

Ordinary Council Meeting

Minutes for Monday 26 May 2014

CONFIRMED



**shire of
kalamunda**

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MINUTES

1.0 OFFICIAL OPENING

1.1 The Presiding Member opened the meeting at 6.34pm 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
Margaret Thomas JP		North Ward
Noreen Townsend		South West Ward
Justin Whitten		South West Ward
Geoff Stallard		South East Ward
Frank Lindsey		South East Ward
John Giardina		South East Ward
Andrew Waddell JP		North West Ward
Bob Emery		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
Gary Ticehurst	Director Corporate Services
Darrell Forrest	Manager Governance
Sam Assaad	Manager Infrastructure Operations
Andrew Fowler-Tutt	Manager Development Services
Rajesh Malde	Manager Financial Services
Darren Jones	Manager Community Development
Laurie Brennan	Media Advisor
Meri Comber	Governance Officer

Members of the Public 11

Members of the Press Nil

2.2 Apologies

Councillors

Allan Morton	South West Ward
Simon Di Rosso	North 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 Questions from the April Ordinary Council Meeting 28 April 2014

The following questions were asked by Tim Colgate at the Ordinary Council Meeting held on 28 April 2014 and taken on notice; the answers have been forwarded to him by email.

- Q1. The concept plan for the site that was submitted with the EPBC referral shows no firebreaks. How will the elderly residents be protected if there is a fire in the adjoining reserve on the eastern boundary of the site?
- A1. The plan is a concept plan only. A Bush Fire Management Plan will be required as part of the future development application.
- Q2. What is the bushfire hazard level and bushfire attack level for the proposed development area?
- A2. Bushfire hazard levels for the site are classified as moderate and high risk. The bushfire attack level will vary across the site depending on the proximity to the fuel source, this will be assessed as part of the development application process.
- Q3. Given the rocky geology of the site, what impact will construction have on nearby residents and their houses? Will the Shire or the developers be liable to pay compensation for any structural damage?
- A3. The Shire will take technical advice where necessary. The matter of liability is not one for the Shire to determine.
- Q4. How will the proposed facility impact on traffic to and from the Walliston industrial area and at the heavily-congested Lesmurdie/Canning Rd roundabout?
- A4. The Traffic Impact Analysis would take into consideration all factors, some of which include level of service for the surrounding intersections and access and egress.
- Q5. Will the existing residents of Wilkins Road and Lesmurdie Rd East be required to connect to the sewer system? If so, what is the anticipated cost for the residents?
- A5. Under the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* the owners who have sewer available will be required to connect to sewer.
- The Water Corporation have their own requirements, It is understood that properties are to connect within 5 years of sewer becoming available. It is suggested however, that residents contact the Water Corporation to confirm this requirement. The costs are determined by the Water Corporation.
- Q6. In houses along Wilkins Rd and Lesmurdie Rd East, the water pressure is already quite low. Can the Shire guarantee that this development will not further reduce water pressure to the residents?

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- A6. This is a Water Corporation matter, therefore will need to be followed up with them.
- Q7. The reserve on Wilkins Rd forms a part of the Darling Range Regional Park, and almost all the vegetation on the site is assessed to be in very good or excellent condition, and black cockatoos and other wildlife inhabit the reserve. How can the Shire justify clearing this bush land when there are other potential aged care sites identified in the Local Planning Strategy – Sites that are not environmentally sensitive areas?
- A7. The Shire has been provided advice by the State Government that this reserve does not form part of the Darling Range Regional Park.
- Q8. Along the Eastern boundary of the proposed area there is a Priority 1 zone of the Middle Helena Water Catchment. How does the Shire plan to preserve the status of this water catchment zone?
- A8. The Shire will work with the Department of Water to ensure the development meets suitable appropriate standards.
- Q9. In pursuing this development proposal, what expenses has the Shire incurred and budgeted for? Will these costs be reimbursed by the developers or borne by ratepayers?
- A9. The costs are outlined in the annual budget. To date approximately \$17,000 has been spent in the 2013/14 financial year. The decisions regarding disposal of the site are yet to be made.
- 3.2 There were no questions asked during Public Question Time at this meeting.

4.0 PETITIONS/DEPUTATIONS

4.1 Deputation Peter Coxon

A request to make a Deputation received from Mr Peter Coxon, Director, Carrooda Pty Ltd and Sansom Nominees Pty Ltd was approved by the Shire President.

The Deputation was in respect to Item 26 of Development & Infrastructure Services Meeting, Warehouse, Office and Storage of Inert Materials – Lot 1 (251), 20 (259) and 21 (257) Berkshire Road, Forrestfield.

- 4.1.1 *A Councillor asked for endorsement from Peter Coxon that he supports the Resolution for Report D&I 26, to be ratified at Council this evening; this was confirmed.*

4.2 Deputation Jacinta Dowsing

A request to make a Deputation received from Andrew Mack, Principal Consultant, Talis Consultants on behalf of DC Recycling was approved by the Shire President. Deputation to be presented by Jacinta Dowsing, Director of DC Recycling.

The Deputation was in respect of Item 26 of the Development and Infrastructure Services Meeting, Warehouse, Office and Storage of Inert Materials – Lot 1 (251), 20 (259) and 21 (257) Berkshire Road, Forrestfield.

- 4.2.1 *A Councillor asked for endorsement from Jacinta Dowsing that she supports the Resolution for Report D&I 26, to be ratified at Council this evening; this was confirmed.*

4.3 Deputation Susan Elsberry

A request to make a Deputation received from Susan Elsberry, Resident, Gooseberry Hill was approved by the Shire President.

The Deputation was in respect of the Chief Executive Officer's Report Item 10.4.3, Zig Zag Scenic Drive Community Action Plan.

Susan Elsberry informed the Councillors that she was representing the Zig Zag Action Group.

- 4.3.1 *A Councillor asked if there has been any increase in the hooning behaviour in the last six months, Susan Elsberry indicated there had been an escalation in partying, sleepovers, broken glass and noise.*

A Councillor asked if records were being kept of incidents, Susan Elsberry stated that locals feel nervous about taking down registration numbers for fear of retribution; however one resident has rung 76 times.

A Councillor asked how many car accidents have been recorded on the Zig Zag over the years; Susan Elsberry indicated that the Zig Zag Action Group have identified 36 crash sites, but of these some have had multiple crashes.

A Councillor asked if there has ever been an increase in police presence as a result of reporting these incidents. Susan Elsberry indicated that this had never increased.

- 4.4 A request to make a Deputation received from Nigel Dickinson, Resident, Gooseberry Hill was approved by the Shire President.

The Deputation was in respect of the Chief Executive Officer's Report Item 10.4.3, Zig Zag Scenic Drive Community Action Plan.

Nigel Dickinson indicated that he is also the Secretary of the Kalamunda Zig Zag Branch of WA Labor and his submission was on their behalf as well as his own.

- 4.4.1 *The Shire President indicated she accepted Nigel Dickinson's comments regarding Council process, there were no Councillor questions following Nigel Dickinson's deputation.*

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

- 5.1 Cr Margaret Thomas has submitted a request for leave of absence from 7 July 2014 to 5 August 2014. This period covers the Development & Infrastructure Services Committee Meeting on 14 July 2014, the Corporate & Community Services Committee Meeting on 21 July 2014 and the Ordinary Council Meeting on 28 July 2014.

That Council grant leave of absence to Cr Margaret Thomas for the period 7 July 2014 to 5 August 2014.

RESOLVED OCM 65/2014

Moved: **Cr Noreen Townsend**

Seconded: **Cr Justin Whitten**

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

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- 6.1 RESOLVED OCM 66/2014

That the Minutes of the Ordinary Council Meeting held on 28 April 2014, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Bob Emery**

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

- 6.2 RESOLVED OCM 67/2014

That the Minutes of the Special Council Meeting held on 12 May 2014, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

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 A&R 12. Master Lending Agreement between West Australian Treasury Corporation and the Shire of Kalamunda – Confidential Attachment 1

Reason for Confidentiality *Local Government Act 1995 Section S23 (2) (c)* a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

9.0 DISCLOSURE OF INTERESTS

9.1 Disclosure of Financial and Proximity Interests

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

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 Nil.

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

RESOLVED OCM 68/2014

Voting Requirements: Simple Majority

That recommendations D&I 24 to D&I 29 inclusive, contained in the Development & Infrastructure Services Committee Report of 12 May 2014, be adopted by Council en bloc.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Justin Whitten**

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

10.1.2 D&I 24 Amendment No. 61 to Local Planning Scheme No. 3 – Additional Use (Place of Worship) – Lot 36 (831) Welshpool Road East, Wattle Grove

EN BLOC RESOLUTION OCM 68/2014

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 24/2014)

1. That the report be deferred to a later date.

10.1.3 D&I 25 Amendment No. 63 to Local Planning Scheme No. 3 – Modification to Table 3 – Parking Requirements

EN BLOC RESOLUTION OCM 68/2014

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 25/2014)

That Council:

1. Adopts the amendment to Local Planning Scheme No. 3 without modification, in accordance with the following:

<p>PLANNING AND DEVELOPMENT ACT 2005 RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME SHIRE OF KALAMUNDA LOCAL PLANNING SCHEME NO. 3 AMENDMENT NO. 63 Resolved that Council, in pursuance of Part 5 of the <i>Planning and Development Act 2005</i>, amends the above Local Planning Scheme as follows:</p>

- (a) Modify Table 3 (Parking Requirements) by deleting the current car parking requirements for the use 'Shop' and replace with the following:

"5 bays per 100sqm of NLA."

