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Shire of Kalamunda

# Ordinary Council Meeting Agenda

Monday 21 May 2012

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Agenda for Ordinary Council Meeting 21 May 2012

### **Separate Document**

Minutes of Ordinary Council Meeting 16 April 2012

Report of Development and Infrastructure Services  
Committee Meeting 7 May 2012

Report of Corporate and Community Services  
Committee Meeting 14 May 2012



## **NOTICE OF MEETING ORDINARY COUNCIL MEETING**

Councillors

Notice is hereby given that the next meeting of the Ordinary Council Meeting will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on:

**21 May 2012 commencing at 6.30pm**

For the benefit of members of the public, attention is drawn to the following requirements as adopted by Council.

### **Open Council Meetings – Procedures**

1. All Council Meetings are open to the public, except for matters raised by Council under Item No. 15.0 of the Agenda.
2. Members of the public may ask a question at an Ordinary Council Meeting under Item 3.0 of the Agenda.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the Shire President opens '*question time*' under Item 3.0 of the Agenda.
4. All other arrangements are in accordance with Council's Standing Orders, Policies and decision of the Shire or Council.



James Trail  
**Chief Executive Officer**  
17 May 2012

\*\* Dinner will be served at 5.30pm \*\*



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## **AGENDA**

### **1.0 OFFICIAL OPENING**

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

2.1 Apology – Cr Noreen Townsend – North Ward

### **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 Council. For the purposes of Minuting, these questions and answers are summarised.

### **4.0 PETITIONS/DEPUTATIONS**

### **5.0 APPLICATIONS FOR LEAVE OF ABSENCE**

#### **5.1 Application for Leave of Absence – Cr Martyn Cresswell**

That Cr Martyn Cresswell be granted Leave of Absence for the Ordinary Council Meeting of 21 May 2012; Development & Infrastructure Services Committee of 5 June 2012 and Corporate & Community Services Committee of 11 June 2012.

Moved:

Seconded:

Vote:

### **6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

6.1 That the Minutes of the Ordinary Council Meeting held on 16 April 2012 are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

#### **Statement by Presiding Member**

"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 16 April 2012".

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**7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

**8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED**

- 8.1 **C & C 40 Future of Lesmurdie School Community Library** – provided under separate cover  
Reason for confidentiality  
*Local Government Act 1995: Section 5.23(2) (c), "A contract entered into, or which may be entered into by the local government and which relates to a matter to be discussed at the meeting."*

**9.0 DISCLOSURE OF INTERESTS**

**9.1 Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (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*.)

**9.2 Disclosure of Interest Affecting Impartiality**

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

**10.0 REPORT TO COUNCIL**

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



## **10.1 Development and Infrastructure Services Committee Report**

### **10.1.1 Adoption of Development and Infrastructure Services Committee Report**

That the recommendations contained in the Development and Infrastructure Services Committee of 2 April 2012 be adopted.

Moved:

Seconded:

Vote:

### **10.1.2 D&I 38 Fifteen Multiple Dwellings – Lot 3 (18) Heath Road, Kalamunda**

That Council:

1. Determines that the use is consistent with the objectives of the particular zone and is therefore permitted.
2. Approves the application dated 7 February 2012 to build 15 multiple dwellings at Lot 3 (18) Heath Road, Kalamunda, subject to the following conditions:
  - a. The access way shall be suitably constructed, sealed and drained to the satisfaction of the Shire.
  - b. The crossover shall be designed and constructed to the satisfaction of the Shire.
  - c. Vehicle parking, manoeuvring and circulation areas to be suitably constructed, sealed, kerbed, line marked and drained to the satisfaction of the Shire.
  - d. The redundant crossover is to be removed, and the verge and kerbing reinstated to the Shire's satisfaction.
  - e. The balcony screening being maintained by the owner to the Shire's satisfaction.
  - f. An amended landscape plan showing the existing Marri tree in the south east corner of the property being retained, and an additional street tree being planted on the adjoining verge, either a *Eucalyptus spathulata* or *Eucalyptus luecoxylon* "Rosea", being at least 1m from the proposed crossover. The amended landscape plan is to be approved by the Shire prior to the building licence being issued.
  - g. The proposed landscaping being planted within 28 days of the proposed development's completion, and maintained thereafter by the landowner (Strata management group) to the Shire's satisfaction.
  - h. A geo-technical report being submitted to and approved by the Shire prior to the building licence being issued.
  - i. Stormwater being contained on site to the Shire's satisfaction.

