

Ordinary Council Meeting

Minutes for Monday 23 February 2015

UNCONFIRMED



**shire of
kalamunda**

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MINUTES

1.0 OFFICIAL OPENING

- 1.1 The Presiding Member opened the meeting at 6.35pm and welcomed Councillors, Staff and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Sue Bilich	(Presiding Member) (Shire President)	North Ward
Simon Di Rosso		North Ward
Noreen Townsend		South West Ward
Justin Whitten		South West Ward
Allan Morton		South West Ward
Geoff Stallard		South East Ward
Frank Lindsey		South East Ward
John Giardina		South East Ward
Andrew Waddell JP		North West Ward
Dylan O'Connor		North West Ward

Members of Staff

Rhonda Hardy	Chief Executive Officer
Warwick Carter	Director Development Services
Charles Sullivan	Director Infrastructure Services
Dennis Blair	Director Infrastructure Services Elect
Gary Ticehurst	Director Corporate Services
Darrell Forrest	Manager Governance & PR
Andrew Fowler-Tutt	Manager Development Services
Laurie Brennan	Media Advisor
Nicole O'Neill	Public Relations Coordinator
Meri Comber	Governance Officer

Members of the Public 15

Members of the Press Nil

2.2 Apologies

Councillors

Margaret Thomas JP	North Ward
Bob Emery	North West Ward

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 gallery on matters relating to the functions of Council. For the purposes of Minuting, these questions and answers are summarised.

3.1 Peter Coxon, Mosman Park – Property on Lots 1, 20 & 21, Berkshire Road

Q. I would like to raise Council's awareness regarding the storage of inert materials in Berkshire Road as I believe there are several items of concern regarding the non-adherence to the planning conditions in the conduct of this business from this address, in particular Points 11, 13, 15, 16, 17, 1b & 1d. I ask could the Shire please offer information as to how this is being monitored as I seek their advice and assistance to help solve this problem?

A. The Director Development Services indicated he would take this question on notice, however the Shire is aware of the situation and are currently following up through its compliant services area.

3.2 Tim Colegate, Walliston – Aged Persons

Q1. With regard to the Shire's selection of suitable properties for aged care in the Shire's Local Planning Strategy what was the criteria and evaluation method used for the selection of these sites?

A1. Manager Development Services responded that blocks were selected by lot size, proximity to services and their zoning.

Q2. In the Report to the Development & Infrastructure Services Meeting of this month regarding Glyde Road, the Officer's Comment indicates this was noted as not being suitable for aged care development due to its size; why was this comment made when the Shire's Local Planning Strategy lists two other properties of a similar size?

A2. The Director Development Services responded Lot 106 Hale Road is serviced by a reticulated sewer. The Glyde Road property is not on reticulated sewer and being in the hills is likely to be extremely rocky which would make it more difficult to manage waste, therefore making it unsuitable for Aged Care. Lot 7,8, & 4255 Lewis Road Council sold as it was not possible to develop for Aged Care due to the lack of servicing.

3.3 Peter Forrest, Kalamunda – Aged Care

Q. Could Council consider increasing the funding towards the proposed Aged Care Study to broaden the terms of reference and linking them more strongly to land-use planning and include environmental implications?

A. The Chief Executive Officer responded that this report was going to be withdrawn from this agenda to allow for further work and consultation but thanked Peter Forrest for his comments which are noted.

3.4 Peter Forrest, Kalamunda – Future Planning for the District

Q. Could the Council consider a fresh approach to leading its community, with regard to its location, special assets and local economy?

A. The Shire President thanked Peter Forrest for his very valid comments and noted that there will be some reassessment with regard to how the Council operates moving into the future.

3.5 Michelle Murphy, Kalamunda – Communication by the Shire

Q. My questions are in regard to the communication made by the Shire with regard to the Proposed Modifications to Hours of Operation Lot 4(8) Canning Road, Kalamunda.

- I found the communication with those in my street to be ad hoc and ineffective; what type of audit process exists regarding the efficiency of communication processes?
- What remediation processes can be taken to fix the problems and ensure there is less confusion and less miscommunication?
- Why are commercial interests valued more highly than domestic interests of people who live in the locality?
- Who made the studies that indicate there will be no impact on neighbours?

A. Director Development Services responded that the Shire only examines the planning aspects of an application and then presents this to Council. The Shire did contact the surrounding land owners and studied those submissions. There are currently no complaints regarding this business, should there be complaints in the future the Shire will respond.

The Chief Executive Officer added that there is to be a review with regard to informing people when an item is to be presented to Council together with more information regarding Council processes. It is hoped to give more time for residents to attend the meetings by mailing these earlier. Council's Governance Area will be asked to examine letters sent to residents with a view to improving them.

3.6 Janine Allan, High Wycombe

Q. I have a problem regarding noise from nuisance dogs from which there is no reprieve, I have kept dog diaries as instructed by the Rangers, but there has been no relief as nothing further is done, can the Shire please enforce its Local Laws?

A. Director Development Services was not aware of this particular problem and gave his word he would be in touch and guaranteed to arrange a meeting next week.

4.0 PETITIONS/DEPUTATIONS

The Shire President approved the following Deputations.

- 4.1 Mr Tim Colegate concerning 10.1.4 D&I 03, Amendment No 73 to the Local Planning Scheme No 3 – Rezone from Local Reserve Public Purpose (Church) To Residential R5 – Lot 9000 (171) Glyde Road, Lesmurdie.

As part of the deputation Tim Colegate requested that Council should contact the owners and encourage them to build an Aged Care facility. A Councillor asked if Tim Colegate had contacted the applicants himself, as it would not be usual for Council to make contact and suggest they consider a particular type of development; he had not but would do so. The Director Development Services will pass the contact information on to Tim Colegate.

- 4.2 The Presiding Member had approved a Deputation made by Jacinta Dowsing, Director of DC Recycling on behalf of DC Recycling concerning Item 10.1.5 D&I 04 – Amendment No.68 to Local Planning Scheme No 3 – Modifications to the Zoning Table and Schedule 1 (Land use definitions).

As part of the deputation Jacinta Dowsing stated that due process had not been followed with relation to the amendment, a Councillor asked for an example. Jacinta Dowsing responded they were not notified of the amendment, no land owners in the area were notified and that during a meeting with the Chief Executive Officer, Director of Development Services and Cr Dylan O'Connor there was a conversation about the scheme amendment; when asked when this would be publicised the Director indicated it would not be for some months at least, but the Minutes of this meeting stated something different.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

- 5.1 Nil.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 RESOLVED OCM 04/2015

That the Minutes of the Ordinary Council Meeting held on 15 December 2014, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Frank Lindsey**

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

6.2 RESOLVED OCM 05/2015

That the Minutes of the Special Council Meeting held on 12 February 2015 are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Justin Whitten**

Seconded: **Cr Noreen Townsend**

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

7.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

7.1 Nil.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 10.1.8, D&I 08. CONFIDENTIAL REPORT – Consideration of Tenders – Electrical Maintenance Services (RFT1406)

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

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. (Section 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. (Section 5.70 of the *Local Government Act 1995*.)

9.1.1 Cr Geoff Stallard declared an Indirect Financial Interest relating to Report 10.1.4 Amendment to No.73 to Local Planning Scheme No.3 – Rezone from Local Reserve – Public Purpose (Church) to Residential R5 – Lot 9000 (171) Glyde Road, as he is employed by the Oblate of Mary Immaculate (Acting as Mazenod College).

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.

9.1.2 Cr Simon Di Rosso declared an Interest Affecting Impartiality regarding Report 10.1.9 Proposed Modification to Hours of Operation – Lot 4 – 81 Canning Road, Kalamunda as he is a member of Gym Tonic.

10.0 REPORTS TO COUNCIL

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

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

10.1 Development & Infrastructure Services Committee Report

10.1.1 Adoption of Development & Infrastructure Services Committee Report

Voting Requirements: Simple Majority

RESOLVED OCM 06/2015

That recommendations D&I 01 to D&I 08 inclusive, contained in the Development & Infrastructure Services Committee Report of 9 February 2015, except withdrawn items D&I 03 and D&I 05 be adopted by Council en bloc.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Andrew Waddell**

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

10.1.2 D&I 01 Proposed Detailed Area Plan – Lot 26 (119) Sheffield Road, Wattle Grove

EN BLOC RESOLUTION OCM 06/2015

That Council:

1. Adopt the proposed Detailed Area Plan for Lot 26 (119) Sheffield Road, Wattle Grove, in accordance with clause 6.2.6(c) of Local Planning Scheme No. 3.
2. Forward the proposed Detailed Area Plan, once adopted, to the Western Australian Planning Commission for its information.

