

SHIRE OF KALAMUNDA

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Minutes of Ordinary Meeting of Council Held in the Council Chambers 2 Railway Road, Kalamunda Monday 15 November 2010

1.0 OFFICIAL OPENING

- 1.1 The Shire President opened the meeting at 6.30 pm and welcomed Councillors, Staff and Members of the Public Gallery. The Shire President presented Mrs Hudson of Maida Vale with a \$1,000 prompt payment of rates incentive prize from the Shire of Kalamunda.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 ATTENDANCE

Councillors

Donald McKechnie	(CHAIRMAN) (SHIRE PRESIDENT)	NORTH WARD
Sue Bilich		NORTH WARD
Margaret Thomas		NORTH WARD
Maureen Robinson		SOUTH WEST WARD
Allan Morton	(DEPUTY SHIRE PRESIDENT)	SOUTH WEST WARD
Noreen Townsend		SOUTH WEST WARD
Geoff Stallard		SOUTH EAST WARD
Frank Lindsey		SOUTH EAST WARD
Carol Everett		SOUTH EAST WARD
Peter Heggie		NORTH WEST WARD
Martyn Cresswell		NORTH WEST WARD
Dylan O'Connor		NORTH WEST WARD

Members of Staff

James Trail	CHIEF EXECUTIVE OFFICER
Hazel Smallwood	A/DIRECTOR OF CORPORATE SERVICES
Kevin O'Connor	DIRECTOR OF COMMUNITY DEVELOPMENT
Clayton Higham	DIRECTOR OF PLANNING & DEVELOPMENT SERVICES
Simon Miller	A/DIRECTOR ENGINEERING SERVICES
Darrell Forrest	MANAGER GOVERNANCE
Peter Hayes	MANAGER BUSINESS AND STRATEGY
David Tomlinson	MANAGER STATUTORY PLANNING AND BUILDING
Michelle Clark	EXECUTIVE ASSISTANT CHIEF EXECUTIVE OFFICER
Donna McPherson	MINUTE SECRETARY

Members of Public 3

Members of Press Kaitlyn Offer, Community Newspapers

2.2 Apologies
Mahesh Singh DIRECTOR OF ENGINEERING SERVICES

2.3 Leave of Absence Previously Approved
Nil.

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 this meeting.

3.1 Terry Blackman, 6 Pettit Place, Lesmurdie

A. Will there be adequate medical and nursing facilities within the Shire to cater for, and cope with, all the aged care developments within its boundaries?

Q. The Shire President advised there is currently an identified shortage of 579 beds for aged accommodation. The Shire of Kalamunda Aged Care Strategy has the support of many of the Medical Centres within the District.

3.2 John Barrett, 21 Traylen Road, Kalamunda

A. There are issues with my property caused by drainage works performed by the Shire of Kalamunda. Is it possible to have the fence rectified?

Q. The Shire President advised Mr Barrett that staff would be in contact to make an appointment to deal with this matter.

4.0 PETITIONS/DEPUTATIONS

4.1 Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Nil.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 **Confirmation of Ordinary Council Meeting Minutes 18 October 2010**

RESOLVED OCM 158/2010

That the Minutes of the Ordinary Council Meeting of the Shire of Kalamunda held in the Council Chambers, 2 Railway Road Kalamunda, on 18 October 2010 be confirmed as a true and correct record of proceedings.

Moved: Cr Margaret Thomas

Seconded: Cr Peter Heggie

CARRIED UNANIMOUSLY (12/0)

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**7.1 Foothills Early Childhood Calender Launch**

Councillor Allan Morton advised the meeting that he, Cr Carol Everett and Cr Noreen Townsend attended the launch of the Foothills Early Years Community Partnership 2011 Calender held at the Woodlupine Centre. Cr Morton presented Council with a certificate of appreciation from the group for the Council's sponsorship of the calendar.

7.2 Acting Director Corporate Services

The Shire President advised Councillors that this was the last meeting to be attended by the current Acting Director Corporate Services, Hazel Smallwood, in this capacity. On behalf of the Shire he thanked her for her contribution to the governance and smooth running of the Council.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 Nil.