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

10.1.4 D&I 26 Warehouse, Office and Storage of Inert Materials – Lot 1 (251), 20 (259) and 21 (257) Berkshire Road, Forrestfield

EN BLOC RESOLUTION OCM 68/2014

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 26/2014)

That Council:

1. Approves the application dated 16 February 2014 for a warehouse, office and the storage of inert materials at Lot 1 (251), 20 (259) and 21 (257) Berkshire Road, Forrestfield, subject to the following conditions:
 - a. The provision and maintenance of a total of 78 car spaces including a minimum of one disabled bay.
 - b. No storage or carrying out of industrial activities is permitted in open yard areas visible from the streets.
 - c. No loading or unloading of vehicles is to occur that interferes with the parking of vehicles in the car park by visitors and employees. All car parking bays in the car park are to be made available at all times for the parking of vehicles by employees and visitors.
 - d. All vehicle circulation areas on Lots 20 and 1 shall be sealed to the satisfaction of the Shire.
 - e. All car parking bays, (un)loading bays and vehicle access ways being line marked, sealed and drained prior to the occupation of the building and maintained thereafter by the landowner to the satisfaction of the Shire.
 - f. The landscaping is to be planted within 28 days of the development's completion and maintained thereafter by the landowner to the Shire's satisfaction.
 - g. The crossovers shall be designed and constructed to the specification of the Shire.

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- h. A Geotechnical Report being submitted to and approved by the Shire prior to the certified building licence being issued.
 - i. A contribution to the Shire of Kalamunda in accordance with Schedule 12 of the Shire of Kalamunda Local Planning Scheme No. 3 shall be paid for cell infrastructure costs for the Forrestfield Industrial Area. The contribution shall be paid in full prior to the issue of the certified building licence.
 - j. Lots 1, 20 and 21 being amalgamated prior to the building licence being issued.
 - k. The provisions of the Dust and Noise Commissioning Monitoring Plan – Phase 1 (February 2014) being complied with at all times.
 - l. All septic sewer systems including all tanks, pipes and associated drainage systems (soakwells or leach drains) are to be decommissioned, removed, filled with clean sand and compacted. The applicant must provide a statutory declaration to the Shire of Kalamunda stating that the site has been inspected and all effluent disposal systems have been removed. A pro-forma for this declaration is available from the Shire of Kalamunda.
 - m. A new effluent disposal system that complies with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulation 1974* must be installed.
 - n. Uniform fencing be installed in accordance with the Forrestfield/High Wycombe Industrial Area Guidelines, and maintained thereafter by the landowner to the Shire's satisfaction.
 - o. The material storage bins being enclosed on three sides, constructed to a height of 3.0m and incorporating the use of dust suppression sprinklers as outlined in the Dust Management Plan (August 2013). The storage bins will be maintained by the landowner to the Shire's satisfaction.
2. Advises the applicant that any proposal to recycle materials within Stage 1 of the Forrestfield/High Wycombe Industrial Area will not be supported. Such an activity is deemed to be the use Industry – General under Local Planning Scheme No.3, which is not permitted on properties zoned Industrial Development.

**10.1.5 D&I 27 Proposed Local Planning Policy P-DEV 44 –
Forrestfield/High Wycombe Industrial Area – Deferral of
Developer Contributions**

EN BLOC RESOLUTION OCM 68/2014

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 27/2014)

That Council:

1. Endorses Local Planning Policy P-DEV 44 – Forrestfield/High Wycombe Industrial Area – Deferral of Developer Contributions for the purpose of advertising, in accordance with clause 2.4 of Local Planning Scheme No. 3 (Attachment 1).

10.1.6 D&I 28 Shire of Kalamunda Events Strategy

EN BLOC RESOLUTION OCM 68/2014

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 28/2014)

That Council:

1. Receives and endorses the Draft Events Strategy (Attachment 1).

10.1.7 D&I 29 Removal of Trees – 7 Larix Way, Forrestfield

EN BLOC RESOLUTION OCM 68/2014

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 29/2014)

That Council:

1. Authorises the following measures to protect the property:
 1. Removal and stump grinding of the Marri tree.
 2. Remedial works to the remaining Jarrah tree.

10.2 Corporate & Community Services Committee Report

10.2.1 Adoption of Corporate & Community Services Committee Report

RESOLVED OCM 69/2014

Voting Requirements: Simple Majority

That the recommendations C&C 14 to C&C 18 inclusive, contained in the Corporate & Community Services Committee Report of 19 May 2014, except withdrawn item C&C 18, be adopted by Council en bloc.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Margaret Thomas**

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

10.2.2 C&C 14 Debtors and Creditors Report for the Period Ended 30 April 2014

EN BLOC RESOLUTION OCM 69/2014

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 14/2014)

That Council:

1. Receives the list of payments made from the Municipal Accounts in April 2014 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.
2. Receives the outstanding debtors (Attachment 2) and creditors (Attachment 3) reports for the month of April 2014.

10.2.3 C&C 15 Rates Debtors Report for the Period Ended 30 April 2014

EN BLOC RESOLUTION OCM 69/2014

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 15/2014)

That Council:

1. Receives the rates debtors report for the period ended 30 April 2014 (Attachment 1).

10.2.4 C&C 16 Quarterly Report – Community Care March 2014

EN BLOC RESOLUTION OCM 69/2014

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 16/2014)

That Council:

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

10.2.5 C&C 17 Quarterly Progress Report - January to March 2014

EN BLOC RESOLUTION OCM 69/2014

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 17/2014)

That Council:

1. Receives the Quarterly Progress Report for January to March 2014.

For separate consideration

This item is withdrawn for separate consideration as an absolute majority is required.

10.2.6 C&C 18 Review of Delegations 2014

RESOLVED OCM 70/2014

Voting Requirements: Absolute Majority

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 18/2014)

That Council:

1. Notes the review of the delegations and endorses the current delegations as detailed in the Delegations Register (Attachment 1).

Moved: **Cr Margaret Thomas**

Seconded: **Cr Noreen Townsend**

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

10.3 Audit & Risk Committee Report

10.3.1 Adoption of Audit & Risk Committee Report

RESOLVED OCM 71/2014

Voting Requirements: Simple Majority

That the recommendations A&R 09 to A&R 12 inclusive, contained in the Audit & Risk Committee Report of 19 May 2014, be adopted by Council en bloc.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Margaret Thomas**

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

10.3.2 A&R 09 Internal Audit Report May 2014

EN BLOC RESOLUTION OCM 71/2014

COMMITTEE RECOMMENDATION TO COUNCIL (A&R 09/2014)

That Council:

1. Notes the following recommendations included in the Internal Audit Report for May 2014 (Attachment 1)

Rates and Rate rebates, Concessions, Discounts and Interest

- With the relatively high turnover of staff in the rates area and the complex nature of the rates computer system and legislative requirements, external training for new staff must be provided.
- Master file changes is restricted to rates staff to protect the integrity of this information. Front counter staff should be prevented from being able to make changes to rates master file information.
- That the reconciliation of valuations of all properties is undertaken with the valuations register prior to the raising of rates for 2014/2015 Financial Year.

Assets – Fixed Assets

- The Asset Management Plan needs to be updated as a matter of priority. This document should provide the appropriate level of maintenance and renewal to ensure fixed assets are being effectively managed.

Fringe Benefits Tax (FBT) on Mobile Phones

- All staff with a mobile phone are made aware of the conditions of the Mobile Phone/Tablet usage policy when adopted.
- All staff to sign a declaration that they have read and understand the Mobile Phone/Tablet usage policy to prevent the misuse of Shire resources.
- The Shire determines the liability for FBT on mobile phone usage for the 2013/2014 FBT year.

Fringe Benefits Tax (FBT)/Operating Costs and Depreciation on Motor Vehicles

- With the start of a new FBT year it would be beneficial to have the revised light vehicle policy introduced early in the FBT year.
- Employees are made fully aware of the FBT rules regarding the use of Shire owned motor vehicles with additional training provided by an external consultant on the FBT rule and principles.
- Staff with a Shire owned car are made aware of the conditions of use and sign a declaration that they have read and understood the new policy, and FBT principles, and will comply with the new policy and FBT legislation.

10.3.3 A&R 10 Review of Integrated Risk Management Plan

EN BLOC RESOLUTION OCM 71/2014

COMMITTEE RECOMMENDATION TO COUNCIL (A&R 10/2014)

That Council:

1. Adopts the Revised Integrated Risk Management Plan (Attachment 1.)

10.3.4 A&R 11 Policy Review and Development

EN BLOC RESOLUTION OCM 71/2014

COMMITTEE RECOMMENDATION TO COUNCIL (A&R 11/2014)

That Council:

1. Adopts the Mobile Phone and Tablet Device – Provision, Usage and Disposal Policy (Attachment 1) and the revised Investments Policy (Attachment 3).

2. Notes the Mobile Phone and Tablet Device – Provision, Usage and Disposal Management Procedures (Attachment 2).
3. Notes the following Shire Policies:-
 - Social Media (Attachment 4)
 - Employee Achievement and Recognition (Attachment 5)
 - Shire Employees Undertaking Secondary Employment (Attachment 6)
 - Conference Attendance and Professional Development for Staff Members (Attachment 7)
 - Corporate Uniform and Standard of Dress (Attachment 8)
4. Notes the Management Procedures for the above Shire Policies (Attachment 9).

10.3.5 A&R 12 Master Lending Agreement between West Australian Treasury Corporation and the Shire of Kalamunda

EN BLOC RESOLUTION OCM 71/2014

COMMITTEE RECOMMENDATION TO COUNCIL (A&R 12/2014)

That Council:

1. Resolves that the Shire of Kalamunda enters into a Master Lending Agreement with Western Australia Treasury Corporation as per the Attachment 1 tables at this meeting.
2. Approves the affixation of the common seal of the Shire of Kalamunda to the said Master Lending Agreement in the presence of the Shire President and Chief Executive Officer of the Shire of Kalamunda, each of whom shall sign the document to attest the affixation of the Common Seal thereto.

