in the scope of works.

### **Environmental Industries**

30. Environmental Industries provided a good quality application and met most specifications. Some of the prices, however, for specifications and quantity requirements for the tender were inconsistent.

### **Frogmat Quality Built Landscapes**

31. Frogmat's application indicated that they had limited experience in the construction of playspaces of this type. Furthermore, a number of the applicant's specifications/costings did not meet the requirements.
32. In summary, given Earthcare Landscape's significant experience in playspace development, value for money and overall understanding of the scope of works, Officers recommend that Earthcare Landscapes be engaged to undertake the development of the Woodlupine Nature Playspace.

*Councillors did not wish to discuss the confidential attachment and the matter not considered behind closed doors.*

<b>Voting Requirements: Simple Majority</b>
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**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 14/2013)**

That Council:

1. Endorses the recommendation of the Tender evaluation panel to award the tender RFT 1211 for the construction of the Wattle Grove Nature Playspace to EarthCare Landscapes as per (Confidential Attachment 1) for the amount of \$336,631.51 (ex GST).

Moved: **Cr Noreen Townsend**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

**15. CONFIDENTIAL ITEM - Restructure of Technical Services and Infrastructure Operations Business Units**

Reason for confidentiality. *Local Government Act 1995 S5.23 (2) (a) – “a matter affecting an employee or employees”.*

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Infrastructure Operations
File Reference	N/A
Applicant	N/A
Owner	N/A
Confidential Attachment 1	Current Structure <u>Reason for confidentiality.</u> <i>Local Government Act 1995 S5.23 (2) (a) – “a matter affecting an employee or employees”.</i>
Confidential Attachment 2	Proposed Structure <u>Reason for confidentiality.</u> <i>Local Government Act 1995 S5.23 (2) (a) – “a matter affecting an employee or employees”.</i>

*Councillors did not wish to discuss this confidential item and the item was not considered behind closed doors.*

<b>Voting Requirements: Simple Majority</b>
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**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 15/2013)**

That Council:

1. Approves the amalgamation of the Technical Services and Infrastructure Operations Business Units and the creation of the following teams Asset Management, Survey and Design, Infrastructure Services, Community Facility Maintenance, Project Delivery and Operations Support Services as per (Confidential Attachment 2).

Moved: **Cr Noreen Townsend**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (10/0)**

**10.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

10.1 Nil.

**11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**

11.1 Cr John Giardina – Orchardists Query - Agricultural Department

Q. Could staff please follow-up with the Agricultural Department regarding an expected report in response to the Shire's communication with them?

A. Manager Development Services noted that a letter had been received from the Agricultural Department in response to the Shire's correspondence, he will arrange for a copy to be sent to Cr Giardina; a copy has been made available to the Hills Orchardist Group.

11.2 Cr Justin Whitten – Resident – Wandoo Road

Q. I have received a complaint from a Wandoo Road resident regarding his neighbour's unmaintained garden and home which he feels is a fire risk. There is also noise pollution caused by a loose part on the solar system. Although the Shire has participated in a mediation process in the past this is an on-going problem, is there anything else that can be done?

A. This question was taken on notice by the Director of Development & Infrastructure Services.

**12.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

12.1 Cr Thomas – Road Signage, Pickering Brook

Q. Cr Thomas referred to a previously submitted question. As the *No Through Road* Sign at the entrance to the end section of Pickering Brook Road appears to be inadequate, can it be changed to be more noticeable and to include *No Turning Circle for Trucks* or something to that affect?

A. The Director Development & Infrastructure Services noted that this had been examined by the Manager Infrastructure Operations and an approach will be made to MRWA for approval of changed wording for a sign.

**13.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

13.1 Nil.

**14.0 MEETING CLOSED TO THE PUBLIC**

14.1 Nil.

**15.0 CLOSURE**

15.1 There being no further business the Chairman declared the meeting closed at 7.41pm.

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

Signed: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2013