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)

Nil.

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.

9.1 PSC67 Townscape Improvement Plans – Maida Vale Shopping Centre and Kenneth Road Shopping Centre

Cr Dylan O'Connor disclosed an interest affecting impartiality as his father owns a business in the shopping centre.

9.2 PSC70 Local Planning Scheme No 3 Amendment – Additional use (Consulting Rooms) Lot 17 (484) Kalamunda Road, High Wycombe

Cr Dylan O'Connor disclosed an interest affecting impartiality as the applicant is a tenant in the medical centre owned by his father.

10.0 REPORTS TO COUNCIL

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

10.1 Planning Services Committee Report

Withdrawn Items from Planning Services Report

PSC65 withdrawn by Cr Frank Lindsey. Amended motion presented.

10.1.1 Adoption of Body of Planning Services Report

RESOLVED OCM 159/2010

1. That the Recommendations contained in the Planning Services Committee Report of 1 November 2010, excluding withdrawn items numbers PSC65, be adopted.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)

10.1.2 PSC66 Proposed Policies for the Planning & Development Services Directorate

EN BLOC RESOLUTION OCM 159/2010

1. That Council advertises the following policies in accordance with provision 2.4 of Local Planning Scheme No. 3:
 - Local Planning Policy DEV 42 – Water Sensitive Urban Design ***(Attachment 1)***
 - Local Planning Policy DEV 43 – Uniform Fencing ***(Attachment 2)***

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)

10.1.3 PSC67 Townscape Improvement Plans - Maida Vale Shopping Centre and Kenneth Road Shopping Centre

Cr Dylan O'Connor disclosed an interest affecting impartiality as his father owns a business in the shopping centre.

EN BLOC RESOLUTION OCM 159/2010

1. That Council approves the Townscape Improvement Concept Plans for the Maida Vale Shopping Centre and the Kenneth Road Shopping Centre for the purpose of public consultation.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)

10.1.4 PSC68 Townscape Improvement Plans - Edinburgh Road Shopping Centre- ForrestfieldEN BLOC RESOLUTION OCM 159/2010

1. That Council approves the Townscape Improvement Concept Plans for Edinburgh Road Shopping Centre for the purpose of public advertising.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)**10.1.5 PSC69 Modification to Structure Plan - Forrestfield Urban Area U7- Agreement Area 2D - Lots 527 & 528 Berkshire Road, Forrestfield**EN BLOC RESOLUTION OCM 159/2010

1. That Council supports the proposed modification to the adopted Structure Plan for Forrestfield Urban Area U7 - Agreement Area 2D, to allow a minor road layout change and expansion of the R30 area adjacent to Berkshire Road.
2. That the proposed modification be forwarded to the WA Planning Commission for endorsement.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)**10.1.6 PSC70 Local Planning Scheme No. 3 Amendment – Additional Use (Consulting Rooms) Lot 17 (484) Kalamunda Road, High Wycombe**

Cr Dylan O'Connor disclosed an interest affecting impartiality as the applicant is a tenant in the medical centre owned by his father.

EN BLOC RESOLUTION OCM 159/2010

1. That Council initiates an 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.

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	484 Kalamunda Road, High Wycombe (Lot 17)	Consulting Rooms	<p>(a) Consulting rooms are not permitted unless approval is granted by Council ("A").</p> <p>(b) A minimum of nine car parking bays are to be provided on site.</p>

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.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)

10.1.7 PSC71 Local Planning Scheme No. 3 – Text Amendment Relating to Special Rural and Rural Composite Zone Development Requirements

EN BLOC RESOLUTION OCM 159/2010

1. That Council:

- (a) Adopts Amendment No. 30 to Local Planning Scheme No. 3 without modification, to delete the following provisions:

"5.10.2 Land Use and Development

- (ii) *Planning approval is required for all developments including a dwelling house and outbuildings.*
- (iii) *No building shall be constructed unless the external materials shall be of colour and material as approved by the local government.*

5.14.2 Land Use and Development

- (ii) *Planning approval is required for all developments including a dwelling house and outbuildings.*
- (iii) *No building shall be constructed unless the external*

materials shall be of colour and texture as approved by the local government.”