10.4 CHIEF EXECUTIVE OFFICER REPORTS

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

10.4.1 Draft Monthly Financial Statements to 30 April 2014

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 ten months to 30 April 2014 incorporating the following: <ul style="list-style-type: none">• Statement of Comprehensive Income by Nature and Type• Statement of Comprehensive Income by Program• Statement of Cash Flow• Statement of Financial Position• Statement of Financial Activity (Nature or Type)• Statement of Financial Activity (Statutory Reporting Program)• Net Current Funding Position, note to financial statement• Statement of Changes in Equity• Reserves – Cash / Investment Backed – note to financial statement• Investment Schedule – note to financial statement
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PURPOSE

1. To provide Council with financial reports on the activity of the Shire of Kalamunda with comparison of year to date performance against adopted budget. This 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 opening funding position in the Statement of Financial Activity statement reflects the 2012/13 audited financial position.
4. The budget column incorporates the revised budget approved by Council at its meeting on 24 March 2014.

DETAILS

5. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* and ARS 5 Council has adopted the reportable variances of 10% or \$50,000 whichever is greater.

Financial Commentary

Draft Statement of Comprehensive Income by Nature and Type for the ten months to 30 April 2014

6. This Statement reveals a net result surplus of \$7,859,285 against revised budget for the same period of \$7,018,660.

Revenue

7. Total Revenue is under budget by \$185,209. This is made up as follows:
- Rates are under budget by \$196,704. The reason for the variance is due to timing. The raising of interim rates and the receipt of ex-gratia rates will normalise the situation over the remaining months.
 - Operating Grants, Subsidies and Contributions are under budget by \$138,886. Areas which are tracking below budget are:
 - Forrestfield Industrial Area – monies due from the Trust account for infrastructure work valued at \$150,000. An invoice has yet to be raised in the month of April to recognise this income; and
 - Delays in receipt of a grant from Medicare for \$67,504 to cover expenditure incurred to date for the Community Aged Care Packages (CACP) programme. The delay is being experienced by various agencies running similar programmes. The Shire is currently following this up.
 - Fees and Charges variance are over budget by \$116,748 with several areas contributing to the higher fees earned. Some of the major items noted are:
 - Cat and Dog registrations with the introduction of new cat laws resulting in extra income of \$23,888;
 - Private infrastructure works bringing in \$59,262;
 - Sale of goods including art work commission earned at the Zig Zag valued at \$12,810; and
 - Rates section fees from payment arrangements and miscellaneous charges valued at \$28,639.
 - Interest earnings are over budget by \$35,351 due to the timing of maturing short term investments. In the remaining months, the income potential from this revenue stream will be reduced as the Shire

commences the drawdown of surplus cash held in short term deposit investments to fund recurrent and non-recurrent expenditure.

- Other Revenue is slightly under budget by \$1,718, which mainly comprises of various fines and penalties which are difficult to predict.

Expenditure

8. Total expenses are under budget with a variance of \$2,697,491. The significant variances within the individual categories are as follows:

- Employment Costs are under budget by \$726,900 due to some vacant positions in various business units and back pay yet to be paid as a result of the enactment of new Enterprise Bargaining Agreement (EBA).
- Materials and Contracts is under budget by \$1,202,386 largely due to:
 - Contractor Waste and Verge Collection is under budget by \$439,093 emanating principally from recycling and house refuse charges. This is currently under review.
 - Programme expenditure for Community Care services is under budget by approximately \$306,638. This is due to the lower volume of services being requested. A marketing strategy is being developed to raise community awareness of the services available.
 - The Building Maintenance area is running under budget by \$240,736. This is due to a timing issue with most funds to be expended by the end of the financial year.
- Utilities were under budget by \$109,589. The main variance is coming from the Street Lighting component.
- Insurance expense is under budget by \$16,265 principally relating to lower worker's compensation insurance costs.
- Other expenditure is under budget by \$557,908, which is primarily due to the return of timing differences on project based expenditure and donations to community groups for various activities. The bulk of the variance is made up of the \$500,000 contribution the Shire has to make to Western Power relating to the provision of underground power on Haynes Street, Kalamunda.
- The interest expense is slightly under budget by \$15,321, which is the result of a timing difference between amounts accrued and the budget which is based on the debenture payment schedule.
- Depreciation, although a non-cash cost, is tracking slightly under budget, reporting a variance of \$69,122. The principle reasons for the variances are:

- Infrastructure depreciation is under budget by \$84,627 mainly due to the lag in capital expenditure in this area; and
- Building depreciation is under budget by \$66,705 which is mainly due to some buildings assessed as impaired beyond use being recognised in the 2012/13 financials.

Non-Operating Grants

9. Non-Operating Grants are under budget by \$562,551 which is principally a timing issue. This component is made up of various infrastructure projects which are planned to commence in the remaining months. The majority relate to road grants with claims commencing shortly as Federal Assistance Grants Scheme and Main Roads Regional Grants claims are lodged.

Profit / (Loss) on Asset Disposals

10. The variance of \$1,078,302 relates mainly to property sales. This is primarily due to the delay on the sale of the Lewis Road property. The Shire is working with a perspective purchaser and expects that the property sale will be recognised in the current financial year.

Draft Statement of Comprehensive Income by Program for the ten months to 30 April 2014

11. The overall result comments are as above and generally each Program is within accepted budget except for Education and Welfare, Recreation and Culture and Community Amenities. Major variances have been reported by Nature and Type under points 7 to 10 above.

Draft Statement of Financial Activity for the ten months to 30 April 2014

12. The results to 30 April 2014 disclose a closing surplus of \$12,180,026 made up of:
- Overall income, excluding rates, is under budget by \$1,066,807 with the bulk of the variance being Grants and Contributions and Profit on Land Asset Disposal as previously explained in Point 7 and 10 of this report.
 - Expenditure is \$2,665,687 under budget forecast with the main variance in Employment Costs and Materials and Contracts. These have been commented on in Point 8 of this report.
 - Infrastructure projects made up of roads, drainage, footpaths, car parks and parks and ovals has incurred \$5,290,795 against the budget of \$ 7,743,840. This variance is due to the deferral of several projects particularly in the areas of drainage, parks and building renewal.
 - Land and Buildings is under budget by \$260,548. This is due to a timing difference with most projects on track for completion by year end.

- Rates generation is under budget and the variance of \$196,704 relates to timing of interim rates and ex-gratia rates as explained previously in Point 7.
13. The closing current position of \$12,180,026 is still above the revised budget of \$5,549,533. This is due to project based activities reflected above still in progress.

Draft Investments Schedule as at 30 April 2014

14. A total of \$29.15 million is in term deposits or online savings accounts which is comparable to previous month's balance of \$31.63m. The reduction in the cash holdings is attributed to the reduction of the rates collection following the final instalment due date in February 2014.
15. The above is made of:

Municipal Funds	Reserve Funds	Trust Monies
\$12,559,975	\$2,118,678	\$12,761,955 (includes amounts for Public Open Space of \$2,422,898)

16. Average interest rates on term deposits have dropped significantly as indicated previously with current investment rates dropping to between 3.0% and 3.50%. The Reserve Bank of Australia (RBA) cash rate is at 2.5% with a low probability of further rate cuts with inflation currently trending at 2.7%.
17. All deposits complied with the Investment Policy requirements and are no longer than 120 days.

Draft Statement of Financial Position as at 30 April 2014

18. The commentary on the Financial Position is based on comparison of April 2014 year to date actuals with April 2013 year to date actuals.
19. Net Current Assets (Current Assets less Current Liabilities) show a positive result of \$12 million. The un-restricted cash position has a positive position of \$14.2 million compared against the previous year's balance of \$8.68 million. This is principally due to the deferral of capital expenditure.
20. Trade and other receivables comprise of rates and sundry debtors totalling \$2.4 million outstanding.
- The rates balance has reduced by \$270,015 in the month. This represents a collection rate of 97% to date. Debt collection strategies are being rigorously enforced to assist in collections.
21. Sundry debtors have increased significantly to \$978,580. This increase is significantly impacted by \$693,689 which relates to a developer contribution for the Forrestfield/High Wycombe Industrial Area. The other main overdue sundry debtors are:

- Western Power \$2,791 for repairs on damaged storm water pipes. Additional details have been provided to the debtor to ascertain the validity of the liability. It is understood that the damage has been acknowledged and is awaiting payment authorisation; and
 - Lesmurdie Tennis Club \$24,000 being an overdue contribution for the clubhouse re-fit and extension. Recovery is contingent upon legal advice which is expected very shortly.
22. Fixed Assets additions are below last year's actuals to date by \$1.3 million in the asset category of Property, Plant and Equipment. Strategies are being put in place to improve the delivery of infrastructure projects.
23. Provisions for annual and long service leave are currently stable at \$2.1 million. It is expected this will reduce further in the coming months as 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.
24. Long term borrowings are at \$7 million. The Shire has no plans to extend its loan portfolio in 2013/2014.

STATUTORY AND LEGAL CONSIDERATIONS

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

POLICY CONSIDERATIONS

26. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

27. Nil.

FINANCIAL CONSIDERATIONS

28. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

29. *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

30. Nil.

Economic Implications

31. Nil.

Environmental Implications

32. Nil.

RISK MANAGEMENT CONSIDERATIONS

33. The following risks have been considered:

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	<ul style="list-style-type: none">• The financial report is scrutinized by the Shire to ensure that all statutory requirements are met.