10.1.3 D&I 02 Proposed Detailed Area Plan – Lot 1 (31) Sanderson Road, Lesmurdie

EN BLOC RESOLUTION OCM 06/2015

That Council:

1. Adopt the proposed Detailed Area Plan relating to Lot 1 (31) Sanderson Road, Lesmurdie, in accordance with clause 6.2.6(c) of Local Planning Scheme No. 3.
2. Forward the proposed Detailed Area Plan, once adopted, to the Western Australian Planning Commission for its information.

10.1.4 D&I 04 Amendment No. 68 to Local Planning Scheme No. 3 – Modifications to the Zoning Table and Schedule 1 (Land Use Definitions)

EN BLOC RESOLUTION OCM 06/2015

That Council:

1. Notes the submissions received in response to Amendment No. 68 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. 68

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

(a) Modify Table 1 (Zoning Table) of Local Planning Scheme No. 3 to include the land use 'Recycling Industry' as follows:

Industrial Development	X
Rural Conservation	X
Rural Landscape Interest	X
Rural Agriculture	X
Rural Composite	X
Special Rural	X
Private Clubs & Inst.	X
Service Station	X
General Industry	D
Light Industry	X
Residential Bushland	X
Residential	X
Mixed Use	X
Commercial	X
District Centre	X
Use Classes	Recycling Industry

(b) Insert the following land use definition into Schedule 1 (Land Use Definitions) of the Scheme:

***"Recycling Industry* - Premises on which waste is stored, dismantled, melted and/or stored pending final disposal or re-use."**

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

10.1.5 D&I 06 20 Bedford Crescent, Forrestfield – Road Closure

EN BLOC RESOLUTION OCM 06/2015

That Council:

1. Approve the initiation of the process for the proposed closure of Bedford Crescent road reserve between Webster Road and Roe Highway, Forrestfield in accordance with Section 58 of the *Land Administration Act 1997*.
2. Notes that a final recommendation will be presented for consideration following completion of the required community consultation.

10.1.6 D&I 07 Application for Funding under the Better Bins Program

EN BLOC RESOLUTION OCM 06/2015

That Council:

1. Rejects the Better Bins funding offer and authorises the Chief Executive Officer to advise the Waste Authority WA of the decision.

10.1.7 D&I 08 CONFIDENTIAL REPORT – Consideration of Tenders – Electrical Maintenance Services (RFT1406)

EN BLOC RESOLUTION OCM 06/2015

That Council:

1. Accepts the recommendation of the Tender Assessment Panel to appoint the following contractors, in strict priority order, for the provision of Electrical Maintenance Services:
 1. Kalamunda Electrical (\$67.80 per hour)
 2. A&S Hill Electrical (\$70.00 per hour)
 3. Marsh Electrics (\$75.00 per hour) and,
 4. Multi Trades (\$90.00 per hour)
2. The contract period is for two years with 2 x 12 month extensions at the Principal's discretion.
3. The contract price is fixed for a period of 12 months with CPI (Australia) adjusted annually.

For Separate Consideration

Cr Geoff Stallard declared an Indirect Financial Interest, he left the Chambers at 7.20pm and returned at 7.21pm. He was not present for the vote.

**10.1.8 D&I 03 Amendment No. 73 to Local Planning Scheme No. 3 –
Rezone from Local Reserve - Public Purpose (Church) to
Residential R5 – Lot 9000 (171) Glyde Road, Lesmurdie**

RESOLVED OCM 07/2015

That Council:

1. Notes the submission received in response to Amendment No. 67 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. 73

Resolved that the Council in pursuance of Part 5 of the
Planning and Development Act 2005 amend the above
Local Planning Scheme by:

1. Rezoning Lot 9000 (171) Glyde Road, Lesmurdie,
from Local Reserve Public Purpose (Church) to
Residential R5.

3. Amends the Scheme Zoning Map accordingly.
4. Duly executes the Amendment documents and forwards them to the Minister for Planning requesting final approval be granted.
5. Advises the applicant that the concept subdivision plan for the subject property does not form part of this amendment and will be considered on its merit if the amendment is approved and when a subdivision application is received.

Moved: **Cr Frank Lindsey**
Seconded: **Cr John Giardina**
Vote: **CARRIED UNANIMOUSLY (9/0)**

This item was deferred to the Ordinary Council Meeting, the original Officer Recommendation was again presented to Council.

Cr Simon Di Rosso declared an Interest Affecting Impartiality as he is a member of Gym Tonic.

A Mover and Seconder were found. A Councillor foreshadowed an alternative Motion. Councillors went into debate and the substantive Motion was voted on.

As the vote was 5/5 the Presiding Member in accordance with Section 5.21 (3) of the Local Government Act 1995 exercised her right to cast a second vote. The Presiding Member cast her second vote in favour of the Recommendation, the motion was therefore Carried 6/5.

10.1.9 D&I 05 Proposed modification to hours of operation - Lot 4 (81) Canning Road, Kalamunda

RESOLVED OCM 08/2015

That Council:

1. Approve the application dated 20 November 2014 to operate the Health/Fitness Centre (gym) at Lot 4 (81) Canning Road, Kalamunda to operate 24 hours a day seven days a week.

Moved: Cr Simon Di Rosso

Seconded: Cr Sue Bilich

Vote:	<u>For</u>	<u>Against</u>
	Cr Allan Morton	Cr John Giardina
	Cr Noreen Townsend	Cr Frank Lindsey
	Cr Dylan O'Connor	Cr Geoff Stallard
	Cr Simon Di Rosso	Cr Justin Whitten
	Cr Sue Bilich	Cr Andrew Waddell

Cr Sue Bilich

CARRIED (6/5)

10.2 Corporate & Community Services Committee Report

10.2.1 Adoption of Corporate & Community Services Committee Report

Voting Requirements: Simple Majority

RESOLVED OCM 09/2015

That the recommendations C&C 01 to C&C 04 inclusive, contained in the Corporate & Community Services Committee Report of 16, February 2015, be adopted by Council en bloc.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Noreen Townsend**

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

10.2.2 C&C 01 Debtors and Creditors Report for the two months of December 2014 and January 2015

EN BLOC RESOLUTION OCM 09/2015

That Council:

1. Receives the list of payments made from the Municipal Accounts in December 2014 and January 2015 (Attachments 1 and 2) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.
2. Receives the list of payments made from the Trust Accounts in December 2014 and January 2015 as noted in point 11 above in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.
3. Receives the outstanding debtors (Attachment 3) and creditors (Attachment 4) reports for the month of January 2015.

10.2.3 C&C 02 Rates Debtors Report for the Period Ended 31 January 2015

EN BLOC RESOLUTION OCM 09/2015

That Council:

1. Receives the rates debtors report for the period ended 31 January 2015 (Attachment 1).

10.2.4 C&C 03 Quarterly Report – Community Care December 2014

EN BLOC RESOLUTION OCM 09/2015

That Council:

1. Receives the Community Care Quarterly Report – December 2014.

10.2.5 C&C 04 Draft Ray Owen Reserve Master Plan – Public Comment

EN BLOC RESOLUTION OCM 09/2015

That Council:

1. Adopts the Final Ray Owen Reserve Master Plan, incorporating two minor amendments to the Draft Plan, namely:
 - Include provision of a second playground area;
 - Notes that the retention of trees within the proposed new car parking area will be considered as part of the detailed car parking design process.
2. Considers the following budget items as part of the 2015/16 budget deliberation process:
 - Sustainable water supply investigation - \$75,000
 - Power supply design and approval process - \$50,000
 - Environmental Impact Assessment on the proposed areas for clearing at the site - \$20,000
3. Notes that all capital projects identified within the Ray Owen Reserve Master Plan shall be considered by Council for inclusion within the Long Term Financial Plan and subjected to annual budget deliberation processes.
4. Supports the continuation of the existing management arrangement and prepares a new Licence Agreement with the Kalamunda and Districts Basketball Association and the Kalamunda and Districts Netball Association.