- (b) Duly executes the Amendment documents and forwards them to the Minister for Planning requesting that final approval be granted.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)

10.1.8 PSC72 Local Planning Scheme No. 3 Amendment – Rezone from Special Use to Light Industry, Lots 724 (2) to 734 (38) Sultana Road West and Lots 753 (110) to 756 (122) Milner Road, High Wycombe

EN BLOC RESOLUTION OCM 159/2010

- 1 That Council initiates:
1. 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 by:

1. Rezoning Lots 724 (2) to 734 (38) Sultana Road West and Lots 753 (110) to 756 (122) Milner Road, High Wycombe from Special Use (Business) to Light Industry.
In accordance with the Scheme Amendment Map.
 2. Delete item 7 of the Scheme’s Schedule 4 (Special Uses) and renumber the remaining items accordingly.
2. 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.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)

10.1.9 PSC73 Extension to Agreed Timeframes for Medical Centre and Lifestyle Village - Lots 23, 50 and 9001 Kalamunda Road, High WycombeEN BLOC RESOLUTION OCM 159/2010

That Council:

1. Extends the time stipulated in clause 2.3.4(a) of the Shire agreement for completion of the following works and development forming part of the town centre concept:
 - The following components of the village centre, namely the medical centre, one restaurant and public toilets are to be completed by 24 October 2014.
2. Extends the time in clause 2.3.4(b) of the Shire agreement for completion of the following works and development involved in the lifestyle retirement village:
 - 32 aged persons' dwellings for which planning approval was granted on 7 February 2008, are to be completed by 24 October 2014; and
 - A further 32 aged persons' dwellings, for which planning approval was granted on 7 February 2008, are to be completed by 24 October 2014.
3. Under clause 10.5.2 of the Local Planning Scheme No. 3, extends the last day of the period stipulated in the planning approval granted on 7 February 2008 within which the lifestyle retirement village is to be completed by 24 October 2014

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)**10.1.10 PSC74 Policy Review: Appointment of Deputies under the *Health Act 1911***EN BLOC RESOLUTION OCM 159/2010

1. That Council adopts the revised Policy (HLTH1) Appointment of Deputies under the *Health Act 1911* as shown in **(Attachment 1)**.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

CARRIED UNANIMOUSLY (12/0)**10.1.11 PSC65 Lot 500 (32) Gavour Road, Wattle Grove – Rezoning from Special Rural to Special Use (Aged Residential Care)**COMMITTEE RECOMMENDATION TO COUNCIL

That Council:

1. Notes the overwhelming response of 82% public submissions received in favour of the proposed Scheme Amendment No. 18 to Local Planning Scheme No.3

2. Notes the State Government's *Directions 2031 and Beyond*, Outer Metropolitan Perth and Peel Sub-Regional Strategy has identified Wattle Grove as having "potential for future consideration as a urban investigation area this is due to its proximity to the urban front and employment around the airport" and believes this provides an appropriate context for the proposed Scheme Amendment.
3. Notes that, of the 6 sites identified by the Shire as being suitable for aged residential accommodation and care, Council re-endorse the Officers report of May 2009 that "...there is no other single landholding (within the Shire) that is better suited to this type of facility".
4. Adopts Scheme Amendment No. 18 relating to Lot 500 Gavour Road, Wattle Grove from "Special Rural" to "Special Use (Aged Residential Care)" zone, subject to the following modifications:
 - a) Including a provision requiring that development be connected to a reticulated sewer service or an alternative system to the satisfaction of the Department of Health of Western Australia.
 - b) In the conditions, deleting the word "generally" in respect to the minimum age of at least one of the occupants of each dwelling.
 - c) Under the Special Use column under point (c), delete reference to point (b) and (c) and replace with point (a) and (b).