- j. The applicant making the necessary arrangements for a waste bin contractor to enter the property and service the receptacles from the designated bin storage enclosures.
- k. The external colour and material details of the proposed dwellings being provided to, and approved by the Shire prior to the building licence being issued.
- l. A Construction Management Plan be prepared by the applicant addressing the following, but not limited to:
  - Construction Workers' Parking
  - Materials Delivery and Storage
  - Workers' Toilets
 To the satisfaction of the Manager Development Services, prior to the issue of a Building Licence.

**10.1.3. D&I 39 Lot 112 (37) Norwich Way, High Wycombe- Modification to Structure Plan - High Wycombe Urban Area, Larwood Crescent - Stage 2**

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 39/2012)**

That Council:

- 1. Supports the proposed modification to the adopted Structure Plan for Stage 2 Larwood Crescent, High Wycombe to allow for a change in density of 37 Norwich Way from R20 to R30.
- 2. Requests the proposed modification be forwarded to the WA Planning Commission for their endorsement.

**10.1.4. D&I 40 Lot 7 (7) Emanuel Court, Wattle Grove – Proposed Scheme Amendment – Additional Use (Art Gallery)**

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 40/2012)**

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. 47

That Council in pursuance of Part 5 of the *Planning and Development Act 2005*, amends the Local Planning Scheme No. 3. by inserting into Schedule 2 (Additional Uses) of the Scheme Text, the following:

No.	Description of Land	Additional Use	Conditions
47	7 Emmanuel Court, Wattle Grove	Art Gallery	An art gallery is not permitted unless approval is granted by Council ("D").

2. Subject to amendment documents and the required administration fee being submitted, the 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.

### 10.1.5 D&I 41 Lot 100 (17) Emanuel Court Wattle Grove - Application to Keep More Than Two Dogs

#### COMMITTEE RECOMMENDATION TO COUNCIL (D&I 41/2012)

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*, grants the exemption to the applicant of 17 Emanuel Court, Wattle Grove to keep three dogs on this property.

**10.1.6 D&I 42 Lot 210 (10) Briza Lane, Forrestfield - Application to Keep More Than Two Dogs**

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 42/2012)**

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*, grants the exemption to the applicant of 10 Briza Lane, Forrestfield to keep three dogs on this property.

**10.1.7 D&I 43 Lot 201 (290) Welshpool Road East, Carmel - Application to Keep More Than Two Dogs**

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 43/2012)**

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*, grants the exemption to the applicant of 290 Welshpool Road East, Carmel to keep three dogs on this property.

**10.1.8 D&I 44 Bulk Kerbside Collection**

**COMMITTEE RECOMMENDATION TO COUNCIL (D&I 44/2012)**

That Council:

1. Does not proceed with the in house bulk verge collection as adopted at the May OCM 2011 and requests a further report on the options for future bulk verge collection.
2. Notes that the Shire will exercise the option to extend the current contract T0708 for a further 12 month period with Western Maze.



## **10.2 Corporate and Community Services Committee Report**

### **10.2.1 Adoption of Corporate and Community Services Committee Report**

That the recommendations contained in the Corporate and Community Services Committee of 10 April 2012, except withdrawn item C&C 37 and C&C 40, be adopted.