10.3 CHIEF EXECUTIVE OFFICER REPORTS

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

10.3.1 2014 Annual General Meeting of Electors Report

Previous Items	Nil
Responsible Officer	Chief Executive Officer
Service Area	Governance
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Minutes of the Annual General Meeting of Electors

PURPOSE

1. To consider the outcomes of the 2014 Annual General Meeting of Electors (AGM).

BACKGROUND

2. As required by section 5.27 of the *Local Government Act 1995* (the Act), the 2014 AGM was held on Monday 9 February 2015 in the Council Chambers, Shire of Kalamunda, 2 Railway Road Kalamunda.

DETAILS

3. Section 5.33 of the Act requires all decisions made at the AGM to be considered at the next available Ordinary Council Meeting. In addition, the reasons for a decision made at a Council Meeting in response to a decision made at an AGM are to be recorded in the minutes of the Council Meeting.
4. One decision was made at the AGM:

(1) That the 2014 Annual Report of the Shire of Kalamunda be received.

STATUTORY AND LEGAL CONSIDERATIONS

5. Section 5.27 of the Act requires that an AGM be held not more than 56 days after the local government accepts the Annual Report. The Annual Report was accepted at the Ordinary Council meeting of 15 December 2014.
6. Section 5.33 of the Act consideration of decisions made at the AGM.

POLICY CONSIDERATIONS

7. Nil

COMMUNITY ENGAGEMENT REQUIREMENTS

8. Community engagement and consultation occurred as part of the AGM.

FINANCIAL CONSIDERATIONS

9. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

10. *Kalamunda Advancing: Strategic Community Plan to 2023*

SUSTAINABILITY

Social Implications

11. Nil.

Economic Implications

12. Nil.

Environmental Implications

13. Nil.

RISK MANAGEMENT CONSIDERATIONS

14.

Risk	Likelihood	Consequence	Rating	Action/Strategy
That Council does not consider the resolutions passed at the AGM.	Unlikely	Major	Medium	Sufficient information is provided to Council to ensure there is compliance with the requirements of the legislation with respect to resolutions passed at the AGM.

OFFICER COMMENT

15. Nil.

Voting Requirements: Simple Majority

RESOLVED OCM 10/2015

That Council:

1. Endorses Resolution AGM 1/2015, passed at the Annual General Meeting of Electors held on 9 February 2015 as contained in the Minutes of the Meeting at Attachment 1.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Justin Whitten**

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

Reasons for this decision of Council in accordance with section 5.33 (2) of the *Local Government Act 1995*:

1. AGM 1/2015 – Receiving of the 2014 Annual Report – As the Annual Report was received without question no further action required.

Attachment 1

Minutes of the Annual General Meeting of Electors

[Click HERE to go directly to the document](#)

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

10.3.2 Draft Monthly Financial Statements to 31 January 2015

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Finance
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A

Attachment 1 Draft Statements of Financial Activity for the months 31 December 2014 and 31 January 2015 incorporating the following:

- Statement of Financial Activity (Nature or Type)
- Statement of Financial Activity (Statutory Reporting Program)
- Net Current Funding Position, note to financial statement

PURPOSE

1. To provide Council with statutory financial reports on the activity of the Shire of Kalamunda with comparison of year to date performance against adopted budget. The statement compares the actual year to date with the budget year to date.

BACKGROUND

2. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirement of the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* (Regulation 34).
3. The 2013/2014 financial position was finalised on the 12 November 2014, the opening funding position in the Statement of Financial Activity statement reflects the audited position.
4. The budget column reflected matches to the budget review approved by Council at its meeting on 15 December 2014.

DETAILS

5. The *Local Government Act 1995* requires Council to adopt a percentage or value to be used in reporting variances against Budget. Council has adopted the reportable variances of 10% or \$50,000 whichever is greater.

Financial Commentary

Draft Statement of Financial Activity by Nature and Type to 31 January 2015

6. The Statement reveals a net result surplus of \$27,846,803 against budget for the same period of \$22,251,442. The reasons for the variance include, timing issues on the Hartfield park and Kostera oval infrastructure projects, increase in capital grants and commissions, lower employment costs and depreciation charges.

Revenue

7. Total Revenue excluding rates is under budget by \$1,642,384. This is made up as follows:
- Operating Grants, Subsidies and Contributions are under budget by \$95,514. The following grants have contributed to this positive variance
 - \$87,500 relating to the metropolitan reform costs. The amount may need to be adjusted at the statutory budget review.
 - \$39,032 reimbursements relating to claims for long service leave from staff who have worked in other local governments. This amount is only claimed once the staff take the leave.
 - Fees and Charges variance are under budget by \$187,505 of which
 - \$48,633 relates to lower building service fees due to a drop in developer applications partly due to the state of the economy and the lower activity over summer months;
 - \$66,531 related to lower fees from infrastructure services which includes private works. This is partially related to a capacity to provide the service and may need to be reviewed in the statutory budget review.
 - Refuse collection charges is slightly under budget by \$36,373;
 - Fees from the Hartfield Park Recreation Centre are \$56,138 below budget. This is largely a result of seasonal demand and inability to let part of the centre due to continuing problems with the floor. A marketing campaign is being initiated to boost membership numbers.
 - Interest earnings are down by \$48,552 which is within the reporting threshold. Having said that, the Shire will need to have a tighter control on forecasting the Shire's cash flows due to a combination of:
 - Lower interest income from deposits with Approved Deposit taking Institutions (ADI's) where the returns are lower than forecasted predicated by the cash rate set by the Reserve Bank of Australia (RBA). The cash rate was reduced by the RBA in February 2015 by 25 basis points to a new low of 2.25%.
 - The returns will be further constrained with the implementation of Basel III banking regulations which are effective from 1

January 2015, which requires all ADI's to keep a higher capital ratio against their liabilities.

- Other Revenue is slightly under budget by \$5,614, which mainly relates to infringements based on successful prosecutions for dog attacks. Most "Other Revenues" comprise of various fines and penalties which are difficult to predict.

Expenditure

8. Total expenses are under budget with a variance of \$1,953,681. The significant variances within the individual categories are as follows:

- Employment Costs are under budget by \$991,967 due to some vacant positions predominantly in the operational business units. This is impacting capacity in the delivery of infrastructure projects.
- Materials and Contracts is under budget by \$671,653 which is comprised of:
 - \$406,095 relates to consultancy costs for various projects;
 - \$178,861 relates to maintenance costs covering all asset classes
- Utilities were under budget by \$130,341. Street lighting is under budget by \$94,049 which forms part of the variance mentioned above. A review of budgets needs to be considered due to the consistent reporting of costs below budget for the past few months.
- Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$196,821. The reason for the variance can be attributed to the buildings depreciation which has significantly reduced due to the valuation exercise undertaken at the end of the 2013/14 financial year. A further review will be undertaken and adjustments will be made for specific buildings identified.
- The interest expense is slightly under budget by \$18,051, which is the result of a timing difference between amounts accrued and the budget which is based on the debenture payment schedule.
- Insurance expense is slightly under budget by \$31,517 which will be reviewed as part of the budget review since the second instalment to LGIS to cover the insurance cost for the year has now been finalised.
- Other expenditure is under budget by \$125,057, with the bulk of the variance made up of the non-recurrent projects. This is largely as a timing difference.

Capital Revenues

Non-operating Grants and Contributions

9. The non-operating grant income is greater than the budget by \$2,132,667. The variance can be attributed to the partial billing for Hartfield Park and Kostera Oval valued at \$2.6 million. The amount is yet to be paid by the Department of Sports and Recreation, hence the significant increase shown in our sundry debtors at the end of January 2015.

Proceeds from the disposal of assets

10. The adverse variance of \$197,425 relates to the delay in disposing of 514 Kalamunda Rd property. This is regarded as a timing matter.

Capital Expenditures

11. Infrastructure projects made up of roads, drainage, footpaths, car parks and parks and ovals is underspent by \$2,396,817. This variance is principally emanating from the Parks and Ovals class and relates to the two significant projects underway, that is, Hartfield park and Kostera oval. The progress on these projects is being closely tracked by executive management.

Rates revenues

12. Rates generation is under budget and the variance of \$304,877 relates to timing of recognition of cash-in-lieu monies related to the Dampier-Bunbury gas pipeline and prepaid rates which can only be recognised at year end was at \$235,478.

Draft Statement of Financial Activity by Program to 31 January 2015

13. The overall result comments are as above and generally each Program is within accepted budget except for Recreation and Culture and Community Amenities. Major variances have been reported by Nature and Type under points 7 to 12 above.