Including the "Special Use" site in Schedule 4, "Special Use Zones" as follows:

No.	Description of Land	Special Use	Conditions
	Lot 500 (32) Welshpool and Gavour Roads, Wattle Grove	<p>Aged Residential Care</p> <p>(a) Within this zone, the following uses are permitted (P):</p> <ul style="list-style-type: none"> • Aged Residential Care; • Caretaker's dwelling; • Consulting Rooms; • Grouped Dwelling; • Single House <p>(b) Council may approve other ancillary or incidental uses on this site, provided that they form part of the operational business</p>	<p>At least one occupant of any dwelling must have reached the age of 55 years.</p> <p>Development on the site shall be connected to a reticulated sewer service or alternative system to the satisfaction of the Department of Health of Western Australia.</p>

		<p>of the facility and which uses might complement or enhance the usual living standards and requirements of residents living in and staff serving a facility of this nature.</p> <p>(c) All other uses not mentioned under Sub Clauses (a) and (b) of this Clause are not permitted (X).</p>	
5.	Duly executes the Amendment documents and forwards them to the Minister for Planning requesting that final approval be granted.		
6.	Advises the Minister for Planning that it strongly recommends approval of the Scheme Amendment as it will address the recognised shortfall of aged care accommodation, by facilitating the development of high and low care nursing home accommodation within the Shire of Kalamunda.		

Cr Frank Lindsey presented a new motion to which minor amendments have been made to the Committee Recommendation to clarify the number of submissions received on this matter. Also the number of aged care beds recognised as being required within the Shire.

RESOLVED OCM 160/2010

That Council:

1. Notes the overwhelming response of 82%, of the 2064, public submissions received in favour of the proposed Scheme Amendment No. 18 to Local Planning Scheme No.3.
2. Notes the State Government's *Directions 2031 and Beyond*, Outer Metropolitan Perth and Peel Sub-Regional Strategy has identified Wattle Grove as having "potential for future consideration as a urban investigation area this is due to its proximity to the urban front and employment around the airport" and believes this provides an appropriate context for the proposed Scheme Amendment
3. Notes that, of the 6 sites identified by the Shire as being suitable for aged residential accommodation and care, and capable of being developed to significantly diminish the 579 nursing bed shortfall within the Shire, Council re-endorse the Officers report of May 2009 that "...there is no other single landholding (within the Shire) that is better suited to this type of facility".
4. Adopts Scheme Amendment No. 18 relating to Lot 500 Gavour Road, Wattle Grove from "Special Rural" to "Special Use (Aged Residential Care)" zone, subject to the following modifications:

- a) Including a provision requiring that the development be connected to a reticulated sewer service or an alternative system to the satisfaction of the Department of Health of Western Australia.
- b) In the conditions, deleting the word “generally” in respect to the minimum age of at least one of the occupants of each dwelling.
- c) Under the Special Use column under point (c), delete reference to point (b) and (c) and replace with point (a) and (b).

Including the “Special Use” site in Schedule 4, “Special Use Zones” as follows:

No.	Description of Land	Special Use	Conditions
	Lot 500 (32) Welshpool and Gavour Roads, Wattle Grove	<p>Aged Residential Care</p> <p>(a) Within this zone, the following uses are permitted (P):</p> <ul style="list-style-type: none"> • Aged Residential Care; • Caretaker’s dwelling; • Consulting Rooms; • Grouped Dwelling; • Single House <p>(b) Council may approve other ancillary or incidental uses on this site, provided that they form part of the operational business of the facility and which uses might complement or enhance the usual living standards and requirements of residents living in and staff serving a facility of this nature.</p> <p>(c) All other uses not mentioned under Sub Clauses (a) and (b) of this Clause are not permitted (X).</p>	<p>At least one occupant of any dwelling must have reached the age of 55 years.</p> <p>Development on the site shall be connected to a reticulated sewer service or alternative system to the satisfaction of the Department of Health of Western Australia</p>

5. Duly executes the Amendment documents and forwards them to the Minister for Planning requesting that final approval be granted.
6. Advises the Minister for Planning that it strongly recommends approval of the Scheme Amendment, as it will address the recognised shortfall of aged care accommodation by facilitating the development of high and low care nursing home accommodation within the Shire of Kalamunda.

