
Shire of Kalamunda

Ordinary Council Meeting Agenda

Monday 24 October 2011

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NOTICE OF MEETING ORDINARY MEETING OF COUNCIL

Councillors,

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

Monday 24 October 2011, commencing at 6.30 pm.

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

20 October 2011

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AGENDA

1.0 OFFICIAL OPENING

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the Public Gallery on matters relating to the functions of Council.

4.0 PETITIONS/DEPUTATIONS

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Leave of Absence – Cr Margaret Thomas

That Cr Margaret Thomas be granted leave of absence for the period 1 November 2011 to 28 November 2011. This leave period will include Planning Services Committee Meeting, Monday 7 November 2011, General Services Committee Meeting, Monday 14 November 2011 and Ordinary Council Meeting, Monday 21 November 2011.

Moved:

Seconded:

Vote:

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting 19 September 2011

That the Minutes of the Ordinary Council Meeting of the Shire of Kalamunda held in the Council Chambers, 2 Railway Road, Kalamunda on 19 September 2011 are confirmed as a true and correct record.

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 19 September 2011.”

6.2 **Special Council Meeting 3 October 2011**

That the Minutes of the Special Council Meeting of the Shire of Kalamunda held in the Council Chambers, 2 Railway Road, Kalamunda on 3 October 2011 are confirmed as a true and correct record.

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 3 October 2011."

6.3 **Special Council Meeting 10 October 2011**

That the Minutes of the Special Council Meeting of the Shire of Kalamunda held in the Council Chambers, 2 Railway Road, Kalamunda on 10 October 2011 are confirmed as a true and correct record.

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 10 October 2011."

6.4 **Special Council Meeting 17 October 2011**

That the Minutes of the Special Council Meeting of the Shire of Kalamunda held in the Council Chambers, 2 Railway Road, Kalamunda on 17 October 2011 are confirmed as a true and correct record.

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 17 October 2011."

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED****9.0 DISCLOSURE OF INTERESTS**Disclosure of Financial and Proximity Interests

- (a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (*Local Government Act 1995* Sections 5.60B and 5.65).
- (b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (*Local Government Act 1995* Sections 5.70 and 5.71)

Disclosure of Interest Affecting Impartiality

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

10.0 REPORT TO COUNCIL

Declaration of Financial/Conflict of interests to be recorded prior to dealing with each item.

10.1 Planning Services Committee Report**10.1.1 Adoption of Planning Services Committee Report**

That the recommendations contained in the Planning Services Committee Report of the 3 October 2011 be adopted.

Moved:

Seconded:

Vote:

10.1.2 PS 39 Lot 16 (8) Stirk Street, Kalamunda - Local Planning Scheme No. 3 Amendment No. 40 – Additional Use (Office)COMMITTEE RECOMMENDATION TO COUNCIL (PS 39/2011)

That Council:

1. Notes the submissions received in respect to Amendment No. 40 to Local Planning Scheme No. 3.

2. Adopts the amendment to Local Planning Scheme No. 3 without modification, 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. 40

That Council, in pursuance of Part 5 of the *Planning and Development Act 2005*, amends 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
46	8 Stirk Street, Kalamunda (Lot 16)	Office	An office is not permitted unless approval is granted by Council ("A").

3. Amends the Scheme Zoning Map accordingly.
4. Duly executes the Amendment documents and forwards them and submissions received to the Minister for Planning requesting final approval be granted.

10.1.3 **PS40 Lot 263 (39) Maida Vale Road, Maida Vale – Modification to Maida Vale Urban Area U6 Structure Plan**

COMMITTEE RECOMMENDATION TO COUNCIL (PS 40/2011)

That Council:

1. Adopts the proposed modification to the Structure Plan by removing the "Community Centre" designation for Lot 263 (39) Maida Vale Road, Maida Vale and replacing it with a Residential Density Code of R40 and forward the modification to the WA Planning Commission for endorsement.

10.1.4 **PS41 Referral from the City of Swan for a Proposed Mobile Phone Tower**

COMMITTEE RECOMMENDATION TO COUNCIL (PS 41/2011)

That Council:

1. Advises the City of Swan that it objects to the proposal for a mobile phone tower at Lot 501 Adelaide Street, Hazelmere for the following reasons:
 - a. Shire's Local Planning Policy DEV 26 – Radio, Television and Communication Facilities/Masts requires mobile phone towers to be at least 500m from sensitive land uses. The proposed mobile phone tower shall be 260m from the residential area, which constitutes a 48 per cent reduction in the minimum 500m distance.
 - b. The proposed mobile phone tower possibly having an unacceptable impact on the health of the local community with respect to radiation emissions.