OFFICER COMMENT

34. The Shire's draft financial statements as at 30 April 2014 demonstrate the Shire has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RESOLVED OCM 72/2014

That Council:

1. Receives the draft monthly financial statements for the ten months to 30 April 2014, which comprises:
 - Statement of Comprehensive Income by Nature and Type.
 - Statement of Comprehensive Income by Program.
 - Statement of Cash Flow.
 - Statement of Financial Position.
 - Statement of Financial Activity (Nature or Type).
 - Statement of Financial Activity (Statutory Reporting Program).
 - Net Current Funding Position, note to financial statement.
 - Statement of Changes in Equity.
 - Reserves – Cash / Investment Backed - note to financial statement.
 - Investment Schedule – note to financial statement.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Bob Emery**

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

Attachment 1

Draft Statements of Financial Activity for the ten months to 30 April 2014 incorporating the following:

- Statement of Comprehensive Income by Nature and Type
- Statement of Comprehensive Income by Program
- Statement of Cash Flow
- Statement of Financial Position
- Statement of Financial Activity (Nature or Type)
- Statement of Financial Activity (Statutory Reporting Program)
- Net Current Funding Position, note to financial statement
- Statement of Changes in Equity
- Reserves – Cash / Investment Backed – note to financial statement
- Investment Schedule – 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.

10.4.2 Appointment of Representative to Scott Reserve Advisory Committee

Previous Items	OCM November 2011
Responsible Officer	Chief Executive Officer
Service Area	Community Development
File Reference	CO-CCS-011/2
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider the appointment of a representative to the Scott Reserve Advisory Committee (SRAC).

BACKGROUND

2. As per the Terms of Reference for SRAC, the key components of the membership include:
 - A total membership of up to eight (8) members, all of whom shall be appointed by Council for a term of two (2) years unless Council elects to reappoint any or all members for a further term.
 - Membership shall include one representative from each user group of the facility or other interested people.

DETAILS

3. Aaron Savory, the elected representative for the High Wycombe Junior Football Club (HWJFC) has resigned.
4. The Shire has received a nomination for Don Bridges to represent HWJFC on the SRAC.

STATUTORY AND LEGAL CONSIDERATIONS

5. Section 5.10 (1) (a) of the *Local Government Act 1995* – Appointment of Committee Members.

POLICY CONSIDERATIONS

6. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

7. Nil.

FINANCIAL CONSIDERATION

8. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

9. *Kalamunda Advancing: Strategic Community Plan to 2023*
- Strategy 1.8.1 Provide leadership and assistance to local community groups and organisations

SUSTAINABILITY

Social Implications

10. Community representation on Shire Management and Advisory Committees is integral to ensuring a link is maintained between Shire operations and community aspirations.

Economic Implications

11. Nil.

Environmental Implications.

12. Nil.

RISK MANAGEMENT CONSIDERATIONS

13.

Risk	Likelihood	Consequence	Rating	Action/Strategy
That the HWJFC will not have official representation on the SRAC.	Unlikely	Insignificant	Low	Allow the appointment of a representative for the HWJFC so that a nominated member has official voting capacity.

OFFICER COMMENT

14. The nomination of Don Bridges to represent the HWJFC, will provide the Club with continued representation on the SRAC.

Voting Requirements: Absolute Majority

RESOLVED OCM 73/2014

That Council:

1. Appoints Mr Don Bridges to the Scott Reserve Advisory Committee to represent High Wycombe Junior Football Club.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Bob Emery**

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

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

10.4.3 Zig Zag Scenic Drive Community Action Plan

Previous Items	November 2013 OCM183/2013
Responsible Officer	Director Infrastructure Services
Service Area	Infrastructure Services
File Reference	HU-PUH-007
Applicant	N/A
Owner	Shire of Kalamunda
Attachment 1	Zig Zag Scenic Drive Community Action Plan - Discussion Paper on Options and Possibilities
Attachment 2	Zig Zag Scenic Drive Community Action Plan – Submissions

PURPOSE

1. To consider the results of the community engagement process.
2. To approve the actions and projects to be included in the Long Term Financial Plan (LTFP).
3. To endorse the actions that will be included in the Strategic Community Plan: Kalamunda Achieving.

BACKGROUND

4. The Shire received a list of issues from a community group known as the Zig Zag Action Group. The membership of this group was primarily residents located in Gooseberry Hill in the vicinity of William Street, Tella Parade and Lascelles Parade.
5. Consultation and investigations with this group over twelve months resulted in the development of a community action plan listing the main issues for the group and provided a range of proposed actions for consideration. This included the following major proposals:
 - a) Infrastructure works to realign the intersection of William Street/Tella Parade/Lascelles Parade.
 - b) Construct traffic treatments along Lascelles Parade.
 - c) Improve the three car parks along Lascelles Parade.
 - d) Investigate options to close the Zig Zag Scenic Drive to vehicular traffic either fully or for portion of the day.
 - e) Investigate security patrols either in the local area or across the Shire.
6. Several of the actions relating to infrastructure works were included in the 2013-2022 LTFP and 2013/14 Capital Works (CAPEX) Budget. This included traffic and intersection treatments in the vicinity of the Zig Zag Scenic Drive and improvements of the intersection of Lascelles Parade, Zig Zag Scenic Drive/Ocean Parade.

7. The preliminary concept designs identified several distinct options for the proposed works and provided concept costing for each option.
8. Council at its meeting in November 2013 determined that it was appropriate to take the concept designs and other matters in the action plan to a broader community consultation phase.
9. The Zig Zag Action Plan (Attachment 1) was advertised for three months between 4 December 2013 and 24 February 2014 and community comments were sought.
10. An extension of the consultation period was provided to allow late submissions. The final submission was received on 17 March 2014.
11. The summary of the community consultation is provided in Attachment 2.
12. The broad options provided were:
 - a) Closure of the Zig Zag Drive, either part time or full-time.
 - b) The implementation of a security service either in the local area or Shire-wide.
 - c) Tourism options.
 - d) The options for intersection improvements.
 - e) Other opportunities.

DETAILS

13. Over the consultation period a total of 42 submissions were received.
14. The outcome of the submissions was:
 - a) *Close the Zig Zag* - there is no significant desire or agreement across the locality or the wider community to the closure.
 - b) *Security Service* - there is no clear desire for a security service, Shire-wide.
 - c) *Tourism initiatives* - there is little consensus in regard to undertaking any specific tourism initiatives, however there is a small group of responses who appreciate current events and desire to see improvements to these.
 - d) *Intersection Improvements* – a significant portion of responses had no comment or were against any works. The remaining responses were evenly split in regard to the options provided.
 - e) No consensus was evident on any of the other opportunities.
15. In relation to the closure of the Zig Zag Scenic Drive, 42 responses were received. There were 14 responses that agreed to the closure and 18 responses in the negative. The balance had no comment.
16. An analysis by locality shows that 20 responses were provided by residents of Gooseberry Hill. Of these eight were for and nine against the closure. The

remainder had no comment. Of those for the closure a number proposed conditional closure (e.g. opening for events such as the TARGA Rally).

17. In relation to limited access in daylight hours, of the 42 responses, 13 were pro limited access, 11 were against and eight reiterated the desire for permanent closure. The balance had no comment.
18. In relation to the introduction of a Security Service, 32 responses were received. There were 16 responses that would like to see the introduction of security patrols and 16 responses that would not. When asked when and where the patrols should take place, seven of those responses that were in favour of the service favoured a Shire-wide service and five were for targeted areas only. By and large those that responded in favour of the service indicated that the service should be at night and with a levy on all residents.
19. In relation to tourism initiatives, 42 responses were received. 26 responses reflected an opinion that the Shire should further investigate options for increasing tourism. Eight responses were against further investigations. When asked to consider the type of tourism attraction that may be feasible, 29 responses were received with 12 indicating a café or restaurant and a further five favouring a lookout.
20. In relation to the intersection improvements, two options were provided at each intersection, with estimates, as follows:

	Concept 1	Concept 2
Lascelles Parade/Ocean View Parade/Zig Zag Scenic Drive	Roundabout \$198,312	Splitter Island \$9,517
	Concept A	Concept B
William Street/Tella Street/Lascelles Parade	Give Way on Lascelles Parade \$104,567	Give Way on William Street \$103,150 + Power Pole Replacement

21. There were only 29 of the responses relating to intersection improvements at Lascelles Parade/Ocean View Parade/Zig Zag Scenic Drive, only 16 indicated a positive attitude to the proposal. Of these nine preferred Concept 1 and seven preferred Concept 2. Three indicated that they did not support any of the options. The remainder had no comment (11) or had no preference (10). The analysis indicates that there is only a small number of residents who see value in this proposal.
22. In relation to the intersection improvements at William Street/Tella Street/Lascelles Parade, the community view was to select the lower cost option. On this basis, Concept A is recommended.
23. There was a clear message in the commentary that parking was an issue in the area.

STATUTORY AND LEGAL CONSIDERATIONS

24. All the roads impacted by the proposed infrastructure improvements, including Zig Zag Scenic Drive are the responsibility of the Shire.
25. All infrastructure work is designed in accordance with Australian Standards and Main Roads WA guidelines.
26. Utilities are the responsibility of other entities and due regard needs to be given to the requirements of the relevant Acts and policies of the responsible entity. The most impacted utility is Western Power in relation to the power pole at the corner of Lascelles Parade and Tella Street, however there would be other services within the impacted area, such as water and communications.