Moved: Cr Frank Lindsey

Seconded: Cr Sue Bilich

For

Cr Frank Lindsey
 Cr Geoff Stallard
 Cr Allan Morton
 Cr Noreen Townsend
 Cr Peter Heggie
 Cr Martyn Cresswell
 Cr Dylan O'Connor
 Cr Sue Bilich
 Cr Margaret Thomas
 Cr Donald McKechnie

Against

Cr Carol Everett
 Cr Maureen Robinson

CARRIED (10/2)

10.2 General Services Committee Report

Withdrawn Items from General Services Report

GSC122 be withdrawn as it requires an absolute majority and to allow an amendment to be made to the recommendation.

GSC123 be withdrawn as it requires an absolute majority.

GSC124 be withdrawn to allow an amendment to be made to the recommendation.

GSC127 be withdrawn as Cr Geoff Stallard wishes to record a vote against the recommendation.

GSC129 be withdrawn as it requires an absolute majority.

10.2.1 Adoption of Body of General Services Report

RESOLVED OCM 161/2010

1. That the Recommendations contained in the General Services Committee Report of 8 November 2010, except GSC122, GSC123, GSC124, GSC127 and GSC129, be adopted.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)

10.2.2 GSC118 Creditors' Accounts Paid During the Period 30 September to 26 October 2010EN BLOC RESOLUTION OCM 161/2010

1. That the list of creditors paid during the period 30 September to 26 October 2010 (***GS 118/2010, Attachment 1.***) be received by Council in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)**10.2.3 GSC119 Monthly Financial Statements for the Period ending 30 September 2010**EN BLOC RESOLUTION OCM 161/2010

1. That the Monthly Financial Statements which comprise the Rate Setting Statement and the Statement of Comprehensive Income for the period ending 30 September 2010 (***GS 119/2010, Attachment 1***) be received.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)**10.2.4 GSC120 Debtors and Creditors Reports for the Period ending 30 September 2010**EN BLOC RESOLUTION OCM 161/2010

1. That the outstanding debtors (***GS 120/2010, Attachment 1***) and creditors (***GS 120/2010, Attachment 2***) report as at 30 September 2010 be received.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)**10.2.5 GSC121 Rates Debtors Report for the Period ending 30 September 2010**EN BLOC RESOLUTION OCM 161/2010

1. That the rates debtors report as at 30 September 2010 (***GS 121/2010, Attachment 1***) be received.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)

10.2.6 GSC125 Expression of Interest - EOI 1004 – 31 (Lot 56) Canning Road Kalamunda (Kalamunda Police Station)EN BLOC RESOLUTION OCM 161/2010

1. That Dome Coffees be invited to submit a formal proposal for the use of 31 Canning Road Kalamunda for Council endorsement.
2. That Council seek Ministerial Consent to Lease the property at 31 Canning Road being Reserve No. 9050 for purposes that meet with the Planning Strategies that are being developed for that precinct.
3. That the CEO be authorised to negotiate an acceptable Lease Arrangement with Dome Coffees Australia Pty Ltd.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)**10.2.7 GSC126 Approval of Business Plan for a Proposed Major Land Transaction – 1 Cygnet Court and 21 Edney Road, High Wycombe**EN BLOC RESOLUTION OCM 161/2010

1. That the Draft Business Plan as presented in **(Attachment 1)** be adopted for the purpose of advertising for public comment as required by Section 3.59 of the *Local Government Act 1995*.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)**10.2.8 GSC128 Application To Keep More Than Two Dogs – 333 Hawtin Road, Forrestfield**EN BLOC RESOLUTION OCM 161/2010

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 333 Hawtin Road, Forrestfield to keep a third dog on this property.
2. Advise the adjoining neighbours of Council's decision.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)

10.2.9 GSC123 Budget Amendment – CS25 You're Welcome WA AccessRESOLVED OCM 162/2010

1. That the following budget amendments be adopted:
 - (a) reallocate job CS25 You're Welcome WA Access from Seniors account 380750 to Disabilities account 381729;
 - (b) decrease expenditure in account 381729/job 3502 (IDPwD) from \$6,500 to \$0; and
 - (c) increase expenditure in account 381729/ job CS25 (You're Welcome WA Access) from \$0 to \$6,500.