Moved:

Seconded:

Vote:

### **10.2.2 C&C 33 Creditors' Accounts Paid During the Period 28 March 2012 to 26 April 2012**

#### **COMMITTEE RECOMMENDATION TO COUNCIL (C&C 33/2012)**

That Council:

1. Receives the list of creditors paid during the period 28 March 2012 to 26 April 2012 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

### **10.2.3 C&C 34 Monthly Financial Statements for the Nine Months to 31 March 2012**

#### **COMMITTEE RECOMMENDATION TO COUNCIL (C&C 34/2012)**

That Council:

1. Receives the monthly financial statement for the period ended 31 March 2012, which comprises:
  - Statement of Financial Position
  - Equity Statement
  - Statement of Comprehensive Income by Nature and Type
  - Statement of Comprehensive Income by Program
  - Rate Setting Statement
  - Reserve Balances Statement

**10.2.4 C&C 35 Debtors and Creditors Reports for the Period Ended 31 March 2012**

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 35/2012)**

That Council:

1. Receives the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports for the period ended 31 March 2012.

**10.2.5 C&C 36 Rates Debtors Report for the Period Ended 31 March 2012**

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 36/2012)**

That Council:

1. Receives the rates debtors report for the period ended 31 March 2012 (Attachment 1).

**10.2.6 C&C 38 Kalamunda Home and Community Care – March (2012) Quarterly Report**

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 38/2012)**

That Council:

1. Receives the Kalamunda Home and Community Care Services March 2012 Quarterly Review.

**10.2.7 C&C 39 Quarterly Progress Report – January to March 2012**

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 39/2012)**

That Council:

1. Receives the Quarterly Interplan Progress Report for January to March 2012.

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**For Separate Consideration**

**10.2.8 C&C 37 Nominations for Membership – Hartfield Park Advisory Committee and Kostera Oval Advisory Committee**

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 37/2012)**

That Council:

1. Appoints David Brady representing Kalamunda Senior High School and Glenn Docherty representing Kalamunda Cricket Club, to the Kostera Oval Advisory Committee.
2. Appoints David Meier as a Deputy, representing Kalamunda Districts Hockey Club, to the Hartfield Park Advisory Committee.
3. Accepts the resignation of Heinz Luik from the Hartfield Park Advisory Committee.
4. Appoints Carlos Mendes as the member, representing the Forrestfield Soccer Club, to the Hartfield Park Advisory Committee.

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

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**10.2.9 C&C 40 CONFIDENTIAL ITEM- Future of Lesmurdie School Community Library**

Reason for confidentiality

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

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 40/2012)**

That Council:

1. Agrees to issue a discussion paper on the closure of the Lesmurdie School Community Library for a 60 day comment period.

Moved:

Seconded:

Vote:



**10.3 Chief Executive Officer's Report****10.3.1 Metropolitan Local Government Review Panel Findings – Submission from the Shire of Kalamunda**

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Office of CEO
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Draft Metropolitan Local Government Review Panel Findings – Submission from the Shire of Kalamunda – December 2011

**PURPOSE**

1. To seek Council endorsement of the attached Draft Metropolitan Local Government Review Panel Findings – Submission from the Shire of Kalamunda – December 2011.

**BACKGROUND**

2. An independent panel was established in June 2011 by the Minister for Local Government to review metropolitan local governments. The panel comprises:
  - Professor Alan Robson – Vice Chancellor of UWA - Chairman
  - Dr Peter Tannock former Vice Chancellor of Notre dame university
  - Dr Sue van Leeuwen CEO of Leadership WA.
3. The panel's purpose is to recommend appropriate boundaries and governance models for local governments in the Perth metropolitan area.
4. An issues paper was released by the panel on 31 October 2011 and called for submissions by the 23 December 2011.
5. As part of the Panel brief it is to make recommendations to the Minister of Local Government and the draft findings have been issued for public comment on 27 April 2012. Comment submissions are to be provided by 24 May 2012.

## **DETAILS**

6. The terms of reference of the panel are
  1. Identify current and anticipated specific regional, social, environmental and economic issues affecting, or likely to affect, the growth of metropolitan Perth in the next 50 years.
  2. Identify current and anticipated national and international factors likely to impact in the next 50 years.
  3. Research improved local government structures, and governance models and structures for the Perth metropolitan area, drawing on national and international experience and examining key issues relating to community representation, engagement, and accountability and State imperatives among other things the panel may identify during the course of the review.
  4. Identify new local government boundaries and a resultant reduction in the overall number of local governments to better meet the needs of the community.
  5. Prepare options to establish the most effective local government structures and governance models that take into account matters identified through the review including, but not limited to, community engagement, patterns of demographic change, regional and State growth and international factors which are likely to impact.
  6. Present a limited list of achievable options together with a recommendation on the preferred option.
7. The Shire has developed a response submission to the Panel's findings shown as Attachment 1 to this report.