Draft Statement of Net Current Funding Position as at 31 January 2015

14. The commentary on the net current funding position is based on comparison of the draft January 2015 year to date actuals with January 2014 year to date actuals.
15. Net Current Assets (Current Assets less Current Liabilities) show a positive result of \$27.84 million. The un-restricted cash position has a positive balance of \$25.05 million which is comparable to the previous year's balance of \$19.4 million. This can be attributed to issues addressed above in relation to infrastructure works projects and operational costs.
16. Trade and other receivables comprise of rates and sundry debtors totalling \$7.4 million outstanding.

The rates balance has reduced by \$1.2 million to \$4.7 million in the month due to the direct debit arrangements. This represents a collection rate of 86.03% to date.

Of the \$4.7 million outstanding, \$455,632 is made up of deferred rates and therefore classed as a non-current assets. This amount is excluded when determining the Net Current Funding Position (Attachment 1).

17. Sundry debtors have increased to \$3,021,893 outstanding. Of the amount outstanding:
- There is \$2.86M including gst related to the first trench of grants for the works undertaken for Hartfield Parka and Kostera Oval.
 - Discovery Parks \$81,920, reminder notice has been sent out. Amount relates to waste charges for 2013/14. Legal action is now being considered as negotiations have not been favourable in regards to interest due on the outstanding debt.
18. Provisions for annual and long service leave have dropped by \$200,000 to \$2.2 million, as was expected as staff took time off during the Christmas period and school holidays. The Shire aggressively pursues a leave management plan, this will not adversely affect service delivery. The long term goal is to bring this liability down to a more manageable level.
19. Restricted reserves are stable at \$2.6 million. It is on track to reach the year-end target of \$3.6 million as the Lewis Rd properties was sold in January 2015. The transfer to reserves will be finalised once the GST treatment has been confirmed.

STATUTORY AND LEGAL CONSIDERATIONS

20. The *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* require presentation of a monthly financial activity statement.

POLICY CONSIDERATIONS

21. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

22. Nil.

FINANCIAL CONSIDERATIONS

23. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

24. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 6.8 – To ensure financial sustainability through the implementation of effective financial management, systems and plans.

Strategy 6.8.4 Provide effective financial services to support the Shire's Operations and to meet sustainability planning, reporting and accountability requirements.

SUSTAINABILITY

Social Implications

25. Nil.

Economic Implications

26. Nil.

Environmental Implications

27. Nil.

RISK MANAGEMENT CONSIDERATIONS

28.

Risk	Likelihood	Consequence	Rating	Action / Strategy
Over-spending the budget	Possible	Major	High	<ul style="list-style-type: none">• Monthly management reports are reviewed by the Shire.• Weekly engineering reports on major projects and maintenance.• Reviewed by the Shire.
Non-compliance with Financial Regulations	Unlikely	Major	Medium	The financial report is scrutinized by the Shire to ensure that all statutory requirements are met.

OFFICER COMMENT

29. The Shire's draft financial statements as at 31 January 2015 demonstrate the Shire has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RESOLVED OCM 11/2015

That Council:

1. Receives the draft monthly statutory financial statements for the month to 31 December 2014 and 31 January 2015, which comprises:
- Statement of Financial Activity (Nature or Type).
 - Statement of Financial Activity (Statutory Reporting Program).
 - Net Current Funding Position, note to financial statement.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Geoff Stallard**

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

Attachment 1

Draft Statements of Financial Activity for the months 31 December 2014 and 31 January 2015 incorporating the following:

- Statement of Financial Activity (Nature or Type)
- Statement of Financial Activity (Statutory Reporting Program)
- Net Current Funding Position, note to financial statement

[Click HERE to go directly to the document](#)

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

10.3.3 Development Assessment Panels – Member Nominations

Previous Items	OCM 02/2013
Responsible Officer	Chief Executive Officer
Service Area	Chief Executive's Office
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachment 1	Information letter from the Development Assessment Panels

PURPOSE

1. To consider nominations for the two Development Assessment Panel (DAP) members and two alternate DAP members for the Metro East Region.

BACKGROUND

2. In March 2009, the Department of Planning released the *Building a Better Planning System* consultation paper, which set out the broader planning agenda for the reform of the planning system. One of the reform initiatives was the introduction of DAPs to determine significant development applications in an attempt to simplify planning approvals.
3. The *Planning and Development (Development Assessment Panels) Regulations 2011* ("DAP Regulations") commenced on 24 March 2011. DAPs commenced operation on 1 July 2011. Nominees are appointed for a two-year term, with current appointments expiring on 26 April 2015. Existing members will be eligible for reconsideration.

The following councillors were appointed as the Shire of Kalamunda nominees in 2013:

Member:

- Cr Sue Bilich
- Cr Bob Emery

Alternate Member:

- Cr Allan Morton
- Cr Justin Whitten

4. A DAP comprises a mix of three technical experts and two local government representatives with the power to determine applications for development approval in place of the relevant decision maker. The local government representatives will only be required to sit on a DAP where the application is for a development in their local government area.

DETAILS

5. The DAP Regulations require local governments to submit to the Minister nominations for two DAP members and two alternate DAP members. Local governments have until 27 February 2015 to submit their nominations.
6. Each DAP member will be appointed for a term of no more than two years at a time. All members will be required to attend a training workshop on planning law and Codes of Conduct. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.
7. It will be mandatory to refer a development proposal which has a total value of more than \$7 million to a DAP for determination. Exclusions to this mandatory requirement are for a single house, less than 10 grouped or multiple dwellings and development by the local government or WA Planning Commission.
8. When an application is lodged with the Shire, which has a value between \$3 million and \$7 million, the applicant may nominate it be determined by a DAP rather than the responsible authority.
9. It is anticipated that DAPs will meet fortnightly or monthly, dependent upon the number of applications to be determined.

STATUTORY AND LEGAL CONSIDERATIONS

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

POLICY CONSIDERATIONS

11. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

12. Not required for this matter.

FINANCIAL CONSIDERATIONS

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

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

14. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 6.1 To ensure a highly effective and strategic thinking Council sets direction and works for the greater good of the community at all times.

Strategy 6.1.4 Develop and implement a governance framework to ensure the elected body has a very clear understanding of its role and responsibilities.

SUSTAINABILITY

Social Implications

15. Nil.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

RISK MANAGEMENT CONSIDERATIONS

18.

Risk	Likelihood	Consequence	Rating	Action/Strategy
That Council does not make a nomination for representation on the Metro East Region DAP	Unlikely	Major	Medium	Ensure Council is aware of the implications for development approvals if no local nominees are appointed to the DAP.

OFFICER COMMENT

19. Membership on a DAP will provide those with the required knowledge and experience the opportunity to consider development applications of regional and state significance.
20. Although due to the development threshold of \$7 million, there have been very few development proposals in the Shire of Kalamunda it is anticipated that this situation will change particularly as a consequence of the Forrestfield Railway Station project.
21. It is recommended that Council nominates members to attend DAPs for the Metro East Region.

Councillors put names forward and agreed on Members and Alternate Members without necessitating a ballot.

Voting Requirements: Simple Majority

RESOLVED OCM 12/2015

That Council:

1. Nominates the following members and alternate members for the Development Assessment Panel representing the Metro East Region, and forwards the nominations to the Minister for Planning for consideration:

Members

- Cr Sue Bilich
- Cr Justin Whitten

Alternate Members:

- Cr Dylan O'Connor
- Cr Simon Di Rosso

Moved: **Cr John Giardina**

Seconded: **Cr Noreen Townsend**

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

Attachment 1



Government of Western Australia
Development Assessment Panels

Our Ref: DP/12/00609
Enquiries: DAPs secretariat
Telephone: 6551 9919

Ms Rhonda Hardy
Chief Executive Officer
Shire of Kalamunda
PO Box 42
KALAMUNDA WA 6926

Dear Rhonda

DEVELOPMENT ASSESSMENT PANELS: LOCAL GOVERNMENT NOMINATIONS

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

Appointments of all local government DAP members expire on 26 April, 2015. Members whose term has expired will be eligible for re-consideration at this time.

An Expression of Interest for Development Assessment Panel specialist members was advertised in the West Australian on 6 and 10 December, 2014 and in regional newspapers in the week commencing 8 December, 2014. Nominations for specialist members will close on Friday, 23 January, 2015. You will be advised of the new specialist members once they have been appointed by the Minister.