POLICY CONSIDERATIONS

27. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

28. The recommendations of this report should be communicated to the action group. Further action for pursuing the ongoing initiatives to address anti-social behaviour occurring at the Zig Zag precinct should be referred to the Shire's Community Safety and Crime Prevention Committee.

FINANCIAL CONSIDERATIONS

29. The implementation of the recommended improvements are identified in the LTFP, however these need to be reviewed and revised to recognise the changed direction that is recommended as part of this report.
30. There will be potential savings in relation to the initial proposals, if a decision is made to cancel the projects to improve the intersection of William Street/Tella Street/Lascelles Parade and Lascelles Parade/Zig Zag Scenic Drive/Ocean View Parade.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

31. *Kalamunda Advancing: Strategic Community Plan to 2023*
OBJECTIVE 1.8 – Support local community groups to grow, prosper and shape the future of Kalamunda.
Strategy 1.8.3 Proactively investigate opportunities that facilitate the establishment and/or growth of local community groups.
Strategy 3.1.3 Identify collaborative on-ground projects that can be achieved in partnership with the community.
OBJECTIVE 1.5 - To provide a safe environment for the entire community to enjoy.

Strategy 1.5.3 Work in partnerships with the community and other levels of government and organisations to achieve lasting improvements in community safety.

OBJECTIVE 4.4 - To be recognised as an excellent tourism destination with high levels of patronage

Strategy 4.4.4 Identify funding and project opportunities to enhance the Shire both for residents and as a destination for visitors.

SUSTAINABILITY

Social Implications

32. The closure of the Zig Zag Scenic Drive either fully or in part may have an impact on tourism, although this is not considered as a major issue. The main concern is there would be a perceived disadvantage to seniors and people with disability from the community as they would not be able to manage the walk.
33. The closure of the Zig Zag presented issues around securing gates and emergency access.
34. The closure of the Zig Zag either fully or in part may have an increased sense of safety for those residents that live on or within close proximity to the Zig Zag. It may however also have a potential fire risk area due to the isolation it would offer, making it difficult for necessary emergency service to access and residents to evacuate if required.
35. The effect of tourism initiatives on the actual safety of residents is unknown but it is more likely to depend on whether or not the Zig Zag Drive is subject to any road closures.

Economic Implications

36. The provision of a security patrol either fully or to the local area would require an assessment of the costs and an adjustment to the LTFP to account for this additional service. It would be likely there would be an additional rate increase to generate funds to meet the service costs.
37. The closure of the Zig Zag, part time, would increase resourcing requirements and impose an additional function on the Shire and these would either impact on existing services or result in additional costs that would be recovered through rate charges.
38. Tourism Research Australia estimates that Kalamunda benefits by an average of \$94 per day for each day trip visitor to the area.

Environmental Implications

39. There may be some environmental implications if tourism is increased such as:
 - Increased waste generation, potential littering and pollution, and
 - Vegetation removal and damage.

RISK MANAGEMENT CONSIDERATIONS

40.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Speeding around William Street/Tella Street results in a fatality or serious injury	Possible	Major	High	Look at additional strategies to provide clues for drivers to slow down on approach to the bend. Funding for traffic treatments included in draft LTFP for 14/15 and 15/16.
Speeding and hooning along Lascelles Parade	Likely	Minor	High	Increase passive surveillance by increasing the attraction of the area for tourism and night time visitation.
Conflict between Pedestrians/cyclists and motorists on Zig Zag Scenic Drive, resulting in an incident.	Rare	Major	High	Roadside environment and geometry ensures that low speeds are maintained. Pedestrians and cyclists understand this is a shared environment.
Anti-social and hooning behaviour continues at the car parking areas	Likely	Minor	High	Improvements to the car park areas including barrier kerbing, lighting and landscaping will inhibit hooning behaviour and improve the attraction for tourism, reducing the incidence of these behaviours. Funding for car park included in draft LTFP for 16/17, 17/18 and 18/19.
Anti-social and hooning behaviour continues on Lascelles Parade/ William Street	Likely	Minor	High	Improvements to public areas including lighting and landscaping will inhibit hooning behaviour

OFFICER COMMENT

41. Overall there was a relatively low response rate to the community consultation indicating that the issues around the Zig Zag Scenic Drive are not a priority for the wider community. There were 42 responses received in total and 20 responses from the locality (Gooseberry Hill).
42. It should be noted the Report released for public consultation attracted significant media coverage but unfortunately did not yield significant numbers of community submissions. It is therefore difficult to conclude the merit of some actions without further investigation being undertaken. This is particularly so in the area of increasing tourism capacity of the Zig Zag and funding security services.
43. The responses and submissions received through the community consultation process was mixed, however there was a significant number of responses challenging the options presented and recommending that minimal funds are to be spent on the actions proposed.
44. There is a clear need to look at means to reduce the incidence of anti-social and hooning behaviour, however this is an issue across the Shire. It is therefore being recommended that the issue of anti-social behaviour at the Zig Zag is referred to the Shire's Community Safety and Crime prevention Committee for consideration and further investigation.
45. The improvement of the car parking and improved signage and line marking are seen as appropriate preliminary treatments. These may improve passive surveillance, increase the feeling of safety and reduce the incidence of the behaviours that initiated the community action groups concerns. A further stage of traffic treatments and improved lighting can be considered if required once these treatments are completed.
46. With improvements to the car parking, signage and lighting this should increase the use of the Zig Zag by residents and visitors for what it is intended. This increase in users and improved physical environment would increase a sense of safety amongst users and residents and would help deter those intending to visit the Zig Zag for hooning and anti-social behaviour.
47. There are economic benefits to increasing tourism in the Shire of Kalamunda but it is unknown if tourism initiatives alone will significantly address the issues of anti-social behaviour. In light of this the Shire will further research and examine tourism growth opportunities for the Zig Zag Scenic Drive though the ongoing development and implementation of its tourism strategies.

A Councillor foreshadowed a motion to defer this to the next Ordinary Council Meeting.

A Councillor asked if the car park work noted in Point 1.b. of the recommendation could be brought forward; the Shire President noted this could be discussed as part of the budget process.

A Councillor stated that by delaying a decision for a month it gave an opportunity to consider any changes that might be necessary for the budget and time to investigate the statements made during the deputations.

A Councillor asked if data was available indicating how many times the police had been contacted and the number of times they had attended incidents. The traffic numbers and speeds of vehicles was also considered of interest. The Chief Executive Officer took this on notice, contact will be made with the police department as the Shire does not have access to this data.

The Chief Executive Officer confirmed that the Shire has carried out traffic counts on the Zig Zag.

With regard to the drug use and dealing spoken of in the delegation a Councillor asked if the police had ever carried out surveillance on this area, or would be in the future. The Shire President took this question on notice.

The Shire President informed the meeting that she is on the Community Safety and Crime Prevention Advisory Committee and she will ensure these matters are discussed at the forthcoming meeting.

A Councillor asked if the police had been contacted to see if any action can be taken to have a greater presence at night; particularly with regard to the fact that during the deputation the use of firearms had been mentioned. This questions was taken on notice by the Shire President who will discuss at the forthcoming Community Safety and Crime Prevention Committee meeting.

A Councillor commented that it would have been useful for a member of the police to have been in attendance to hear the statements made by Zig Zag residents and suggested they be invited in the future.

A Councillor requested that all those who took the time to make a submission be contacted prior to the next Ordinary Council Meeting and advised of the Report on the Agenda. The Chief Executive Officer indicated she would ensure that this took place.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. Approve the following infrastructure works to be funded in the Long Term Financial Plan:
 - a) Traffic treatments to Lascelles Parade to include consideration of minor traffic management improvements such as signage, line marking and chicanes between Tella Street and Ocean View Parade. (2014/15)

- b) Funding of three car park improvement projects along Lascelles Parade and the Zig Zag Scenic Drive to be staged in 2016/17, 2017/18 and 2018/19.
 - c) Implement advance warning signage to identify the restricted turning space available for large vehicles at Lascelles Parade/Ocean View Parade/Zig Zag Drive.
2. Request the Community Safety and Crime prevention Committee to engage with the members of the Zig Zag Action Group to investigate and consider initiatives to further assist in the reduction of anti-social behaviour in the Zig Zag Scenic Drive precinct.
3. Request the Chief Executive Officer to further investigate opportunities for developing tourism potential of the Zig Zag Scenic Drive.

Moved: **LAPSED**

Seconded:

Vote:

Voting Requirements: Simple Majority

RESOLVED OCM 74/2014

That Council:

1. Defer this Report for one month to the next Ordinary Council Meeting.

Moved: **Cr Sue Bilich**

Seconded: **Cr John Giardina**

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

Attachment 1

Zig Zag Scenic Drive Community Action Plan –
Discussion Paper on Options and Possibilities

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

Attachment 2

Zig Zag Scenic Drive Community Action Plan –
Submissions

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

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

10.4.4 Local Planning Scheme No. 3 Amendment - Modifications to the Zoning Table for the Land Uses: Home Business, Chalets (Short Term Accommodation) and Restaurant

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

PURPOSE

1. To consider whether to initiate an amendment to Local Planning Scheme No. 3 (the Scheme) to modify Table 1 (Zoning Table) so that the land use Home Business becomes a 'D' use in the Special Rural Zone, and the land uses Restaurant and Chalets (Short Term Accommodation) become 'A' uses under the Rural Agriculture and Rural Conservation zones.

BACKGROUND

2. Over recent years there has been increased interest from landowners within some rural areas to establish secondary industries such as restaurants and chalets, as well as small scale activities such as home businesses in order to supplement their agricultural businesses.