10.2.1 **Adoption of General Services Committee Report**

That the recommendations contained in the Planning Services Committee Report of the 10 October 2011, except items GS127 and GS130 to be considered separately, be adopted.

Moved:

Seconded:

Vote:

10.2.2 **GS123 Creditors' Accounts Paid During the Period 31 August to 29 September 2011**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 123/2011)

1. That the list of creditors paid during the period 31 August to 29 September 2011 (Attachment 1) be received by Council in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

10.2.3 **GS124 Monthly Financial Statements for the Period ending 31 August 2011**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 124/2011)

1. That the monthly financial statements which comprise the Statement of Financial Position, Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Rate Setting Statement, and Operating Budget Variance Analysis for the period ending 31 August 2011 be received.

10.2.4 **GS125 Debtors and Creditors Reports for the Period ending 28 September 2011**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 125/2011)

1. That the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports as at 28 September 2011 be received.

10.2.5 **GS126 Rates Debtors Report for the Period ending 29 September 2011**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 126/2011)

1. That the rates debtors report as at 29 September 2011 (Attachment 1) be received.

10.2.6 **GS128 Proposed Access Arrangements over Ledger Road Reserve No. 27154, Gooseberry Hill - Optus Mobile Pty Ltd**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 128/2011)

That Council:

1. Refuse to enter into a Deed of Agreement for Access between the Shire of Kalamunda and Optus Mobile Pty Ltd in respect to access over Ledger Road Reserve No. 27154, Gooseberry Hill due to Council's and community opposition to the location of the proposed mobile phone tower
2. Requests Optus Mobile Pty Ltd to prepare and distribute an information package for local residents, user groups of Shire facilities on the Reserve and the Primary School outlining the scope of works for the mobile phone tower, the timeframe for construction, the potential health implications associated, and a point of contact within Optus where residents may address any concerns or queries.

10.2.7 **GS129 Awarding of Tender - Supply of Crushed Ferricrete/Laterite Material (T1122)**

COMMITTEE RECOMMENDATION TO COUNCIL (GS129/2011)

1. That this item be deferred to the October 2011 Ordinary Council Meeting.

Items to be considered separately

10.2.8 **GS127 Department of Sport and Recreation – Kids Sport Program**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 127/2011)

That Council:

1. Pursuant to section *S 6.8 (1)(b) Local Government Act 1995*, amends the Shire of Kalamunda 2011/2012 Budget to include income and expenditure for the Kids Sport Program of \$58,000.

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

10.2.9 **GS130 High Wycombe Library – Reinstatement of the Building**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 130/2011)

That Council:

1. Notes the Structural Condition Report from Marra and Associates.
2. Authorises reinstatement work to proceed at an estimated cost of \$95,000, with the total cost of the project estimated at \$126,285.

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

10.3 Chief Executive Officer's Report

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

10.3.1 Review of Shire of Kalamunda Recreation Committees

Previous Items	OCM 70/2011
Responsible Officer	A/Director Community Development
Service Area	Community Development
File Reference	CO-CCS-001
Applicant	Shire of Kalamunda
Owner	
Attachment 1	Suggested changes to Hartfield Park Advisory Committee
Attachment 2	Suggested changes to Kostera Oval Advisory Committee

PURPOSE

- To review the Terms of Reference for the four major sporting facilities in the Shire with a view to bringing them in line with the Ray Owen Sports Centre Management Committee. The Committees referred to are:
 - Ray Owen Sports Centre Management Committee
 - Scott Reserve Advisory Committee
 - Hartfield Park Advisory Committee
 - Kostera Oval Advisory Committee

BACKGROUND

- A review has been requested by a Councillor to enable each of the major sporting facilities equal representation and an opportunity to meet with Councillors.
- In May this year a review of a number of Management Committees was undertaken. This review included Scott Reserve Management Committee and Ray Owen Sports Centre Management Committee.
- The review included consultation with all the, then current, Committee Members.
- The Ray Owen Sports Centre Management Committee was the only Committee in which the user group members have a significant management and operational role. In contrast to other Committees, members of the Ray Owen Sports Centre Management Committee have a distinct role in managing the facility which includes collection of relevant fees.

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6. The recommendation in May, therefore, was that the Ray Owen Sports Centre Management Committee would remain a Management Committee; however, Scott Reserve would become an Advisory Committee as this Committee does not have a managerial role in the running of the sporting facility.
 7. The frequency of meetings for both these Committees was reduced to four times per year as it was noted that the agendas for these meetings had a bias toward maintenance issues and there are better ways to communicate with the Shire regarding such issues, for example telephone and electronic medium on a day to day basis.