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

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

Nominations are required to be received no later than Friday 27 February, 2015.

Following receipt of all local government nominations, the Minister for Planning will consider and appoint all nominees for up to a two-year term, expiring on 26 April 2017. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local

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

government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

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

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

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

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

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

Local representation is vital to DAPs. If no nominations are received by Friday 13 March, 2015, or if I have not allowed the local government a longer nomination period, regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, enables me to include on the local government register a person who is an eligible voter of your local government district and who has relevant knowledge or experience that will enable that person to represent the interest of the local community of your district.

If you have any queries regarding this request for nominations, please contact the DAPs secretariat – phone 6551 9919 or email daps@planning.wa.gov.au.

Yours sincerely


Gail McGowan
Director General

18 December 2014

*Thanks for the work done by you & your staff
during 2014. We look forward to working with you
in 2015*

DEVELOPMENT ASSESSMENT PANEL NOMINATION FORM

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

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

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

Name: _____ Phone: _____ Email: _____

DAP Secretariat Use

Date received: _____ Officer Name: _____ Date Registered: _____

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

10.3.4 Quarterly Progress Report – October-December 2014

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Office of the CEO
File Reference	OR-CMA-009
Applicant	N/A
Owner	N/A
Attachment 1	Quarterly Progress Report – October-December 2014

PURPOSE

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

BACKGROUND

2. The Quarterly Progress Report is generated from the Shire's integrated planning system, "interplan". The report reflects the progress of individual actions, which are linked to Council's Strategic Plan. This ensures that each employee is working towards achieving the strategic direction of the Council.
3. The person responsible for an action or task in interplan is required to provide an update each month, giving an indication of how the action is progressing. Key Performance Indicators (KPIs) are also updated. This information is collated by interplan to provide an overview of how the organisation is performing.

DETAILS

4. The Quarterly Progress Report for the period 1 October 2014 to 31 December 2014 is presented at (Attachment 1).
5. The report shows the progress of the actions and Key Performance Indicators for 2014/2015 from the Corporate Business Plan, *Kalamunda Achieving*. The report also shows the progress of the Shire against the goals set out in Council's Strategic Plan to 2023, *Kalamunda Advancing*.

Quarterly Progress Against Goals

6. Each business unit in the Shire has a business plan, which contains the actions to be achieved in the 2014/2015 year. Each of these actions is linked to a strategy, outcome and goal in the Strategic Plan adopted by Council.
7. Of the 380 actions monitored across the organisation, 334 (or 88%) are at 90% or more of their progress target for the year to date. Only 36 actions (9%) are at less than 70% of their progress target. This is an improvement on last quarter's performance. Progress is good against all six goals of the Strategic Plan.

8. The five actions listed as “Actions With No Target” are those that are not due to start until later in the year.

Key Performance Indicators

9. Performance against the Shire’s corporate KPIs is shown. At this stage, a number of the annual KPIs have not been updated. All measures have been derived from the Shire’s Strategic Plan, to be reported to Council and the community.
10. Of the remaining 11 KPIs, for the period 1 October 2014 - 31 December 2014 –
- Five are at or exceeding their target.
 - Three are within 10% of their target.
 - Three are below 10% of their target.

11. The “off-track” KPI’s are –

Planning applications outstanding, as a % of applications received

The target for the quarter was 5%, and the actual result recorded was 6%. This is an average for the quarter, with the actual results being 5% in October, 7% in November and 6% in December. All results were close to the target of 5%. Applications outstanding represent those where additional information was required and not received, and applications awaiting reporting to Council.

Corporate efficiency - Management of Major Projects

No results have been entered for October, November or December.

Response to Councillor enquiries

The result of 87.5% is an improvement over last quarter (86.7%). Two business units had lower response rates, which has reduced the average for the organisation as whole.

12. Please note that the “traffic light” indicator on the Report only relates to the month of December 2014, not to the whole quarter.

Major Projects

13. The Corporate Business Plan, *Kalamunda Achieving*, sets out a number of Priority Actions for the Shire for the four-year period to 30 June 2018. The progress of the Priority Actions for 2014/2015 is shown in the Major Projects section of the Report.
14. The majority of actions are on track (233 out of a total of 244). Only one action is off-track (indicated by a red traffic light). A number of actions have been deferred due to the uncertainty resulting from the local government reform process. Comments indicating the status of all actions and their current progress are included in pages 6 to 74 of the report.

STATUTORY AND LEGAL CONSIDERATIONS

15. Nil.

POLICY CONSIDERATIONS

16. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

17. The report is presented to keep Council informed of the organisation's progress. The community is advised of the Shire's achievements and progress via the Annual Report.

FINANCIAL CONSIDERATION

18. Financial progress is reported monthly via the Monthly Financial Statements.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

19. *Kalamunda Advancing: Strategic Community Plan to 2023*
OBJECTIVE 6.7 – To provide a business environment that strives for continuous improvement through the use of highly effective business systems and processes.
Strategy 6.7.4 Develop and maintain information systems to capture, monitor and compare corporate data and performance.

SUSTAINABILITY

Social Implications

20. Nil.

Economic Implications

21. Nil.

Environmental Implications

22. Nil.

RISK MANAGEMENT CONSIDERATIONS

23. The following risks have been considered:

Risk	Likelihood	Consequence	Rating	Action/Strategy
The Shire fails to carry out the actions set out in the corporate Business Plan.	Unlikely	Major	Medium	Regular reporting of action progress to CEO, Directors and Council to ensure that performance is monitored and managed.
KPIs are not met – standard of customer service declines.	Possible	Major	High	Regular reporting of KPI achievement to CEO, Directors and Council to ensure that performance is monitored and managed.

OFFICER COMMENT

24. Nil.

Voting Requirements: Simple Majority

RESOLVED OCM 13/2015

That Council:

1. Receives the Quarterly Progress Report for October – December 2014.

Moved: **Cr Allan Morton**

Seconded: **Cr Dylan O'Connor**

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

Attachment 1

Quarterly Progress Report – October-December 2014

[Click HERE to go directly to the document](#)

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

10.3.5 Proposed Aged Care Study

Previous Items	N/A
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider allocation of money at the mid-year budget review to a study into the need and facilitation of aged care developments within the Shire.

BACKGROUND

2. In 2008 the Shire of Kalamunda undertook a study to assess the need for aged care facilities. The *Shire of Kalamunda Aged Accommodation Strategy 2008* was adopted by Council (OCM 73/08) and is now in urgent need of review.
3. In October 2014 the local community held a public meeting to highlight the issue of aged care in the Shire of Kalamunda.
4. From the Shire's analysis of the demographic breakdown of the Shire, there is an under supply of aged care facilities in Perth.
5. Much of the demand for care in the Shire is that of integrated aged care, however it has proved difficult to get on ground traction for such a facility.

DETAILS

6. The Shire has attempted to remove barriers to development including allowing for aged care in all areas zoned for residential or commercial uses in the Local Planning Scheme. However, there is little evidence of investment in the sector, possibly due to the costs of infrastructure such as sewer, high cost of land and difficulty assembling land.
7. In order to better understand what can be done to facilitate further aged care development in the Shire, it is intended that a study be funded to identify the issues holding back such aged care developments in the Shire. Issues to be examined would include:
 - Size and configuration of appropriate land;
 - Discussion with providers to understand site selection and acquisition methodology;
 - Cost of development vs financial return;
 - Review the Shire's landholdings to identify potential sites;
 - Needs analysis for the Shire of Kalamunda; and
 - Recommended actions for Local, State and Federal Government to help facilitate development.

STATUTORY AND LEGAL CONSIDERATIONS

8. Nil.

POLICY CONSIDERATIONS

9. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

10. There are not community engagement requirements, however the consultant may be requested to present their findings to the public

FINANCIAL CONSIDERATIONS

11. The Shire will seek quotes from interested parties. A provisional sum of \$30,000 is proposed to cover the costs.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

12. *Kalamunda Advancing: Strategic Community Plan to 2023*
- OBJECTIVE 1.2 To ensure the aging population has housing choice
- Strategy 1.2.2 Advocate and facilitate large parcels of land within the Shire to be established for aged care facilities
- OBJECTIVE 4.2 To effectively plan for the diverse range of housing stock that will be required to meet the social and economic needs of the Shire's changing demographics.
- Strategy 4.2.2 Facilitate the delivery of suitable housing options for the aged population and people with special needs through a range of smaller and affordable homes and unit dwellings

SUSTAINABILITY

Social Implications

13. The lack of appropriate aged care facilities is a major concern for the wider Kalamunda Community, frequently being raised with the Shire.