Moved: Cr Allan Morton

Seconded: Cr Margaret Thomas

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (12/0)**10.2.10 GSC129 Pickering Brook Sports Club – Kitchen Upgrade and Associated Works**RESOLVED OCM 163/2010

1. That Council notes the work required at the Pickering Brook Sports Club at a total estimated cost of \$420,000 and authorises over expenditure of \$320,000 to be funded from the Building Reserve.

Moved: Cr Carol Everett

Seconded: Cr Maureen Robinson

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (12/0)**10.2.11 GSC122 Budget Amendment – 420 Engineering Works (Construction)**COMMITTEE RECOMMENDATION TO COUNCIL

1. That Council amends the Shire of Kalamunda 2010-2011 adopted Budget to reflect accurate expenditure allocation to the Capital Expenditure Works Construction Programs.

A new motion was presented to Councillors to provided clarity to the recommendation.

RESOLVED OCM 164/2010

1. That Council amends the Shire of Kalamunda 2010-2011 adopted Budget as detailed in the table below to reflect accurate expenditure allocation to the Capital Expenditure Works Construction Programs.

Account Code	Description	Amended Budget 2010/11 \$	Budget Amendment 2010/11 \$	Adopted Budget 2010/11 \$
	<u>Road Construction New</u>	0	(397,200)	397,200
3999	Various	0	(397,200)	397,200
	<u>Road Construction Renewal</u>	1,459,650	397,200	1,062,450

Account Code	Description	Amended Budget 2010/11	Budget Amendment 2010/11	Adopted Budget 2010/11
3184	Berle Way – Rangeview Rd to Edney Rd	37,300	100	37,200
3199	Newburn Road – Macao Rd to Western Ave	40,500	(609,500)	650,000
3203	Range Court – Rangeview Rd to Cul de Sac	9,500	(86,000)	95,500
3207	Walnut Road – Lawnbrook Rd to Dodd Rd	61,000	(80,400)	141,400
3209	Wilkins Road – Lesmurdie Rd to Lewis Rd	70,200	(2,000)	72,200
3210	Bougainvillea Avenue	274,700	274,700	0
3211	Canning Road – Modify Intersection	34,500	34,500	0
3212	Carmel Road – Canning to Reeds Rd	279,750	279,750	0
3213	Chislehurst Rd	26,500	26,500	0
3214	Dawson Ave	122,800	122,800	0
3215	Dundas Road	45,600	45,600	0
3216	Gooseberry Hill Rd	40,000	40,000	0
3217	Hillside Crescent	16,700	16,700	0
3219	Moingup Street	36,000	36,000	0
3221	Recreation Road	68,400	68,400	0
3223	Valento Road	192,000	192,000	0
3224	Walnut Road	141,400	141,400	0
3994	Various	0	(103,350)	103,350
	Special Projects Renewal	258,500	0	258,500
4998	Various	0	(258,500)	258,500
4032	Dawson Park Play Ground	17,400	17,400	0
4033	Hedley Jorgensen Park - Asphalt Reseal	36,200	36,200	0
4034	High Wycombe Child Care Centre - car park reseal	6,000	6,000	0
4035	Kostera Oval - Asphalt Reseal	25,500	25,500	0
4036	Lesmurdie Library	15,100	15,100	0
4037	Ray Owen Centre - Asphalt Reseal - Basketball court	90,000	90,000	0
4038	Ray Owen Rec Centre - Asphalt Reseal	57,000	57,000	0
4039	Wattle Grove TAFE - Asphalt Reseal	11,300	11,300	0
	Total	1,718,150	0	1,718,150

Moved: Cr Maureen Robinson

Seconded: Cr Margaret Thomas

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (12/0)

10.2.12 GSC124 Proposed Development - Lot 106 (88) Hale Road ForrestfieldCOMMITTEE RECOMMENDATION TO COUNCIL

1. That the Business Plan for the Proposed Development Lot 106 (88) Hale Road Forrestfield be adopted.
2. That expressions of interest be called for the development of Community Housing in accordance with Department of Housing requirements.
3. That expressions of interest be called for the Land Lease and development of the Commercial/Office components of the Business Plan.

A new motion was presented to Councillors to provide clarity to the recommendation.