## **STATUTORY AND LEGAL IMPLICATIONS**

8. Nil.

## **POLICY IMPLICATIONS**

9. Nil.

## **PUBLIC CONSULTATION/COMMUNICATION**

10. Nil.

## **FINANCIAL IMPLICATIONS**

11. Nil.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

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

**5.1 Governance and planning** - Provide ethical governance and ensure appropriate levels of corporate planning for effective management.

**Sustainability Implications**

Social implications

13. Local Government reform is likely to impact on the way services are delivered to the community.

Economic Implications

14. The cost of Local Reform in other State's is well documented and very costly.

Environmental Implications

15. Nil

**OFFICER COMMENT**

16. The Shire submission agrees with some of the finds and disagrees with others.

**OFFICER RECOMMENDATION**

That Council:

1. Endorses the Draft Metropolitan Local Government Review Panel Findings – Submission from the Shire of Kalamunda – May 2012 and request the submission be lodged on 24 May 2012.

Moved:

Seconded:

Vote:



**Metropolitan Local Government Review****DRAFT FINDINGS****Shire of Kalamunda Responses****May 2012****Shire of Kalamunda Overarching Response to the Draft Findings**

The Shire of Kalamunda believe the findings tend to stereotype Local Governments (LGs) which is disappointing particularly given many communities in the Perth metro area tend to value their individuality and are proud of the uniqueness of their local communities of interest. Notwithstanding this the Shire of Kalamunda does agree there is much to be gained by way of improvement to Local Government practices from which the reform process can provide the catalyst for change to more consistent and uniform practices of Local Government (LG).

It is the view of the Shire of Kalamunda the State Government (SG) should take great care when considering its approach to Local Government Reform. If amalgamations are to go ahead which the Shire agrees is necessary in most cases and urgent particularly for the inner metropolitan area, the State Government should firstly develop a roll out strategy focussing on amalgamations of the small inner city Local Governments; potentially creating up to four to six Local Government authorities that would align with the Pane's philosophy for reform and have the capacity to deal with employment self-sufficiency, community services for aging populations and changing demographics as well as being financially sustainable. Outer metropolitan Local Government authorities, as identified in Directions 2031 and beyond, are growth councils with significant development to go ahead in the next decade which will provide for sustainable and optimal operating levels.

The Outer Metropolitan Regional Strategy as detailed in Directions 2031 and beyond should be used to guide development and time should be allowed for the existing outer metropolitan Local Governments to deal with the growth that will occur in these regions through to 2031. Amalgamations of outer metropolitan Local Governments should be reconsidered after 2025 when infill and increased densities have been realised. It is believed the cost of amalgamations in most outer metropolitan Local Governments would clearly outweigh the benefits in the short to medium term.