Economic Implications

14. The lack of development of aged care facilities may be an economic issue.

Environmental Implications

15. There are no specific Environmental Implications associated with this report.

RISK MANAGEMENT CONSIDERATIONS

16.	Risk	Likelihood	Consequence	Rating	Action/Strategy
	Council does not support the budget allocation.	Possible	Minor	Medium	Ensure Council is aware that the Shire does not have the required resources or expertise to complete such a study internally.

OFFICER COMMENT

17. There is substantial community concern about this issue. It appears that there is a market failure in this instance, as aged care approvals have regularly lapsed due to decisions by developers not to proceed. The Shire recognises that the issue of an ageing population and market failure is one that best belongs to State and Federal Government, however it is hoped that this study will identify issues that local government can address and others that it can advocate for at higher levels.

18. The report is expected to take several months to complete and the findings would be presented to Council in the first instance.

The Chief Executive Officer had requested this report be withdrawn and the Presiding Member approved its withdrawal.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. Approves the allocation of \$30,000 at the mid-year budget review to facilitate a study of issues related to the provision of aged care facilities in the Shire of Kalamunda

Moved: **REPORT WITHDRAWN**

Seconded:

Vote:

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

10.3.6 Forrestdale North District Structure Plan

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	PG-LPS-003
Applicant	N/A
Owner	Various

Attachment 1	Proposed Forrestdale North District Structure Plan
Attachment 2	Forrestdale North District Structure Plan Report

PURPOSE

1. To consider a proposed District Structure Plan (DSP) for the Forrestdale North Area (the Subject Area) for the purpose of public advertising. Refer to (Attachment 1 and 2).
2. The Subject Area comprises land identified as Stage 1 of the Forrestdale/High Wycombe Industrial Area (the Industrial Area), land previously identified as Stages 2 and 3 of the Industrial Area and existing areas of land currently used for light industry.
3. **Land Details:**

Land Area:	Approximately 264ha
Local Planning Scheme Zone:	Industrial Development Special Rural Light Industry
Metropolitan Regional Scheme Zone:	Rural Urban

Locality Plan

- 4.



5. In June 2014, the State Government announced a decision to proceed with the Forrestfield-Airport Rail Link. This decision resulted in the State Government requesting the Shire of Kalamunda give consideration to the planning land use opportunities that Forrestfield Train Station will create for the surrounding areas of Forrestfield and High Wycombe.
6. The Shire has been instructed by the State Government to prepare a DSP over the subject land, in order to identify new land use opportunities arising from the planned Forrestfield Train Station.
7. In June 2013, Council requested the WA Planning Commission (the Commission) to initiate an amendment to the Metropolitan Region Scheme (MRS) to rezone the land formerly known as Stage 3 of the Industrial Area from Rural to Urban. This amendment will be progressed by the Commission in parallel with the DSP.

DETAILS

8. Council is requested to consider the proposed DSP for the Subject Area. Refer to (Attachment 1 and 2).
9. The DSP represents a high level strategic planning document that provides guidance on future land use, employment, broad density direction and the coordination and provision of major infrastructure. This may include the following:
 - Location of high schools;
 - District water management requirements;
 - Movement networks;
 - Coordination of infrastructure provisions;
 - Location and distribution of regional open space;
 - Land use buffers;
 - Environmental assets; and
 - Activity centres.
10. The purpose of the DSP for the Subject Area is to provide a strategic framework to guide the development of the identified precincts within the Subject Area through subsequent local structure planning processes and to support the planning, assessment, coordination and implementation of longer term development within the area as a result of the development of the Forrestfield Train Station.
11. The principal objectives of the DSP are to:
 - Place the subject area in its emerging regional context and identify any factors that might influence the future planning and development of the area;
 - Confirm the role and function of the Subject Area in the context of Directions 2031 and Beyond;
 - Develop a spatial plan that defines planning and development precincts based on projected land use, and informs the preparation of local

structure plans, Scheme amendments and statutory planning and development proposals;

- Identifies existing environmental assets and district level water management considerations applicable to the area and consider what additional investigations are required to support the planning process;
- Consider the impacts of future development in the Subject Area on the existing transport network and identify what modifications may be required as part of a future staged development process; and
- Identify key services and infrastructure constraints and options for the future coordinated delivery of additional service capacity to the area.

All of the above objectives are addressed in more detail in the DSP report. Refer (Attachment 1 and 2.)

12. The DSP has four defined precincts each with its own character and combination of land uses. These are described below:

Forrestfield Station Transport Orientated Development (TOD) Precinct

13. A high density primarily commercial development that leverages opportunities associated with the development of the Forrestfield Train Station. Opportunities exist for mixed-use development outside of existing aircraft noise contours and where it can be demonstrated that noise associated with the Forrestfield Marshalling Yards has been adequately mitigated.

Forrestfield North Activity Centre Precinct

14. A new well connected district level activity centre that will service the future needs of both the immediate local and wider district population.

Forrestfield North Residential Precinct

15. A medium and high residential area with excellent access to the Forrestfield Train Station which provides for the enhancement and protection of the significant environmental assets of the area. The residential component could also include an integrated aged care facility.

Forrestfield Light Industrial Precinct

16. As directed by the State Government, the aim of this precinct is to retain the original Stage 1 for light industry given its proximity to the Forrestfield Train Station and significant investment in transport infrastructure generally.

STATUTORY AND LEGAL CONSIDERATIONS

17. Clause 6.2.3.4 (Preparation of Structure Plans) of Local Planning Scheme No. 3 (the Scheme) stipulates that a Structure Plan is to contain the following details, amongst other matters:
- a) The area to which the Structure Plan applies;

- b) Key opportunities and constraints of the Development Area including landform, topography, hydrology, landscape, some vegetation, soils, conservation and heritage values, ownership, land use, roads and public transport, and services;
 - c) The planning context for the Development Area including the regional and neighbourhood structure, relevant strategies, Scheme provisions and policies and where appropriate, indicating how the Proposed Structure Plan is to be integrated into the surrounding area;
 - d) Proposed major land uses, in particular, residential areas, public open space, school sites, civic and community uses, commercial uses (including the location and hierarchy of commercial centres), mixed use, industrial and mixed business uses;
 - e) The proposed indicative lot pattern and general location of any major building;
 - f) Estimates of future lots, dwellings, population, employment and retail floor space;
 - g) The proposed road network and hierarchy, public transport services, and bicycle and pedestrian networks;
18. In accordance with clause 6.2.4 (Adoption and Approval of Structure Plans) of the Scheme upon receiving a proposed Structure Plan Council is to either:
- a) determine that the proposed Structure Plan is satisfactory for advertising;
 - b) determine that the proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken; or
 - c) determine that the proposed Structure Plan is not satisfactory for advertising and give reasons for this to the Proponent.
19. Upon conclusion of the advertising period Council is to either adopt the proposed Structure Plan with or without modification, or refuse to adopt the proposed Structure Plan. Its recommendation is then forwarded to the WAPC for final determination.

POLICY CONSIDERATIONS

Directions 2031 and Beyond

20. *Directions 2031 and Beyond* supersedes *Network City* and replaces *Metroplan* and all other metropolitan strategies. *Directions 2031 and Beyond* is a spatial framework to guide the growth of Perth and Peel.
21. The key features of *Directions 2031 and Beyond* for the Shire are as follows:
- A target of 75% employment self-sufficiency has been set for the north-east sub region, an additional 42,000 jobs over the whole sub-region.

- An estimated increase in population of 69,000 across the whole sub-region.
- Several areas around the Shire have potential for increased residential development to accommodate airport, freight, container and light industrial development in the area.
- Forrestfield and High Wycombe have potential for increased residential development.

