
Shire of Kalamunda

Special Council Meeting

Minutes for 10 October 2011

INDEX

1.0	OFFICIAL OPENING	1
2.0	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED.....	1
3.0	PUBLIC QUESTION TIME.....	2
4.0	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	2
5.0	DISCLOSURE OF INTERESTS	2
6.0	REPORT TO COUNCIL	2
6.1	EOI 1104 – Partnership Arrangement for the Development of Aged Care Facilities	3
6.2	Shire of Kalamunda Submission – Draft Public Transport for Perth in 2031	9
7.0	MEETING CLOSED TO THE PUBLIC	15
8.0	CLOSURE	15

MINUTES

1.0 OFFICIAL OPENING

1.1 The Chairman opened the meeting at 7.30pm and welcomed Councillors, Staff and Bob Emery, Councillor elect.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Donald McKechnie	(Shire President, Chairman)	North Ward
Sue Bilich		North Ward
Margaret Thomas		North Ward
Noreen Townsend		South West Ward
Allan Morton		South West Ward
Frank Lindsey		South East Ward
Carol Everett		South East Ward
Geoff Stallard		South East Ward
Martyn Cresswell		North West Ward
Dylan O'Connor		North West Ward
Justin Whitten		North West Ward

Members of Staff

James Trail	Chief Executive Officer
Rhonda Hardy	Director of Corporate Services
Kevin O'Connor	Director of Community Development
Darrell Forrest	Manager Governance
Peter Hayes	Manager Business and Strategy
Steve McKay	Manager Property and Procurement
Michelle Clark	Executive Assistant
Meri Comber	Minute Secretary

Guest

Bob Emery Councillor Elect

Members of the Public Nil

Members of the Press Nil

2.2 Apologies

Councillors

Maureen Robinson	South West Ward
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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 this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Nil.

4.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

5.0 DISCLOSURE OF INTERESTS

5.1 Disclosure of Financial and Proximity Interests

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

5.1.1 Nil.

5.2 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.

5.2.1 Nil.

6.0 REPORT 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.
6.1 EOI 1104 – Partnership Arrangement for the Development of Aged Care Facilities

Previous Items	Nil
Responsible Officer	Director Corporate Services
Service Area	Property and Procurement
File Reference	WL-11/GEN
Applicant	N/A
Owner	N/A
Attachment 1	Nil

PURPOSE

1. To consider Expressions of Interest (EOI) received for a Partnership Arrangement for the Development of Aged Care Facilities on Reserve 30314 (40) Wilkins Road Kalamunda

BACKGROUND

2. The Shire of Kalamunda Aged Accommodation Strategy 2008 identified a need for community/public housing, housing for the aged and residential care places within the Shire of Kalamunda

DETAILS

3. Expressions of Interest for a Partnership Arrangement for the Development of Aged Care Facilities on Reserve 30314 (40) Wilkins Road Kalamunda and Reserve R17098 (265) Hale Road/Tonkin Highway Forrestfield/Wattle Grove were advertised in The West Australian Newspaper on Saturday 16 July 2011 and closed 2.00 pm Tuesday 9 August 2011.
4. Expressions of Interest were received from:
 - Southern Cross Care
 - Bethanie Group Inc.
5. Presentations by the respondents in regard to developing the Wilkins Road site were made to Councillors by Southern Cross Care on 29 August 2011 and by Bethanie Group Inc. on 19 September 2011.
6. Southern Cross presented a concept that incorporated a total of 124 residential dwellings; comprising of serviced apartments and Independent Living Villas as well as a Residential Care Facility 75 – 90 Beds.

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7. Bethanie presented a concept that comprised an Aged Care Facility 80 – 100 Beds, Community Housing of 50 Apartments, 40 Serviced Apartments, 134 Independent Living Villas, 36 Independent Living Apartments and other Facilities and amenities such as Adult Day Care and Community Centre, Village Clubhouse and Facilities (bowling Green, Swimming Pool, Bocce Court, Putting Green, Fruit Trees and Vegetable garden, Workshop and Caravan Parking).