**Metropolitan Local Government Review  
DRAFT FINDINGS  
Shire of Kalamunda Responses**

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<b>Panel's findings</b>	<b>Shire of Kalamunda response</b>
<b>1. Enhanced strategic thinking and leadership across the State and local government sector and the wider community will be required to manage the extraordinary growth of metropolitan Perth over the next 50 years.</b>	<p>The Department of Local Government has legislated for the introduction of a new Integrated Planning Framework which will drive all LG's into the realm of enhanced strategic thinking and leadership if they are to comply with the new legislation.</p> <p>The Panel's finding could be considered already superfluous or superseded by LGs who have progressed the Integrated Planning Framework.</p> <p>The Panel's finding needs to be far more specific and tangible if it is intended to drive LG into the future. This finding should describe clearly how LG and SG and the community sectors will deliver enhanced strategic thinking and leadership otherwise this finding has very little substance in its current form and is simply academic and esoteric.</p>
<b>2. The current local government arrangements will not provide the best outcomes for the community into the future. The status quo cannot and should not remain.</b>	<p>Shire of Kalamunda disagrees with this finding.</p> <p>The Panels finding suggest all LGs are operating at the same levels. This is totally incorrect and highlights the Panel's lack of understanding of the differences across all the metropolitan Councils. The panel have made a sweeping stereotypical judgement.</p> <p>Shire of Kalamunda agrees the status quo is not desirable for many LGs but there is a clear delineation to be made between the Councils. Some inner metropolitan councils are not sustainable and are not delivering the best outcomes whereas some larger outer metro councils are. The Panel's findings are leading the SG into suggesting the entire sector is broken.</p>

**Metropolitan Local Government Review  
DRAFT FINDINGS  
Shire of Kalamunda Responses**

Panel's findings	Shire of Kalamunda response
<p>3. The Panel envisages the outcome of the Review to be stronger, more effective and more capable local government sector, with an enhanced role and greater authority.</p>	<p>The Shire of Kalamunda agrees. However it is essential that size is not a determining factor. Things such as</p> <ul style="list-style-type: none"> <li>• Spread of rate base mix to ensure sustainability</li> <li>• Ability to generate efficiencies and attract quality staff</li> <li>• Increase strategic capacity</li> <li>• Better use of infrastructure</li> <li>• Reduced reliance on rates as a result of the development of other revenue streams</li> </ul> <p>For example in some Local Governments the rate in the dollar is significantly lower than its neighbouring Councils, hence amalgamation would result in residents having significant increases in neighbouring areas without increases and efficiencies in service.</p>
<p>4. <b>Uncertainty about the future needs to be addressed by prompt and decisive government decision making.</b></p>	<p>Shire of Kalamunda agrees with this finding.</p> <p>The uncertainty of the reform process and length of time being taken is having a significant impact on staff within the sector.</p> <p>If decisions are not swift and a transition period clear the sector will see a "brain drain" of its best and brightest to other sectors and it is highly unlikely the sector will achieve the reform goals of superior strategic thinking and innovative leadership if it does not have the skilled professional on the ground to drive the change.</p>
<p>5. <b>A shared vision for the future of Perth should be developed by the State government, together with local government, stakeholder and community groups.</b></p>	<p>Shire of Kalamunda agrees with this finding but also believes within the Perth metro area there are so many distinct communities of interest which are connected to having a local identity there is no reason why Local Government localised vision and the overarching State vision cannot coexist.</p> <p>Local Government's should continue with their own vision to create a highly diverse Perth metropolitan area which has lots of distinct and unique communities of interest prevailing.</p>



**Metropolitan Local Government Review  
DRAFT FINDINGS  
Shire of Kalamunda Responses**

Panel's findings	Shire of Kalamunda response
<p>6. A sense of place and local identity can be maintained through appropriate governance regardless of the size of a local government.</p>	<p>Shire of Kalamunda does not agree size is not barrier to retaining a sense of place.</p> <p>The Shire of Kalamunda believes there is an optimal size for Local Governments from both an area and population size perspective.</p> <p>There is a severe risk that if Local Governments are too large a sense of place and local identify can be lost.</p> <p>As described in the findings this is of more relevance to the uniqueness and the particular challenges of Local Government in the hills area. Also a sense of place is much more relevant in the differences in the demands of Local Government in inner and outer areas.</p>
<p>7. The primary benefits to be achieved by the proposed reforms of Perth's Local Government arrangements include:</p> <ul style="list-style-type: none"> <li>a. increased strategic capacity across the Local Government sector;</li> <li>b. a more equitable spread of resources across metropolitan Perth and more equitable delivery of services to all residents;</li> <li>c. reduced duplication and better use of infrastructure;</li> <li>d. a streamlined regulatory environment with greater transparency, simplicity, consistency, and certainty with attendant costs savings for all sectors of the community;</li> <li>e. potential to achieve greater economies of scale;</li> <li>f. increased influence with State and Commonwealth governments reflected in improved funding for community projects;</li> <li>g. the achievement of metropolitan-wide social, economic and environmental goals.</li> </ul>	<p>Shire of Kalamunda agrees with this finding.</p> <p>In the case of medium to large Local Governments it may be difficult to realise these benefits as many are already operating at optimal levels.</p> <p>Whether Local Government Reform will be equitable is also debateable.</p> <p>There are clearly risks Local Government will face if the "economies of scale concept" is pursued too far.</p> <p>For example the experiences have been reported with the SG move to a shared services centre for its various departments has a public reputation for being a huge failure and a massive cost burden.</p> <p>These benefits may appear attractive on the surface but extensive risk assessment should be applied and KPI's and benchmarks established before the report process occurs so the cost and effectiveness of Local Government Reform can be measured.</p> <p>Measuring the effectiveness, of Local Government Reform in other states of Australia is reported as being inadequate so the SG must really be careful to ensure it has measuring processes in place to transparently measure the benefits.</p>