RESOLVED OCM 165/2010

1. That the Business Plan for the Proposed Development Lot 106 (88) Hale Road Forrestfield be adopted as per (**Attachment 1**).
2. That expressions of interest be called for the development of Community Housing in accordance with Department of Housing requirements.
3. That expressions of interest be called for the Land Lease and development of the Commercial/Office components of the Business Plan.

Moved: Cr Noreen Townsend

Seconded: Cr Margaret Thomas

For

Cr Carol Everett
 Cr Geoff Stallard
 Cr Frank Lindsey
 Cr Allan Morton
 Cr Noreen Townsend
 Cr Peter Heggie
 Cr Martyn Cresswell
 Cr Dylan O'Connor
 Cr Sue Bilich
 Cr Margaret Thomas
 Cr Donald McKechnie

Against

Cr Maureen Robinson

CARRIED /ABSOLUTE MAJORITY (11/1)

10.2.13 GSC127 Application To Keep More Than Two Dogs – 3 Cunnold Close, Pickering BrookRESOLVED OCM 166/2010

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 applicants of 3 Cunnold Close, Pickering Brook to keep a third dog on their property.

2. Advise the adjoining neighbours of Council's decision.

Moved: Cr Maureen Robinson

Seconded: Cr Margaret Thomas

For

Cr Carol Everett
 Cr Allan Morton
 Cr Maureen Robinson
 Cr Noreen Townsend
 Cr Martyn Cresswell
 Cr Dylan O'Connor
 Cr Sue Bilich
 Cr Margaret Thomas
 Cr Donald McKechnie

Against

Cr Geoff Stallard
 Cr Frank Lindsey
 Cr Peter Heggie

CARRIED (9/3)

10.3 Audit Committee Report

10.3.1 Adoption of Body of Audit Committee Report

That the recommendations contained in the Audit Committee Report of the 8 November 2010 be adopted.

Moved:

Seconded:

AC5.1 Independent Audit Report

COMMITTEE RECOMMENDATION TO COUNCIL

1. That Council receive the Independent Audit Report of the Shire of Kalamunda for the financial year ended 30 June 2010 as presented as ***(Attachment 1)***.

AC5.2 Annual Financial Report

COMMITTEE RECOMMENDATION TO COUNCIL

1. That Council receive the Annual Financial Statements of the Shire of Kalamunda for the financial year ended 30 June 2010 as presented as ***(Attachment 1)***.

AC5.3 2010 Annual Report

COMMITTEE RECOMMENDATION TO COUNCIL

1. That the item – Annual Report 2010 - be withdrawn.

Following a recommendation from the Chairman of the Audit Committee Councillors were advised of a motion to defer the Audit Committee Report to the next Audit Committee Meeting on 6 December 2010.

RESOLVED OCM 167/2010

1. That the Recommendations contained in the Audit Committee Report of 8 November 2010 be deferred to the Audit Committee Meeting to be held on 6 December 2010.

Moved: Cr Noreen Townsend

Seconded: Cr Allan Morton

CARRIED UNANIMOUSLY (12/0)**10.4 Chief Executive Officers' Report**

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

10.4.1 Quarterly Progress Report

Previous Items: N/A
Responsible Officer: James Trail
Service Area: Chief Executive's Office
File Reference: OR-CMA-009
Applicant: N/A
Owner: N/A

Attachments 1 Quarterly Progress Report July – September 2010

PURPOSE

1. To report to Council on the Shire's progress towards achieving its strategic goals.

BACKGROUND

2. In July 2009, the Shire implemented an integrated planning software package, "interplan". Interplan links the actions that each staff member works on within their business unit to the Strategic Plan. This ensures that each employee is working towards achieving the strategic direction of the Council.
3. The person responsible for an action is required to update that action each month, giving an indication of how the action is progressing. Key Performance Indicators (KPIs) are also updated. This information is collected by interplan to provide an overview of how the organisation is performing.