DETAILS

8. Currently neither the Kostera Oval Advisory Committee, Scott Reserve Advisory Committee nor the Hartfield Park Advisory Committee have a managerial role in the running of their sporting facilities.
9. The Scott Reserve Advisory Committee will continue to have Councillor representation on their Committee.
10. The Hartfield Park and Kostera Oval Advisory Committees do not have Councillor representation, nor do the current Terms of Reference allow for this.
11. In keeping with the intent for Advisory Committees and to ensure the application of a more relevant, contemporary responsibilities Terms of Reference similar to those adopted for the Scott Reserve Management Committee could be adopted by the Hartfield Park and Kostera Oval Advisory Committees.
12. Some of the key components introduced in Scott Reserve's Terms of Reference were:
 - A total membership of up to (8) members, all of whom shall be appointed by Council for a term of two (2) years unless Council elects to reappoint any or all members for a further term.
 - A Councillor may be appointed to the Advisory Committee and is empowered to rule that any matter under consideration is to be referred, via the appropriate Committee, to Council for a decision.
 - Extraordinary meetings may be convened by the Committee Secretariat (Shire Officer) in accordance with Clause 5.3, following written requests from in excess of 50% of the current membership with voting rights.
 - Matters arising from the minutes of the Committee's meetings deemed of significance and/or requiring Council decision will be presented to the General Services Committee.

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13. Currently, the Kostera Oval Advisory Committee meets on four occasions per year and the Hartfield Park Advisory Committee meet twice per year.
 14. The Kostera Oval and Hartfield Park Advisory Committees Current Terms of Reference do not have the capacity for Councillor representation.

STATUTORY AND LEGAL IMPLICATIONS

15. All Committees need to comply and be in accordance with the *Local Government Act 1995*, Part 5 – Administration, Division 2 – Council meetings, committees and their meetings and electors' meetings.

POLICY IMPLICATIONS

16. Management and Advisory Committees – Representation, Review and Procedures (CTEE3)

PUBLIC CONSULTATION/COMMUNICATION

17. No consultation has been undertaken with Kostera Oval or Hartfield Park Committee Members; however, no disapproval is anticipated.

FINANCIAL IMPLICATIONS

18. As Committee meetings are normally conducted out of office hours, Shire Officers' have secretarial responsibilities and this time incurs overtime rates, resulting in additional costs to the organisation.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

19. Nil.

Sustainability Implications

Social Implications

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

- 1.3.1 Manage the effective promotion, planning and usage of recreational spaces, services and facilities.

Economic Implications

21. Nil.

Environmental Implications

22. Nil.

OFFICER COMMENT

23. Currently Shire Officers provide support and service to the Kostera Oval and Hartfield Park Advisory Committees, in the form of agenda/minutes development, follow-up actions and distribution, just as they do with the Ray Owen Management Committee and Scott Reserve Advisory Committee.
24. If the more generic Terms of Reference were adopted for Kostera Oval and Hartfield Park then the option for inclusion of a Councillor on these Committees would be standard. This would bring the Committees in closer contact with elected members and provide additional communication opportunities.
25. Any item discussed at an Advisory or Management Committee Meeting requiring Council resolution requires a report to be presented to Council for consideration. The addition of a Councillor on the Advisory Committee would not change this procedure, therefore the option for a Councillor to sit on this Committee has been provided.
26. Should Council wish to receive copies of the Minutes from the four major sporting facility's Committees – that is
- Ray Owen Sports Centre Management Committee
 - Scott Reserve Advisory Committee
 - Hartfield Park Advisory Committee
 - Kostera Oval Advisory Committee

These could be circulated as an appendix to the Councillor Bulletin each month.

RECOMMENDATION

That Council:

1. Adopt the Terms of Reference for the Hartfield Park (Attachment 1) and Kostera Oval Advisory Committees (Attachment 2), to include an option for Councillor representation.
2. Appoints Cr. _____ as Councillor Delegate and Cr _____ as Deputy Councillor Delegate to the Hartfield Park Advisory Committee for a term of two years expiring on the next ordinary election day.
3. Appoints Cr. _____ as Councillor Delegate and Cr _____ as Deputy Councillor Delegate to the Kostera Oval Advisory Committee for a term of two years expiring on the next

ordinary election day.