DETAILS

3. Currently a restaurant and chalet are prohibited uses within the Rural Conservation and Rural Agriculture zones and home businesses are prohibited in the Special Rural Zone.
4. It is proposed that Table 1 (Zoning Table) of the Scheme be modified as follows:
 - a) The land uses Restaurant and Chalets (Short Term Accommodation) become 'A' uses in the Rural Conservation and Rural Agriculture zones; and
 - b) The land use Home Business becomes a 'D' use in the Special Rural zone.

STATUTORY AND LEGAL IMPLICATIONS

5. The *Town Planning Regulations 1967* and *Planning and Development Act 2005* establish procedures relating to amendments to local planning schemes. If Council resolves to adopt the proposed amendment, then ultimately the amendment will be determined by the Minister for Planning.

6. Clause 4.2.2 (Objectives of the Zones) of the Scheme stipulates that the objectives of the Special Rural, Rural Conservation and Rural Agriculture zones are the following:

Special Rural

“To retain amenity and the rural landscape in a manner consistent with orderly and proper planning.”

Rural Conservation

- *“Ensure development is in harmony with the natural environment.*
- *Ensure that land uses, activities and land management practices are consistent with natural resources conservation and are compatible with public water supply objectives.*
- *Conserve and preserve the bushland status of private freehold and Crown land within the zone.*
- *Conserve indigenous flora and fauna to ensure the viability of natural ecosystems.*
- *Encourage the reduction of bush fire hazard.”*

Rural Agriculture

- *To protect and maintain the hills horticultural industry.*
- *“To ensure the conservation of soil and water resources important to the well-being of the horticulture industry.*
- *Ensure that land uses, activities and land management practices are consistent with natural resources conservation and are compatible with public water supply objectives.*
- *To conserve the physical and visual environment of the area.*
- *Encourage the reduction of bush fire hazard.”*

7. Under Schedule 1 (Land Use Definitions) of the Scheme the land uses Home Business, Chalets (Short Term Accommodation) and Restaurant are defined as being:

Home Business

“A business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which –

- (a) *does not employ more than 2 people not members of the occupier's household;*

- (b) *will not cause injury to or adversely affect the amenity of the neighbourhood;*
- (c) *does not occupy an area greater than 50 square metres;*
- (d) *does not involve the retail sale, display or hire of goods of any nature;*
- (e) *in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and*
- (f) *does not involve the use of an essential service of greater capacity than normally required in the zone."*

Chalets (Short Term Accommodation)

"An individual self-contained unit usually comprising cooking facilities, ensuite, living area and one or more bedrooms designed to accommodate short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three months in any 12-month period."

Restaurant

"Premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons and the term shall include a licensed restaurant."

POLICY IMPLICATIONS

Middle Helena Catchment Area Land Use and Water Management Strategy

8. The Middle Helena Catchment Area – Land Use and Water Management Strategy (MHCA Strategy) covers the Piesse Brook Water Catchment Area to the east of the Shire. The strategy was created as a draft strategy in 2003 by the Department of Water and the Western Australian Planning Commission. The aim of the MHCA Strategy is to provide a framework for land use planning and water management within the catchment area. This is achieved by integrating land use planning with the Public Drinking Water Source Area (PDWSA).
9. The MHCA Strategy area faces pressures from development for housing, reduction and degradation of agricultural production and an increasing need for tourism opportunities. The MHCA Strategy also identifies that revenue from orcharding production has declined within recent years. As such it is expected that a growth in viticulture and the growth of secondary industries such as restaurants will come about as a result of this.
10. The MHCA Strategy identifies three priority areas to ensure that there is no degradation to the water source. If an application for a restaurant, chalet or home business is received by the Shire it is a statutory requirement that it be referred to the Department of Water as part of the assessment process if it falls within one of the priority areas.

-
11. Properties zoned Rural Agriculture or Rural Conservation often fall within a PDWSA (Priority 2). In the MHCA Strategy the land uses Restaurant and Accommodation (chalets) are listed as being compatible with conditions in such areas.

Water Quality Protection Note- Land Use Compatibility in Public Drinking Water Source Areas (Department of Water)

12. The Water Quality Protection Notes provides advice on the acceptability of land uses and activities within water catchments used as water sources for drinking water across the State. This includes an assessment of compatibility of land uses for each priority area.

State Planning Policy 2.7 – Public Drinking Water Source Policy

13. The objective of State Planning Policy 2.7 – Public Drinking Water Source Policy (SPP 2.7) is to ensure that the land use and development within the PDWSA is compatible with the long term management of water resources for public water supply.

Local Planning Strategy

14. In recognition of the need to encourage tourism as an economic contributor to the area, and to assist agricultural activities, the Local Planning Strategy (LSP) incorporated the following strategies:
- Provide for the diversification of rural land uses to support tourism in rural areas subject to environmental sustainability.
 - Promote the implementation of rural industries to allow for tourism related activities subject to environmental sustainability.
 - Amend Scheme provisions to enable development of complementary tourist facilities in eastern rural zones such as cafes, restaurants and chalets subject to environmental sustainability.
 - Amend Scheme provisions to support tourism related activities in rural areas subject to environmental sustainability.

Draft Hills Rural Study

15. The property falls within the review area of the Draft Hills Rural Study (DHR Study), the purpose of which is to understand the current land use trends in the area, as well as review the existing strategic plans, policies, statutory requirements and environmental regulations that govern land uses and lot sizes in the area.
16. Whilst not yet finalised, the DHR Study recommends consideration of opportunities to diversify land uses in the area to assist the long term viability of production in the region.

Draft State Planning Policy 3.7 – Planning for Bushfire Risk Management

17. The objective of Draft State Planning Policy 3.7 – Planning for Bushfire Risk Management (Draft SPP 3.7) is to ensure that development and land use proposals take into account bushfire protection requirements and include specified fire protection measures, especially over land that has or will have a moderate or extreme bushfire hazard level.
18. As part of an application for a restaurant or chalets (short term accommodation) or home business where a new building and/or structure to an existing building are proposed, a bushfire hazard assessment will be required to be undertaken by the applicant. If it is found that a proposal falls within a moderate or extreme bushfire risk area then the requirements of Draft SPP 3.7 and the Western Australian Planning Commission's Bushfire Protection Guidelines will be required to be complied with.

COMMUNITY ENGAGEMENT REQUIREMENTS

19. If the amendment was initiated by Council, the Amendment would be formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967* and *Planning and Development Act 2005*.
20. The amendment would be required to be advertised in the form of a notice being published in a district newspaper and being referred to the applicable government agencies.

FINANCIAL CONSIDERATION

21. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

OBJECTIVE 4.3 - To ensure the Shires development is in accord with the Shires statutory and legislative obligations and accepted urban design planning standards.

Strategy 4.3.1 Provide efficient building and development approval services to the community.

SUSTAINABILITY

Social Implications

23. Nil.

Economic Implications

24. The amendment will allow for a diverse range of businesses, allow for additional employment and may provide alternate income sources for existing rural businesses.

Environmental Implications

25. If Council resolves to initiate the amendment, and consent to advertise is obtained from the Environmental Protection Authority, the proposal will be referred to the Department of Water for comment on the basis that proposals for a restaurant or home business may fall within a Public Drinking Water Source Area.

RISK MANAGEMENT CONSIDERATIONS

26.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may resolve not to initiate the amendment.	Possible	Minor	Medium	Ensure Council is aware the proposed amendment is consistent with Councils Local Planning Strategy and draft Hills Rural Study in providing for tourism related activities in orcharding areas and that the land uses Restaurant and Chalets (Short Term Accommodation) are compatible with conditions in PDWSA (Priority 2).

OFFICER COMMENT

27. Currently the land use Home Business is prohibited in the Special Rural zone, but is discretionary in the other rural zones. This is considered somewhat anomalous as the actual use would be unlikely to have any greater or lesser impact within any of the rural zones.
28. Likewise, the land uses Restaurant and Chalets (Short Term Accommodation) are prohibited in the Rural Agriculture and Rural Conservation zones.
29. The land uses Restaurant and Chalets (Short Term Accommodation) are identified under the MHCA Strategy as being compatible with conditions. As such they can be considered in the Water Catchment PDWSA (Priority 2) when appropriate waste water management systems can be implemented.
30. Such land uses are often relatively small in scale and have relatively little impact on the amenity of a rural area.
31. Issues relating to the potential impact such land uses may have from a bushfire management and environmental perspective, amongst others, will be dealt with on a case by case basis at the development application stage.

Voting Requirements: Simple Majority

RESOLVED OCM 75/2014

That Council:

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

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

SHIRE OF KALAMUNDA

LOCAL PLANNING SCHEME NO. 3

AMENDMENT NO.

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

1. Modifying Table 1 (Zoning Table) as follows:
 - a) The land uses Restaurant and Chalets (Short Term Accommodation) become 'A' uses in the Rural Conservation and Rural Agriculture zones; and
 - b) The land use Home Business becomes a 'D' use in the Special Rural zone.