Kewdale Hazelemere Integrated Masterplan (August 2006)

22. The Kewdale-Hazelemere Integrated Masterplan (KHIM) identified the Kewdale-Hazelemere area as a major strategic area for the freight industry in Perth and Western Australia. The KHIM was prepared by the Department of Planning in consultation with a number of stakeholders, to provide a broad framework to facilitate the rapid expansion and change that is occurring in the freight industry and to accommodate the existing population of residents within the area.
23. The subject land forms part of the Forrestfield Precinct. The Forrestfield Precinct is identified as being 'a significant freight related industrial precinct adjacent to the main interstate freight rail line, the airport and the residential suburb of High Wycombe'. Existing industrial land uses in this precinct include SCT, Australian Railroad Group, and Co-operative Bulk Handling.
24. The KHIM was written prior to the announcement of the Forrestfield Airport Rail Link which has fundamentally changed the strategic context of the area.

Western Australian Planning Commission – Economic and Employment Land Strategy, Perth Metropolitan and Peel Regions (April 2012)

25. The Economic and Employment Land Strategy (EELS), was prepared in response to the ongoing pressures of industrial land supply in the Perth metropolitan market and to ensure that industrial land constraints and shortages such as those that occurred in the mid-2000s did not reoccur. EELS' primary aim is the adequate provision of land over the next 20 years within the Perth Metropolitan and Peel regions for the purposes of employment generating activities (industrial and commercial land uses), with identification of land that is suitable for non- heavy industrial activity in the long term, and strategies to address land supply constraints.
26. The EELS was written prior to the announcement of the Forrestfield Airport Rail Link which has fundamentally changed the strategic context of the area.

Western Australian Planning Commission State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport

27. The general intent of State Planning Policy 5.1 (SPP 5.1) is focused on the planning of areas in the vicinity of the Perth Airport in regards to aircraft noise with reference to the Australian Noise Exposure Forecast (ANEF).

28. The Subject Area is located 3km to the west of Perth Airport and is largely unaffected by aircraft noise. A small portion of the site is noted as being within the 20-25 ANEF contour and the large majority of the structure plan area is noted as being below the 20 ANEF contour. Table 2.1 within Appendix 1 of SPP 5.1 lists a number of building types and their acceptability within each of the ANEF contours. The DSP meets the requirements of Appendix 1 given that all building types below the 20 ANEF contour are deemed to be acceptable and the proposed land uses that fall within the 20-25 ANEF contour are deemed to be either conditionally acceptable or acceptable. The structure plan has responded to the ANEF contours appropriately by locating particular land uses that are acceptable within the relevant ANEF contour.

Western Australian Planning Commission State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning

29. SPP 5.4 applies to proposals for new noise-sensitive developments, new railways or major roads, major redevelopments of existing railways or major roads, and new freight handling facilities.
30. The DSP is considered to meet the following objectives outlined by the policy:
- protect people from unreasonable levels of transport noise by establishing a standardised set of criteria to be used in the assessment of proposals;
 - protect major transport corridors and freight operations from incompatible urban encroachment;
 - encourage best-practice design and construction standards for new development proposals and new or redeveloped transport infrastructure proposals;
 - facilitate the development and operation of an efficient freight network; and
 - facilitate the strategic co-location of freight handling facilities.

Development Control Policy 1.6 – Planning to Support Transit Use and Transit Orientated Development

31. Development Control Policy 1.6 – Planning to Support Transit Use and Transit Orientated Development (DCP 1.6) seeks to maximise the benefits to the community of an effective and well used public transit system by promoting planning and development outcomes that will support and sustain public transport use, and which will achieve the more effective integration of land use and public transport infrastructure.
32. The following are objectives of DCP 1.6:
- To promote and facilitate the use of public transport as a more sustainable alternative to the private car for personal travel, to enhance community accessibility to services and facilities, including employment opportunities, community services and recreational facilities, and to improve equity in accessibility for those who do not own or have access to a car.

- To encourage spatial patterns of development that make it easier to plan and efficiently operate public transport services, and for the existing and potential users of public transport to access those services.
- To ensure the optimal use of land within transit oriented precincts by encouraging the development of uses and activities that will benefit from their proximity and accessibility to public transport, and which will in turn generate a demand for the use of transit infrastructure and services.
- To ensure that opportunities for transit supportive development are realised, both on public and privately owned land, and that transit infrastructure is effectively integrated with other development, to maximise safety, security and convenience for transit users.
- To promote and facilitate walking and cycling within transit oriented precincts by establishing and maintaining high levels of amenity, safety and permeability in the urban form, and to promote and facilitate opportunities for integrating transport modes by creating opportunities for convenient, safe and secure mode interchange.

COMMUNITY ENGAGEMENT REQUIREMENTS

33. If Council resolves that the DSP is satisfactory for advertising it will be advertised for 60 days by way of letters being sent to affected landowners and service providers, and a notice being published in a local newspaper in accordance with clause 6.2.4.5 of the Scheme.
34. A community forum will also be held in late March to enable affected residents to discuss the proposed DSP with the Shire. A second forum with representatives from the development industry is also planned.

FINANCIAL CONSIDERATIONS

35. Funding for the advertising of the DSP is included in the Shire's current budget.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

36. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.1 - To ensure land use plans provide long term sustainable population growth.

- | | |
|----------------|---|
| Strategy 4.1.1 | Develop, implement and review strategic land-use plans and policies which guide the location and sustainability of industrial, commercial and residential areas within the Shire. |
| Strategy 4.1.4 | Facilitate the development of industrial land within the Shire. |

SUSTAINABILITY

Social Implications

37. The population of the Subject Area is expected to increase significantly over time, resulting in an increased demand for community facilities. An appropriate hierarchy of community facilities should be established to ensure that:
- State level services continue to locate in the Perth CBD;
 - Regional services continue to locate in Belmont, Midland or Cannington;
 - District facilities that rely on higher densities should be encouraged to locate in the Shire of Kalamunda, including within the Forrestfield North Activity Centre Precinct, Forrestfield Forum and the Kalamunda Town site; and
 - Local community facilities relevant to the Forrestfield North population should be located within the immediate area, including within the Forrestfield Station TOD Precinct.
38. Community and social infrastructure requirements include:
- Provision of a range of facilities to cater for people of different abilities and cultural backgrounds;
 - Spaces and places for interaction to promote social inclusion and connection;
 - Services that provide support for individuals families and groups;
 - Services that provide passive and active recreational opportunities for all sectors of the community;
 - Facilities that can provide a central and easily accessed location for service provision and/or community initiated activity; and
 - Visual markers of community identity including public art, environmental features, streetscape, landscaping and gardens.
39. Based on the expected demographic profile and applying relevant benchmarks consideration will have to be given to the provision of the following services and facilities:
- Health Services;
 - Aged Care;
 - Schools; and
 - Active and passive for children and young people.

Economic Implications

40. The proposed Forrestfield Rail Airport Link represents a significant economic infrastructure project which fundamentally changes the strategic importance of the Subject Area. The improved transport connectivity will ultimately stimulate business investment, jobs growth, demand for housing and associated infrastructure and utilities.

Environmental Implications

41. Various environmental studies have been undertaken over the Subject Area. These have assessed environmental opportunities and constraints associated with proposed land uses to support the MRS amendment process for the area formerly known as Stage 3 which have been referred to the Environmental Protection Authority (EPA) under sec48A of the *Environmental Protection Act 1986*.
42. The Subject Area contains the Poison Gully Creek Bush Forever site (No.123), pockets of remnant native vegetation of predominantly open Jarrah, Marri with Wandoo and Banksia and one threatened Species. A flora and vegetation survey undertaken by the Shire identified the majority if the Subject Area as being completely degraded. Some pockets of remnant vegetation were classified as being very good to degraded.
43. Three vertebrate fauna species of conservation significance have been recorded in the area including:
- Forrest Red-Tailed Black Cockatoo;
 - Carnaby's Black Cockatoo; and
 - Quenda.

One Environment Protection and Conservation Act 1999 (EPBC Act) listed flora species; the Wavy-leaved smokebush is widespread throughout the Subject Area. The Subject Area also contains a Threatened Ecological Community which is protected under the Environmental Protection Act 1986.

RISK MANAGEMENT CONSIDERATIONS

44.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may resolve that the District Structure Plan is not satisfactory for advertising.	Possible	Minor	Medium	Make sure Council is aware of the reasons for the District Structure Plan and its implications in the long term.

OFFICER COMMENT

45. The decision of State Government to move forward with the Perth Airport Rail Link and to construct a station in Forrestfield has enabled the Shire to review its planning to consider the optimum land uses for the Subject Area.
46. The DSP has been prepared in response to the decision of the State Government and therefore represents a significant strategic planning document of importance to both Local and State Governments in ensuring land use planning opportunities are fully realised for the Subject Area.