4. Receive the Minutes from these meetings as an attachment to the Councillor Bulletin.

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

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

10.3.2 Awarding of Tender - Supply of Crushed Ferricrete/Laterite Material (T1122)

Previous Items	GS 89/2011; OCM 84/2011
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	AD-TEN-004
Applicant	N/A
Owner	N/A
Confidential Attachment 1	Summary of Tender Prices for the Supply of Crushed Ferricrete/Laterite Material – Under Separate Cover <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 S5.23(2)(c)</i> – “ a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”
Confidential Attachment 2	Evaluation of Tender Submissions for Compliance Criteria and Qualitative Criteria – Under Separate Cover <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 S5.23(2)(c)</i> – “ a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

PURPOSE

1. To consider awarding the Tender for the Supply of Crushed Ferricrete/Laterite Material (T1122).

BACKGROUND

2. At the 20 June 2011 OCM, Council considered the tender for the Supply of Crushed Ferricrete/Laterite Material, and resolved as follows:
 1. *That pursuant to Regulation 18 (5) of the Local Government (Functions and General) Regulations 1996 Council declines to accept any tender*
 2. *That tenders for the supply and delivery of crushed Ferricrete/Laterite be recalled with greater emphasis on the following Tender Selection Criteria:*
 - a. *Quality – size of product and certification that product is dieback free.*
 - b. *Supply –quantity and delivery timelines.*
 - c. *Price*
3. Accordingly, the Tender for the Supply of (T1122) was readvertised with a modified selection criteria in the West Australian on Saturday 6 August 2011, and closed at 2.00pm on 23 August 2011.

DETAILS

4. Two tender submission were received from:
 - B & J Catalano Pty Ltd
 - Vinci Gravel Supplies Pty Ltd
5. A Summary of Tender Prices for the Supply of Crushed Ferricrete/Laterite Material is shown in (Confidential Attachment 1).
6. An Evaluation of Tender Submissions for Compliance Criteria and Qualitative Criteria is shown in (Confidential Attachment 2).

STATUTORY AND LEGAL IMPLIMENTIONS

7. The Tender is undertaken in accordance with the statutory requirements of Section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. The Tender was advertised as per the statutory requirements.

FINANCIAL IMPLICATIONS

10. The Tender price is within the budget allocation for Engineering Construction and Maintenance projects.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

Engineering Works Construction and Renewal

11. To construct new works infrastructure in a timely and cost- effective manner.
Renew and upgrade the Shire's roads, drainage and pathways infrastructure, through the use of construction crews and contractors.

Engineering Works Maintenance

12. Maintain the Shire's roads, road shoulders and verges, signs, car parks, drainage and pathways infrastructure, through the use of maintenance crews and contractors.

Outcome: 2.1 Meeting communities needs today and into the future.
2.3 Long term viability of infrastructure and facilities.

Sustainability ImplicationsSocial implications

13. Nil.

Economic Implications

14. Nil.

Environmental Implications

15. Nil.

OFFICER COMMENT

16. Both contractors have supplied quality materials to the Shire in the past and have worked well with the Shire Operations for the delivery of materials.
17. Vinci Gravel Supplies Pty Ltd does have a formal quality assurance process with a Quality Assurance Manager. Materials go through a regular specification and quality assurance testing to ensure material meet the required specification in the tender. They can deliver or supply up to 2000 tonne per day.
18. B & J Catalano Pty Ltd takes samples at pre-determined intervals during crushing and then sent for analysis to an independent NATA certified laboratory. Stockpiles are classified according to results obtained that meet the required specification in the tender.
19. B & J Catalano Pty Ltd and Vinci Gravel Supplies Pty Ltd have provided dieback free certification.
20. Vinci Gravel Supplies Pty Ltd has provided lowest prices for the supply and delivery of the materials at various locations within the site. Vinci Gravel Supplies have provided a price based with CPI increases for year two and three rather than a fixed price as requested in the Tender.
21. The prices submitted by B & J Catalano Pty Ltd are the lowest for the supply at their quarry and delivered at the Shire's Operational Centre. They can deliver or supply up to 1500 tonne per day which can satisfy the Shire's needs.
22. The Shire has developed its own capacity to transport bulk materials, which will be further strengthened when two additional trucks with trailers will be purchased as budgeted in the current financial year. The bulk of material used will be purchased as supply only or delivered at Shires' depot in Walliston. On rare occasions, the contractor may be asked to deliver the material on site.

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23. The Shire can terminate the contract if the Contractor fails to comply with any of the terms of the Contract.
 24. In view of the above B & J Catalano's tender is considered to be the most advantageous for the Shire.