**Metropolitan Local Government Review  
DRAFT FINDINGS  
Shire of Kalamunda Responses**

Panel's findings	Shire of Kalamunda response
	<p>It will be very interesting to know how the SG will measure the effectiveness of, for example benefit (d) a streamlined regulatory environment with greater transparency, simplicity, consistency, and certainty with attendant costs savings for all sectors of the community; or the achievement of metro wide social, economic and environmental goals. Triple bottom line reporting has not been very successful to date.</p>
<p>8. The structure and governance arrangements for Local Government in Perth cannot be considered in isolation from the role and function of Local Government, and from the relationship between State government and Local Governments.</p>	<p>Shire of Kalamunda agrees with this finding.</p>
<p>9. Some functions need to be managed from a metropolitan-wide perspective, including waste disposal and treatment, transport and planning. A shift in responsibility to the State government may be warranted.</p>	<p>Shire of Kalamunda agrees with this finding for some services. In particularly Waste Services should be seen as essential services but the Shire is concerned that the State may struggle to understand waste management. There is a case for a regional council like the EMRC to become a metropolitan wide waste management provider under the auspices of the State government.</p> <p>The Shire has concerns about the State taking over Transport and Planning as there is no clarity in the issues paper regarding what that would mean.</p>
<p>10. Consideration should be given to establishing a Local Government Commission, comprising an Independent chair and persons with significant State and Local Government experience, to manage the relationship between State and Local Government, and to oversee implementation of the reform process.</p>	<p>Shire of Kalamunda can see both benefits and drawbacks associated with the establishment of a Commission.</p> <p>This approach is almost identical to what transpired in South Australia.</p> <p>It is essential if a Commission is established that true independence exists. The independent Chair should report directly to the Minister and oversee the implementation of the reform process. The Chair, through the commission, needs to be able to make decisions to ensure the reform process takes place particularly in the case of recalcitrant Local Government. This approach could provide benefits.</p> <p>History has shown whilst the structure already exists for providing for equalising of the power imbalance, it has obviously failed. So this finding should be considered carefully as to whether a Commission will fall into the same traps and become just another layer of bureaucracy. It would be essential this does not occur.</p>