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

Moved: **Cr John Giardina**

Seconded: **Cr Margaret Thomas**

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

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

10.4.5 Budget 2014/2015 – Differential Rates

Previous Items	Nil
Responsible Officer	Director Corporate Services
Service Area	Financial Services
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachment 1	Detailed Sample of Properties based on Option 3 Scenario 1 – Flat 5% Increase except for Vacant Category

PURPOSE

1. To consider the level at which to set and advertise differential rates as part of the 2014/2015 Budget process.

BACKGROUND

2. Differential Rates has now been part of the Budget for some years, with modifications to categories introduced over time to assist in spreading the rate burden and providing opportunities for increases in overall rate income.
3. A specific strategy has been to increase the gap between GRV – General and the Commercial and Industrial/Light Industry categories. The proposal for 2014/15 continues that trend.
4. This year is challenging as it is a triennial valuation year which comes from Landgate every three years and impacts on Un-improved (UV) and Gross Rental Value (GRV) values of properties across Western Australia. In particular the categories with the most significant shifts in values have been:
 - GRV Industrial Category increased by 23%
 - GRV Commercial Category increased by 24% and
 - GRV General Category increased by 14%
5. The Shire has tried to neutralise the above significant increases by reducing the rates in the dollar for the respective categories as much as possible. Nevertheless Council should note that where there are properties which are experiencing above average change in valuations there will be a marked increase/decrease in their 2014/15 rates. A sample extraction of properties shows the different categories and their proposed and future rates (Attachment 1).
6. It is also interesting to note that although the valuation for GRV Vacant category has dropped on the whole, this is primarily attributed to the reclassification of these properties from Vacant to others, i.e. General, Industrial or Commercial as they get developed. The number of properties in the GRV Vacant category dropped from 881 to 765, a difference of 116 or 13% reduction. The Council's strategy has encouraged additional development in the Shire.

7. Advice received from other Metropolitan local governments indicate the following proposed rate changes for the 2014/15 year.

Local Government	% Increase
Shire of Mundaring	6
City of Swan	5
City of Perth	4.9

8. Councillors were briefed on the 15 of May 2014 on two options with separate scenarios in each.

- Option 1 showed the scenarios with a 3%, 4%, 5% and 7% flat increase across the existing categories, except for GRV Vacant.
- Option 2 showed the scenario with UV and GRV General with a 3% increase and the balance raised from the other categories giving an overall rate increase of 5%. This model showed that GRV Industrial would be heavily skewed and bearing an un-acceptably higher rate of 14% which when compounded with higher valuations would result in some properties rates going up between 30% and 90%.
- Both options had similar minimum rates increases with UV and GRV General and GRV Vacant at \$800 and the Industrial and Commercial categories at \$950. Based on the model recommended, there will be 1482 properties on minimum rates which make up 6.3% of total properties.

In both options, the GRV Vacant category is maintained at 7 cents in the dollar. Any reductions in the rate would result in the Shire breaching the *Local Government Act 1995, s 6.35*

(2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district

(3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —

- (a) 50% of the total number of separately rated properties in the district; or*
- (b) 50% of the number of properties in each category referred to in subsection (6),*

(6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —

- (a) to land rated on gross rental value; and*
- (b) to land rated on unimproved value; and*
- (c) to each differential rating category where a differential general rate is imposed.*

9. The following table reflects these options:

Scenario 1	Number of Properties	Option 1 3%	Option 2 4%	Option 3 5%	Option 4 7%
GRV General	20571	22,022,004	22,240,322	22,442,952	22,881,773
General UV	243	491,970	497,024	501,380	510,791
GRV Industrial	277	4,293,704	4,341,490	4,376,788	4,470,259
GRV Commercial	303	1,670,603	1,686,740	1,702,885	1,735,319
Commercial UV	69	145,957	147,241	148,719	151,859
Vacant GRV*	765	1,023,896	1,023,896	1,023,896	1,023,896
	23,189	29,648,136	29,936,715	30,196,623	30,773,901

Scenario 2 Variable Rates	Number of Properties	3%	Variable Rate for Other Categories	TOTAL
GRV General	20571	22,022,004		22,022,004
General UV	243	491,970		491,970
GRV Industrial	277		4,711,816	4,711,816
GRV Commercial	303		1,790,165	1,790,165
Commercial UV	69		157,863	157,863
Vacant GRV*	765		1,023,897	1,023,897
	23,189	22,513,974	7,683,741	30,197,715

*Vacant GRV is maintained at 7 cents in the \$

10.

Option 1	Number of Properties	Scenario 1 Option 3	Scenario 2 Variable Rates	Variance \$	Variance %
GRV General	20571	22,442,952	22,022,004	420,948	2
General UV	243	501,380	491,970	9,410	2
GRV Industrial	277	4,376,788	4,711,816	(335,028)	-7
GRV Commercial	303	1,702,885	1,790,165	(87,280)	-5
Commercial UV	69	148,719	157,863	(9,144)	-6
Vacant GRV	765	1,023,896	1,023,897	0	
	23,189	30,196,623	30,197,715	(1,092)	

The above table compares the impact on the various categories, Scenario 1 being a flat 5% model, whereas Scenario 2 is a variable model but keeping the General UV & GRV category fixed at a 3% rise in rates.

It shows that that the GRV Industrial and Commercial categories would be heavily affected and their rates would be much higher considering that these categories have had the highest increases in valuations.

11. This report seeks to ratify the levels at which the Shire will advertise differential rates for the 2014/2015 financial year.

DETAILS

12. The Budget will be framed on the current principles of the proposed rolling ten year Long Term Financial Plan (LTFP) (2015/2024). The LTFP is an integral part of the Integrated Planning Framework and designed to provide local governments with a clear focus on robust financial planning and management. The ten year plan assumes a 5% increase in the rate in the dollar for residential properties for the 2014/2015 year. Information recently received from WALGA indicates that the majority of Metropolitan Local Governments anticipate that residential rates will increase between 4% and 5%.
13. A comparison was done with our neighbouring local governments, City of Swan, City of Belmont and Shire of Mundaring which shows that our rates will remain competitive or cheaper against the adjoining local government authorities. It should be noted that the rates reflected for the three local governments are for either rates advertised for 2014/15 or actual rates in 2013/14 against the proposed rates.

	Rate in \$							
	Kalamunda Proposed 2014/2015		Swan Advertised 2014/2015		Belmont Actual 2013/2014		Mundaring Actual 2013/2014	
	Cts	Min (\$)	Cts	Min (\$)	Cts	Min (\$)	Cts	Min (\$)
GRV General/ Residential	5.2990	800	6.355	845	5.4855	755	9.0593	905
GRV Commercial	5.1295	950	7.770	1340	6.3632	890	9.059	905
GRV Industrial	5.7556	950	11.851	1620	6.3906	905	99.059	905
GRV Vacant	7.0000	800	N/A	N/A	N/A		N/A	

14. At the Council briefings, the preferred option chosen for the 2014/15 Differential Rates is:
- GRV General, Industrial and Commercial to increase by 5% and a minimum rate of \$800 for General GRV and \$950 for Industrial and Commercial GRV categories; and
 - Vacant GRV with a Rate in the \$ of \$0.07 and a Minimum Rate of \$800
15. The Shire also recommends that a levy that was implemented in 2013/2014 to address the long term remediation issues being experienced at closed landfill sites within the Shire is continued. The Department of Environment and Conservation is applying stringent control over monitoring and rehabilitation required and the Shire is expending an average of \$110,000 a year to deal

with the issue. In recognition of the impost the State Government introduced a *Waste and Resource Recovery Act* in 2007 which allows for local governments to charge a levy to cover the cost of ongoing monitoring of closed land fill sites.

16. The proposed rate for 2014/2015 is \$0.0002, to raise just over \$110,000 to apply against remedial works on identified contaminated sites.

STATUTORY AND LEGAL IMPLICATIONS

17. Rates are levied on all rateable properties within the boundaries of the Shire of Kalamunda in accordance with the *Local Government Act 1995*. The overall objective of the proposed rates and charges in the 2014/2015 Budget is to provide for the net funding requirements of the Council's activities and works programs as outlined in the ten year Long Term Financial Plan 2015-24.
18. In accordance with Section 6.36 of the *Local Government Act 1995*, the Shire is required to ensure that a notice is published in sufficient time to allow submissions to be made by an elector or a ratepayer in respect of the proposed rate within 21 days of the publication of the notice.

POLICY IMPLICATIONS

19. The retention of differential rating continues the existing policy.

PUBLIC CONSULTATION/COMMUNICATION

20. Subject to the approval of the Recommendation of this report public consultation will be sought by the publication of a public notice and the request for submissions in line with the requirements of the *Local Government Act 1995*.

FINANCIAL IMPLICATIONS

21. The raising of rates will enable the Shire to maintain sustainable operations.

STRATEGIC COMMUNITY PLAN

Strategic Planning Implications

22. *Shire of Kalamunda Strategic Community Plan to 2023*

Strategy 6.8.1 Develop and regularly review the Long Term Financial Plan for the Shire

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

23. Increasing rates will generally have an adverse impact on low income home owners.

Economic Implications

24. The proposal to continue with and increase differential rating to commercial and industrial ratepayer may have an adverse impact on small businesses.

Environmental Implications

25. Nil.

RISK MANAGEMENT CONSIDERATIONS

26.

Risk	Likelihood	Consequence	Rating	Action / Strategy
Rates not approved by Council in time for rates notices to be issued by 1 July 2015. This would have significant impact on the Shire's cash flows and operations. The loss may be complete or partial.	Rare	Extreme	High	Ensure that Council consensus is achieved by continuous briefing and updates on the budgets and rates modelling.

OFFICER COMMENT

27. This report is submitted in order that Council provide direction on the levels of rate increase and differential rate to be advertised for public comment as part of the 2014/2015 Budget process.

A Councillor suggested that it was premature to set this prior to the Budget being finalised. A Councillors indicated that a plan was required and 5% was a fair and adequate rate.

Councillors debated the motion prior to the vote being taken.