DETAILS

4. The fourth quarterly progress report, for April to June 2010, is presented at ***(Attachment 1.)*** This report shows the progress of certain major projects and capital works for 2010/20101 budget summaries; KPI performance; and the progress of the Shire against the five goals set out in the Strategic Plan.
5. **Quarterly Progress Against Goals**
Each business unit in the Shire has a business plan, which contains the actions to be achieved in the 2010/11 year. Each of these actions is linked to a strategy, outcome and goal in the Strategic Plan adopted by Council. All goals are progressing well. On average, the actions related to the five goals are at 95% or more of their target.
6. **Key Performance Indicators**
Performance against the Shire's corporate KPIs is shown. Of the 14 KPIs presented, 10 are at or exceeding their target, 2 are within 5% of their target, and 2 are below 5% of their target. It should be noted that high targets have been set (for example 98% of all incoming correspondence is to be responded to within 5 working days). These KPIs are monitored and reported on monthly.
7. **Major Projects**
The progress of a number of major projects for 2010/11 is shown. With one exception, all projects are at 90% or more of their progress target for the year to date. The remaining project, which relates to the extension of the Forrestfield / High Wycombe Industrial Area, is currently at 63% of its progress target. More detailed comments regarding the progress of each project are shown following the summary page.
8. **Divisional Summary**
A summary of progress for the quarter is presented for each of the Directorates.
9. **Directorate Budgets**
The actual and budgeted year-to-date figures are shown for each Directorate.
10. **Financial Report – Organisational Summary Graph**
The actual and budgeted year-to-date expenditure figures are shown for the Shire as a whole. Expenditure is below budget.
11. **Financial Report – Organisational Summary Table**
Actual and budgeted income and expenditure is shown for each business unit. The variance is also shown. Income – expenditure is shown at the bottom of the table ("Overall Net"). For the period July – September 2010, the budgeted income was \$29,840,491.64 and the actual income \$29,068,195.83. The budgeted expenditure was \$15,879,565.00 and the actual expenditure \$14,318,759.93. This is an overall net figure of \$13,960,926 budgeted and \$14,749,435 actual.

The year-to-date revenue is currently 2.6% less than budgeted, and expenditure is 9.8% less than the budgeted amount.

12. **Engineering Financial Summary**

The major engineering projects for 2010/11 are shown in a table, following the budget summary graph. Budgeted and actual amounts, and the variance, are shown for each of the projects.

13. **Asset Financial Summary**

The major asset-related projects for 2010/11 are shown in a table, following the budget summary graph. Budgeted and actual amounts, and the variance, are shown for each of the projects. A more detailed list, outlining the progress of each project, follows the table.

14. **Capital Works**

A graph showing budgeted and actual expenditure on capital works is shown. Expenditure is currently below budget. Following the graph, a table of the major capital works projects for 2010/11 is presented, showing budgeted and actual amounts, and the variance, for each project. A summary of the progress of these projects follows, and then a more detailed list including progress comments.

STATUTORY AND LEGAL IMPLICATIONS

15. Nil.

POLICY IMPLICATIONS

16. Nil.

PUBLIC CONSULTATION/COMMUNICATION

17. Nil.

FINANCIAL IMPLICATIONS

18. Nil. The interplan system allows expenditure to be monitored continuously through the year.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

19. **Strategic Planning Implications**

All actions within interplan are linked to the Strategic Plan. This ensures that all projects and tasks that are carried out are done so with the strategic direction of Council in mind.

Economic Implications

- Nil.

Environmental Implications

- Nil.

OFFICER COMMENT

20. Nil.

RESOLVED OCM 168/2010

- 1. That the Quarterly Progress Report for July – September 2010 be received, and the positive outcomes for the quarter ending September 2010 be noted.

Moved: Cr Allan Morton

Seconded: Cr Carol Everett

CARRIED UNANIMOUSLY (12/0)

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Nil.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Signs on Welshpool Road (Cr Maureen Robinson)

Q. A few months ago a request was made for the signs on Welshpool Roads to be removed. There are now more and bigger signs in this area. Can they be removed?

A. The CEO advised this would be dealt with.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 Nil.

16.0 CLOSURE

16.1 There being no further business the Chairman declared the meeting closed at 6.54 pm.

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

Signed.....Chairman

Dated thisday of2010