**Metropolitan Local Government Review  
DRAFT FINDINGS  
Shire of Kalamunda Responses**

Panel's findings	Shire of Kalamunda response
	<p>The key to the improved relationships can only occur if the people in system are willing to work together effectively and putting ego aside, look towards compromises. If the right people with flexible attitudes, creative thinking skills and excellent interpersonal skills were placed in CEO positions then the issues prevailing would be diminished.</p>
<p>11. A redefined Local Government would have its role enhanced including re-empowerment in local planning.</p>	<p>Shire of Kalamunda is unclear about this finding.</p> <p>The Panel's findings state they see a new structure will re-empower Local Government and a return to locally based planning processes will occur.</p> <p>Given the State Government recently took away large scaled planning approvals and placed them into the realm of Development Assessment Panels (DAPS) this is a difficult finding to comprehend. Given Local Government currently have responsibility for Local Planning Strategies etc. then is this finding implying DAPS will be abolished?</p> <p>If this finding is saying that there are other planning responsibilities that currently preside with the State and they are what will be devolved to Local Government then the Shire agrees would be a good outcome.</p>
<p>12. The most appropriate options for Local Government in metropolitan Perth are:</p> <ul style="list-style-type: none"> <li>a. 10 to 12 councils centred on strategic activity centres</li> <li>b. five councils based on the central area and sub-regions.</li> <li>c. one single metropolitan council</li> </ul>	<p>The Shire of Kalamunda believes this finding is too radical.</p> <p>The Shire would like to see no less that 15-20 local government remaining post amalgamation.</p>
<p>13. In any future model, the size of the City of Perth should be increased and its role enhanced.</p>	<p>The Shire is ambivalent to this finding.</p>
<p>14. It is important to make significant change and create a new structure with robust boundaries to minimise the need for further debate and change in the short to medium term.</p>	<p>The Shire of Kalamunda disagrees with this finding if it is to be applied to all metro Local Governments.</p> <p>In the hills area and outer metro because of the differing demands and challenges it may be only minor boundary adjustments are required in the short and medium term.</p>
<p>15. Once a new structure is settled, there should be periodic boundary reviews undertaken by an independent body, to ensure the Local Government structure is optimal for meeting the changing needs of a growing metropolitan region.</p>	<p>The Shire of Kalamunda would agree with this finding as it is a logical progression once structures have changed. Notwithstanding this the Shire of Kalamunda believes there is in outer metro local governments only minor boundary adjustments are required in the short to medium term.</p>



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Panel's findings	Shire of Kalamunda response
<p>16. The creation of larger Local Governments alone will not address all the shortcomings of the present system</p>	<p>The Shire of Kalamunda agrees fully with these findings. In every case form should always follow function.</p> <p>There was strong concern in the community bigger Councils were more prone to risks and corruption and recent publicity being circulated surrounding the financial difficulties being experienced in the Super councils around the world such as Auckland , Birmingham and Vancouver have been held up as models by the State Government is very concerning</p> <p>It is interesting to note that very small councils have sustainability issues.</p> <p>The Towns of Cambridge, Victoria Park and Vincent were historically a part of the North Perth municipality, gazetted in 1901, which was absorbed into the City of Perth in 1915 after becoming unsustainable as an autonomous political entity. In 1993 the Government of Western Australia decided to split up the Local Government Area of the City of Perth, creating three additional local governments and retaining a smaller City of Perth. The new Local Governments were again the Town of Vincent, Town of Cambridge and the Town of Victoria Park.</p> <p>It would appear history shows it is medium sized diverse local governments that seem to have stood the test of time in most cases.</p>
<p>17. Local Government's ability to connect to the community is an important asset. In any new Local Government structure for metropolitan Perth, community engagement must be strengthened, to improve accountability and reduce the power of special interest groups</p>	<p>The Shire of Kalamunda agrees strengthening community engagement to diffuse the power of special interest groups is highly desirable.</p>
<p>18. Local Government must invest in mechanisms encourage the whole community to participate Consideration must be given to the development of formal community engagement networks, which may include the adoption of new institutional arrangements and structures to ensure adequate community engagement and access to council.</p>	<p>The issue for local government will be the resourcing levels needed to undertake broad community engagement.</p> <p>If Local government undertook regular land use planning then the consultation involved in this exercise can provide for a significant debate in the community that can be then used to link to long term plans.</p>