RECOMMENDATION

That Council:

1. Awards Catalano Pty Ltd the Tender for the Supply of Crushed Ferricrete/Laterite Material (T1122), for the period of three years from the date of signing documentation with an option to extend a further two 12 month periods based on an annual CPI increase for Perth from the preceding 12 months as per tendered prices in the (Confidential Attachment 1).

Moved:

Seconded:

Vote:

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

10.3.3 Lesmurdie Road - Replacement of Bus Shelters

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	LS-04/GEN
Applicant	Nil
Owner	Nil
Attachment 1	Map – Location of Shelters

PURPOSE

1. To seek Council approval to replace two bus shelters which were damaged in traffic incidents.

BACKGROUND

2. A concrete bus shelter on Lesmurdie Road outside Villa Maria was hit and demolished by a vehicle in April 2011.
3. The residents of Villa Maria have appealed to the Council and the State Government – Minister John Day for replacement as soon as possible.
4. Another bus shelter, near Villa Maria outside house number 143 Lesmurdie Road was hit and demolished by a vehicle in September 2011. This also requires replacing.

DETAILS

5. Insurance claims have been lodged with our insurers for compensation for the replacement costs for both shelters.
6. If the Shire's insurer does agree to pay for compensation, this will total approximately \$4,000 towards replacement costs for each shelter.
7. Shire Officers have sought funding from the Public Transport Authority (PTA) for 50% contribution towards the bus shelter costs.
8. PTA have approved the bus shelter outside 143 Lesmurdie Road for 50% funding, however have declined the shelter outside Villa Maria, as there are not enough boarding passengers to warrant a bus shelter. Therefore installation of a replacement shelter outside Villa Maria will be at the Shire's cost.

STATUTORY AND LEGAL IMPLICATIONS

9. The 2011-2012 Budget does not include any allocation for new bus shelters.

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10. In order to replace the two shelters a budget amendment is required. Under the *Local Government Act 1995 Section 6.8*
- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –
- (a) Is incurred in a financial year before the adoption of the annual budget by the local government
 - (b) Is authorised in advance by resolution*; or
 - (c) Is authorised in advance by the mayor or president in an emergency
- *Absolute majority required
11. Section 6.1(1)(b) of the *Local Government Act 1995* is applicable and requires absolute majority.

POLICY IMPLICATIONS

12. Nil.

PUBLIC CONSULTATION/COMMUNICATION

13. The residents of Villa Maria petitioned for the replacement of the Shelter.

FINANCIAL IMPLICATIONS

14. The estimated cost of the two bus shelters is \$24,000 including installation.
- Out of this \$8,000 is likely to be received from the Shires insurance providers and \$3,000 contribution from PTA for the shelter outside 143 Lesmurdie Road. Resulting in an approximate total net cost of \$13,000.
15. The insurance claim has not yet been approved.
16. Accordingly Council approval is required for an unbudgeted expenditure of \$24,000, which will be partially offset by contribution from PTA and recovery from insurance claim.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

17. Nil.

Sustainability Implications

Social Implications

18. The elderly residents of Villa Maria who use the bus shelter to protect them from the elements, have requested the replacement of the bus shelter.

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19. PTA have advised that there are decent boarding statistics to warrant the replacement of the bus shelter at 143 Lesmurdie Road.

Economic Implications

20. Nil.

Environmental Implications

21. Nil.

OFFICER COMMENT

22. The replacement of the two bus shelters particularly the one situated near the Villa Maria complex is appropriate.
23. The estimated shortfall in funding will be adjusted in the Budget Review.

RECOMMENDATION

That Council

1. Pursuant to Section 6.1(1)(b) of the *Local Government Act 1995* authorises an unbudgeted expenditure of \$24,000 to replace two bus shelters outside Villa Maria and outside 143 Lesmurdie Road with the funding sources reflected in the Budget Review.

Moved:

Seconded:

Vote: **Absolute Majority Required**

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

13.1 Land for Mobile Phone Towers – Cr Geoff Stallard

Q. Is it possible that Council, in conjunction with State Government, look for land within the Shire that is suitable for towers?

A. Yes, it is possible to work with State Government to look for suitable sites for Telco facilities, however, as each Telco provider has their own network with varying cell location needs and communication capabilities it may be difficult to find suitable sites for all providers. The Director Planning & Development Services will liaise with the relevant State Government agencies and the Telco providers to ascertain whether it is possible to identify suitable future sites for mobile phone towers.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

15.0 MEETING CLOSED TO THE PUBLIC

16.0 CLOSURE