Voting Requirements: Simple Majority

RESOLVED OCM 76/2014

That Council:

1. In line with the ten year Long Term Financial Plan approve that the rate in the dollar and minimum rates advertised in the public notice for the rating categories will be as follows:

Category/Levy	Rate in \$	Min Rate \$
General GRV	0.052990	800
Industrial GRV	0.057556	950
Commercial GRV	0.052195	950
Vacant GRV	0.070000	800
General UV	0.002854	800
Commercial UV	0.003097	950
Waste Avoidance and Resource Recovery Levy (All Categories)	0.002000	N/A

Moved: **Cr Noreen Townsend**

Seconded: **Cr Dylan O'Connor**

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

Against
Cr Andrew Waddell

CARRIED (9/1)

Attachment 1

Detailed Sample of Properties based on Option 3 Scenario 1 – Flat 5% Increase except for Vacant Category

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

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

10.4.6 Makaru Arts Festival Funding

Previous Items	N/A
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	CO-CEV-039
Applicant	Darling Range Connect Inc
Owner	N/A
Attachment 1	Makaru Events Funding Application
Attachment 2	Makaru Event Application
Attachment 3	Makaru Letters of Support (3)

PURPOSE

1. To consider a funding request from Darling Range Connect Inc to sponsor the inaugural Makaru Arts Festival in July 2014.

BACKGROUND

2. The Shire has received an application from Darling Range Connect Inc for sponsorship of the inaugural Makaru Arts Festival scheduled to take place in July 2014.
3. The initial concept for this event came from a discussion between Darling Range Connect Inc and the Federal Member for Hasluck, Ken Wyatt, who expressed a desire for an event in Kalamunda to celebrate NAIDOC Week in early July.
4. NAIDOC stands for National Aborigines and Islanders Day Observance Committee. It is a time to celebrate Aboriginal and Torres Strait Islander cultures and an opportunity to recognise the contributions that Indigenous Australians make to our country and our society.
5. The Makaru Arts Festival proposes broad community involvement and collaboration together with a celebration of Nyoongar knowledge and culture.

DETAILS

6. The main events are proposed to take place on Sunday 13th July across a number of different venues - the Kalamunda Farmers Market, Bibbulmun Track, Jorgensen Park and the Zig Zag Gallery.
7. Proposed activities include:
 - Artist tours along the Bibbulmun Track – incorporating workshops
 - Traditional construction methods - sculpture workshops
 - Collaborative performance workshops
 - Makuru gallery exhibition - a mix of Nyoongar and local artists
 - Festival launch
 - Makuru themed stalls - Sunday Farmers Market
 - Bibbulmun cultural and botanic tours

- Makuru concert performances
- Interactive traditional Nyoongar creative activities.
- Bibbulmun sculpture walk brochure

STATUTORY AND LEGAL CONSIDERATIONS

8. Nil.

POLICY CONSIDERATIONS

9. Makuru Arts Festival was assessed under the criteria in COMR19 – Events Sponsorship Policy and met the requirements to be recommended for funding support.

COMMUNITY ENGAGEMENT REQUIREMENTS

10. The applicant has provided many letters of support for the Makuru Arts Festival including one from Ken Wyatt, Member for Hasluck, who is also a member of the event steering group.
11. The applicant has engaged with the indigenous community to ensure support and cultural advice. The Department of Parks and Wildlife, Friends of Jorgensen and the Bibbulmun Track Foundation have also been consulted.

FINANCIAL CONSIDERATIONS

12. The total event budget is \$61,633 which includes this requested sponsorship from the Shire of Kalamunda of \$15,075.
13. The applicant has requested sponsorship totalling \$46,793 from a number of other organisations of which \$12,000 has so far been confirmed. The applicant has committed \$9,430 of its own funds towards the event. The remaining \$5,410 represents in-kind contributions.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

Strategic Priority 1: Kalamunda Cares: Looking after our people

OBJECTIVE 1.8 – Support local community groups to grow, prosper and shape the future of Kalamunda.

Strategy 1.8.1 Provide leadership and management assistance to local community groups and organisations.

Strategy 1.8.2 Identify and partner in funding opportunities to support the financial sustainability of local community groups.

-
- | | |
|-----------------|---|
| Strategy 1.8.3. | Proactively investigate opportunities that facilitate the establishment and/or growth of local community groups with a common interest. |
| Strategy 1.8.4 | Support and encourage opportunities to increase volunteering within the Shire. |
| Strategy 1.8.5 | Provide developmental programs and initiatives to support community leadership and sustainability of community groups. |

Strategic Priority 2: Kalamunda Interacts: Providing our people with enjoyment

OBJECTIVE 2.2 - To provide high quality and age appropriate entertainment for the benefit and happiness of our community.

- | | |
|----------------|---|
| Strategy 2.2.1 | Continue to provide a range of events and festivals that target the many different demographics and interest groups within the community. |
| Strategy 2.2.2 | Investigate funding opportunities and partnerships to enhance existing events and festivals or facilitate the establishment of new events and festivals |
| Strategy 2.2.3 | Provide high quality community recognition events and citizenship ceremonies. |
| Strategy 2.2.4 | Annually review the program of events and festivals and ensure evaluations are demonstrating value and the desired effect is being achieved. |

SUSTAINABILITY

Social Implications

15. There are potential social, cultural and educational benefits to this event. The full extent of any benefit can only be assessed through participant evaluation and feedback, which would be sought as a variation of any funding.

Economic Implications

16. The economic benefits of the Festival are unknown as the event has not been previously held. If the event attracts participants and spectators from outside the Shire, there is likely to be a tourism revenue benefit estimated at \$94 per visitor per day to the Shire.

Environmental Implications

17. The applicant proposes to work with a broad range of volunteers and community organisations to create traditional indigenous artworks. The Shire's Environment Team and other relevant organisations have been consulted for recommendations to minimise any environmental impact.

RISK MANAGEMENT CONSIDERATIONS

18.	Risk	Likelihood	Consequence	Rating	Action/Strategy
	If the Shire does not support the request for funding, the event may not take place in the same format	Possible	Minor	Medium	Make Council aware of the proposal and financial implications

OFFICER COMMENT

19. The festival has a considerable range of activities for an inaugural event. However the organising committee appear to have the in house capabilities to deliver an event of this magnitude.
20. The Shires commitment to the festival may enable the group to leverage further funding.
21. Council recently adopted the Shire of Kalamunda Events Strategy. The strategy flags the possibility of incorporating new events into the schedule, but focuses on events that can demonstrate an economic benefit.

A Councillor asked if it was intended that this should be an annual event and the Director Development Services confirmed that he felt the organisers were hoping it would become one.

Voting Requirements: Simple Majority

RESOLVED OCM 77/2014

That Council:

1. Approves the funding request from Darling Range Connect to sponsor the 2014 Makaru Festival in the sum of \$15,075.
2. Requires that the applicant provides satisfactory event evaluation and post-event acquittal of the funding.

Moved: **Cr Noreen Townsend**

Seconded: **Cr John Giardina**

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

Attachment 1

Makaru Events Funding Application

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

Attachment 2

Makaru Event Application

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

Attachment 3

Makaru Letters of Support (3)

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

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Cr Dylan O'Connor

Amenity and Environmental Nuisance – Burning of Garden Refuse

Councillor O'Connor spoke regarding his Notice of Motion, he informed Council that a large number of residents contact him regarding the issues caused by smoke from slow burning heaps of wet garden matter.

A Councillor requested staff consider residents on larger blocks who must carry out preventative burns to reduce fuel loads, when preparing a report with regard to the burning of garden refuse.

Voting Requirements: Simple Majority

RESOLVED OCM 78/2014

That Council:

Requests the Chief Executive Officer to investigate strategies, including those utilised by other local governments, which could be implemented as part of the Shire's overall Waste Strategy to encourage, educate and compel residents to dispose of garden refuse other than through burning, in order to minimise amenity and environmental nuisance.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr John Giardina**

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

Rationale

With the encroachment of R20 and R40 etc. densities into Special Rural zoning, there is a need to decide if it is still appropriate for people to burn small heaps of garden refuse like they have been used to doing for so many years.

Higher density housing has the potential to realise an increase in the impact of nuisance and amenity issues through the burning of slow, smouldering fires that impact on nearby residents. The negative impacts that residents are reporting are, odour, breathing difficulties (Asthma), social occasions impacted, drying of washed clothes and the smell associated and the air pollution across the Shire of Kalamunda.

With the current ongoing consideration of the Shire's Waste Strategy including the recent introduction of skip bins and the possible expansion of the existing bin service to include more capacity, it is difficult to deny that these small heaps could easily be disposed of through these options. – Thus, avoiding the list of negative impacts on air quality affecting amenity and health of nearby neighbours.

Officer Comment

Council could consider a local law to restrict burning. The simplest method would be to limit burning to properties of a certain land area. Some inner area suburbs have prohibited the burning of garden rubbish, whilst outer areas, such as Armadale restrict burning to properties over 1000sqm. Additional costs are likely to be incurred by the Shire as the time for these burn-offs are more likely to be outside of working hours, requiring additional staff and overtime. These costs can be considered as part of the financial considerations of the local law in a future report to Council. It will also be important to liaise with the Bushfire Advisory Committee for their input.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Car parks at the top of the Zig Zag (Cr Margaret Thomas)

Q. Bearing in mind the request made by the first deputation regarding the Zig Zag could staff please look at something which could be deferred in the budget in order that this project could be brought forward?

A. The Chief Executive Officer responded that this would be done.

12.2 Traffic Control (Cr Justin Whitten)

Q. I believe the traffic control at the end of Berkshire Road at the intersection with Hawtin Road is inadequate. Please could this be investigated?

A. Taken on notice by the Chief Executive Officer.

12.3 Illegal Operators (Cr Justin Whitten)

Q. Please could staff provide a Report to Council regarding the illegal operators at the Berkshire Road Industrial Estate?

A. Director Development Services advised this was already in progress.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

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 7.50pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2014