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	<p>Otherwise if community engagement is to be strengthened then the State Government and the community will need to understand there will be a percentage of rates required to achieve this aspiration.</p> <p>By way of example the Shire recently undertook a very small consultation with about 1000 residents about a local reserve. The cost of this consultation was approximately \$30,000 including staff time.</p> <p>To effectively engage with the community a medium sized local government would need at least \$250,000 per year at a minimum to effectively resource an appropriate community engagement program. When budgets are tight this is usually seen as discretionary expenditure. So if increased community engagement is to be mandated it would be prudent to establish how it will operate and be resourced and how staff can be better skilled.</p> <p>It is much easier to conceive altruistic goals than it is to deliver them on the ground.</p>
<p>19. If the new Local Government structure for metropolitan Perth comprises more than one Local Government, a Forum or Council of Perth Mayors should be created, chaired by the Lord Mayor.</p>	<p>The Shire of Kalamunda sees this could be a potential replacement of the role of WALGA. Could a small number of Mayors be more effective at advocacy than WALGA?</p> <p>The Shire is ambivalent about whether another forum which may simply be a waste of time if it has no real purpose and does not achieve results.</p> <p>The finding does not elaborate on why the Lord Mayor should be the chair?</p> <p>Our Mayors are very busy people so if a structure is put in place it would need to be focussed and purposeful.</p>
<p>20. The role of elected members should be reshaped to enhance their capacity for strategic leadership and reduce their involvement in operational matters.</p>	<p>The Shire of Kalamunda agrees that elected members should be strategic in their deliberations, however, there is also a recognition that when dealing with the community operational matters will continue to confront elected members. The challenge for elected members is how they handle these requests and the level of ownership they decide they will take over such issues.</p> <p>This is likely to continue to be a paradox for elected members.</p>



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<p>21. The potential for council controlled organisations / Local Government enterprises should be further considered.</p>	<p>The Shire of Kalamunda agrees with this finding because it would open the way for public private partnerships and new sources of funding.</p>
<p>22. Amendments to governance arrangements for Local Government in metropolitan Perth should include the following:</p> <ul style="list-style-type: none"> <li>a. Introduction of compulsory voting at Local Government elections</li> <li>b. Recognition of the leadership role of elected members</li> <li>c. Election of Mayors by community</li> <li>d. Increased remuneration of elected members</li> <li>e. Training for elected members</li> <li>f. Clarification of the role of CEO and elected members</li> </ul>	<p>In the Shire of Kalamunda the issue of voting was relatively split. There was a small majority of the community (as evidenced in the community focus groups) who believe local government voting should remain voluntary. Similarly the Council was split, with four elected members believing it should be compulsory whilst the others did not.</p> <p>One recurring theme was the belief <i>"if voting was to become compulsory it is perceived it would become more political and adversarial form of government"</i>.</p> <p>It was also seen compulsory voting and increased remuneration will raise the issue of "fulltime" councillors that may be similar to State and Federal members. Does this then open the way for full introduction of party politics into local government. Would this be bad any way or does it just create for metro local government a level of government quite similar to the State. Do we need such similar levels of government?</p> <p>In regards to legislative changes it is the Shire's preference to keep its current ward system with twelve councillors. This is in response to the community focus groups who clearly indicated they did not see a dilution in the number of councillors as a good thing for local democracy. The community response was this would make it more difficult to gain access to elected members when they have much larger electorates or wards to communicate with.</p> <p>However if this issue was forced and the State decided to legislate on the number of Councillors required, then no less than eight would be the counter position for the Shire of Kalamunda, however, It is likely fewer Councillors will result in diminishing the voice of the people and reducing their representation</p>

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	<p>Mayors elected by the community have caused a number of issues within the current framework. Currently there is no way of changing a Mayor mid-term if there is a break down in the working relationship with other members of the Council. Additionally there is no commentary on the electoral cycle, will this stay the same or be changed with the proposed changes to have all Mayors elected by the community.</p> <p>Additional training for elected members is always an issue; perhaps having fulltime councillors will assist in providing them adequate time to attend training. Can see problems with differing remuneration levels for those that attend training - should be minimum level of training required and if not achieved then the member is not "qualified" to continue</p>

**10.3.2 Rates – Refuse Fees Rebate 2012-2013 Budget**

**To be provided under separate cover.**

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- 11.0        MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
  - 12.0        QUESTIONS BY MEMBERS WITHOUT NOTICE**
  - 13.0        QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
  - 14.0        URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY  
DECISION**
  - 15.0        MEETING CLOSED TO THE PUBLIC**
  - 16.0        CLOSURE**