A Councillor asked for confirmation that the name of the Structure Plan – Forrestfield North - is not tied to this land indefinitely. The Director Development Services responded that the name is not tied, it was chosen to be associated with the Forrestfield Airport Link, it would be appropriate for Council to consider a new locality name for this region as it emerges over the next few years.

Voting Requirements: Simple Majority

RESOLVED OCM 14/2015

That Council:

1. Deem the Forrestfield North District Structure Plan satisfactory for the purpose of being advertised for a period of 60 days in accordance with clause 6.2.4 (Adoption and Approval of Structure Plans) of Local Planning Scheme No. 3.
2. Note a public information evening will be organised with landowners to discuss the Forrestfield North Structure Plan.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr John Giardina**

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

Attachment 1

Proposed Forrestfield North District Structure Plan

[Click HERE to go directly to the document](#)

Attachment 2

Forrestfield North District Structure Plan Report

[Click HERE to go directly to the document](#)

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Cr Noreen Townsend – Shire of Kalamunda Wandoo Road Safety

Rationale

A seven day speed/volume count was carried out on Wandoo Road in December 2014. The results were very similar to the count from July 2014, which indicated that while the vehicle profile for the week was consistent with that type of road there was a speeding problem. The sign posted speed limit is 50 km/h and the 85th percentile speed recorded was 65.2 km/h with two vehicles recorded in the 100 to 120 km/h zone. The results of both counts were provided to the WA Police for their information and increased surveillance.

A Councillor asked if Officer's had had an opportunity to make comment on this, the Presiding Member referred to the Director Development Service who confirmed there is clearly a speeding issue in this residential area which needs to be address.

A Councillor noted that the Motion requests the investigation of options and costs of traffic control devices – normally speed bumps or chicanes and added that for some time he had been asking about and assured that footpaths will be included in a future budget. Since there is good research to suggest that when roadways are paved in residential areas driver's speeds drop; he asked that this be considered along with other options. This was agreed to.

RESOLVED OCM 15/2015

Voting Requirements: Simple Majority

That Council:

1. Requests the Chief Executive Officer to investigate options and costs of traffic control devices for Wandoo Road with a view to inclusion as a project for consideration in the 2015/16 budget.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Allan Morton**

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

11.2 **Cr Noreen Townsend – Foothills Information and Referral Service (Inc) – Crisis Cuts**

Rationale

In December 2014 FIRS was advised by the Department for Social Services that their application for an emergency relief grant had been unsuccessful. FIRS has received and distributed emergency relief through the Commonwealth Emergency Relief Program for over 20 years.

In 2013/14 FIRS received \$35,937.00 from the Commonwealth which was distributed to over 180 families in need within the Shire of Kalamunda area. The assistance provided food vouchers, utility payments and payment of rent arrears. The funds are used to assist people who are experiencing a financial crises for such reasons as unemployment, illness and domestic violence.

The emergency relief funds are used in conjunction with our financial counselling service which is funded by the State Government. The aim is to provide a holistic service which meets the immediate financial and practical needs of people in crises as well as providing longer term solutions through financial counselling.

The loss of these funds will extremely limit FIRS ability to provide emergency relief to the local community. FIRS is the only community based welfare agency located within the Shire of Kalamunda area and demand for emergency relief and financial counselling services has always been high, and more so in the past 2 years with the down turn in employment in the FIFO industry. In addition, FIRS has developed strong networks and recognition within the local area making it a focal point for other organisations to refer people in need.

FIRS has always met all the accountability requirements of previous funding agreements and has never received any concerns or complaints from either the funding body or service consumers.

It would seem that the funds previously received have now been assigned to other agencies outside the area FIRS services.

Officer Comment

Whilst acknowledging the contribution of FIRS to the Shire of Kalamunda community, it is suggested that further investigations are undertaken to better understand the context of the current situation.

This would include a determination on whether families requiring emergency relief that are residing within the Shire of Kalamunda will still have an opportunity to access such emergency relief funding, yet potentially accessed through an alternative arrangement.

Following these investigations, Council can then be presented with a more comprehensive report with regards to the availability and accessibility of such funding and deliberate as to whether the provision of Local Government funds should be considered for such services.

Cr Noreen Townsend withdrew her Motion and requested that it be listed for the 16 March Corporate & Community Services Committee Meeting as a forum is to be held prior to that meeting to give Councillors more background information.

MOTION

Voting Requirements: Simple Majority

That Council:

1. That Council request the Shire President and Chief Executive Officer make contact with the Minister for Social Services expressing their concern and disappointment at the cutting of funding to the only organisation within the Shire's catchment area that provides emergency relief funding to members of the Shire's community, and request that the decision be reviewed.
2. That Council include for consideration in its draft budget, an amount of \$20,000 to be allocated to FIRS for use in the Emergency Relief Program for needy families within the Shire of Kalamunda.

Moved: **Withdrawn until Corporate & Community Services Meeting to be held 16 March 2015.**

Seconded:

Vote:

11.3 **Cr Frank Lindsey – Shire of Kalamunda – Bicycle Network Improvement Projects**

Rationale

The Shire was notified in July 2014 that the submission to the Department of Transport (Local Government Grants Program) for the Perth Bicycle Network projects were not successful for 2014/15. The projects were resubmitted for 2015/16. Discussions with state government agencies in late 2014 noted the budget constraints on the funding programs for 2015/16 and beyond in the current four year plan. Representation was made to the Department of Transport in January 2015 (Integrated Transport Planning) to investigate funding programs into the future for bicycle transport.

The result is that while there is some funding available (\$1.33M) per year in the four year plan for the Perth metropolitan region, projects in this program have been decided for 2015/16. Submissions will be called in July 2015 for the 2016/17 projects.

RESOLVED OCM 16/2015

Voting Requirements: Simple Majority

That Council:

1. Requests the Chief Executive Officer to investigate funding opportunities with the Department of Transport for bicycle network projects with a view to the inclusion of appropriate projects for consideration by Council in the 2016/17 Budget.

Moved: **Cr Frank Lindsey**

Seconded: **Cr John Giardina**

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

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Cr Frank Lindsey – Waste Figures Previously Requested

- Q. At the Corporate & Community Services Meeting last week I requested some comparative figures with regard to Waste Services. I omitted to ask for the figures regarding changes to charges going through the Transfer Station, could this be added to those questions please?
- A. This was taken on notice and will be answered alongside Cr Frank Lindsey's previous questions by Director Infrastructure Services.

12.2 Cr Andrew Waddell – Aged Care in the Shire

- Q. I note that a number of people have spoken regarding the lack of aged care in the Shire of Kalamunda. Could you please provide to me the number of points of contact, requests, letters etc the Shire have received regarding aged care so that we can gauge exactly what the community interest on this topic is?
- A. This question was taken on notice by the Chief Executive Officer.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 10.3.4 OCM 15 December 2014 – Sponsorship Agreement with the Kalamunda Chamber of Commerce

- Q. As the Sponsorship Agreement allows the Chamber access to the Shire's wi fi, a Councillor presumed this would entail a full internet connection and asked what controls would be put in place to firewall the Shire's internal network information from the Kalamunda Chamber of Commerce, also will there be an acceptable use agreement in place to ensure that none of the activity that is done with that internet

connection could bring disrepute upon the Shire if it were made public. The Chief Executive Officer will take the technical information on notice but will undertake to negotiate an agreement with the Kalamunda Chamber of Commerce around the other matters raised.

- A. The Sponsorship Agreement states *'Allow access to Wi-Fi connection during normal office hours'*. The Kalamunda Chamber of Commerce will not have access to the Shire's internal network. The Wi-Fi connection referred to in the Sponsorship Agreement is the public network which is available to all members of the public throughout the whole Zig Zag precinct including Kalamunda Library, Zig Zag Café, Visitor Centre and Gallery. It allows access to Wi-Fi connection for people using their own devices during the opening hours of the buildings within the precinct.

The public network provides free public Wi-Fi and is hosted by iinet but funded by the Shire. It has no connection to the Shire's internal network. Connection by the Kalamunda Chamber of Commerce to the public network is subject to the same restrictions as any member of the public. These restrictions are determined and controlled by the Shire's experienced IT team.

14.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER 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 Presiding Member declared the meeting closed at 7.45pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2015