STATUTORY AND LEGAL IMPLICATIONS

8. The land is currently zoned Parks and Recreation under the Metropolitan Regional Scheme and Local Planning Scheme No. 3. The Shire will need to initiate a process to have the land rezoned to residential if Council wishes to pursue a partnership development.
- The sale/disposal process will be in accordance with Section 3.58 (3) of the *Local Government Act 1995*.

POLICY IMPLICATIONS

9. Nil

PUBLIC CONSULTATION/COMMUNICATION

10. Disposal of the properties under Section 3.58 of the *Local Government Act 1995* require that public notice of the proposed disposition-
- i) Describing the property concerned; and*
 - ii) Giving details of the proposed disposition; and*
 - iii) Inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
- And*
- It considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- Details of a proposed disposition that are required by subsection (3) (a)(ii) include –*
- a. The names of all other parties concerned; and*
 - b. The consideration to be received by the local government for the disposition; and*
 - c. The market value of the disposition.*
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FINANCIAL IMPLICATIONS

11. The 2011/2012 Budget provides funds for expenditure associated with land development.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

12. A Partnership Arrangement on this site will assist Council in addressing the *Shire of Kalamunda Strategic Plan 2009-2014*:
Goal 1: Community Development – Outcome 1.1 Enhanced quality of life for the aged and disabled.

Sustainability Implications

Social Implications

13. There are no social implications.

Economic Implications

14. The Partnership arrangement will address the *Shire of Kalamunda Strategic Plan 2009-2014*:
Goal 2: Built Environment – Sustainably manage the Built Environment and to effectively plan for future community needs and population growth.

Environmental Implications

15. Flora and Fauna Surveys have been undertaken.
16. The development will require Department of Environment and Conservation approvals.

OFFICER COMMENT

17. The proposal from Bethanie Group Inc. for the development of R30314 (40) Wilkins Road Kalamunda, appears to be the most desirable in regards to the development design and the proposed tenancies.

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18. All Councillors were given the opportunity to feedback their individual preferences on the components to comprise the Aged Care facility and the following summarise their aspirations:
- Must be minimum 100 bed Residential Care facility
 - Community Housing of minimum 50 Apartments,
 - Minimum 40 Serviced Apartments,
 - Minimum 134 Independent Living Villas,
 - Minimum 36 Independent Living Apartments
 - Plus other services, facilities and amenities such as:-
 - Adult Day Care,
 - Community bus,
 - Community Centre,
 - Village Clubhouse and Facilities
 - Cafe & kiosk for small items
 - Cycle / scooter paths
 - Tree-shaded small group seating areas dispersed throughout the complex, some with tables
 - A barbeque facility for residents & families with a shaded seating /eating/ play area
 - High speed broadband & wireless internet access
 - A first aid/nursing station accessible by all residents, possibly with a visiting GP & podiatry service
 - Adult Day Care & Community Centre
 - Village Clubhouse and Facilities (craft room, bowling Green, Swimming Pool, Bocce Court, Putting Green, Fruit Trees& Vegetable garden,)
 - Workshop and Caravan Parking
 - Environment considered and protected or enhanced where possible
 - bus shelter for public bus service
 - Regular shopping, library, medical service runs to local and regional centres.
19. It should be noted that whilst Councillors and Bethanie have indicated approximate accommodation configurations it is possible over the course of the development other configurations may need to be considered due to opportunities or constraints arising that will require changing the configurations. Notwithstanding this, the goal will be to retain the overall number of mixed accommodation within this site as was presented in the Expression of Interest submission by Bethanie Group Inc.
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20. Council should be made aware that the Productivity Commission are currently looking into the development of aged care facilities with a view to driving more innovative service delivery outcomes. The Report, once finalised may be a driver for looking a different configurations for aged care development and this may impact on the Wilkins Road site.
 21. With respect to the development of the site Council should be aware that the site will likely be developed in stages. It is usual for such developments to be built in a staged approach so that revenue can be secured that assist in funding the next phase. Often the Independent Living Units are commenced initially and this is followed by residential care and support facilities.
 22. The Wilkins Road site is zoned Reserve Parks and Recreation under the Metropolitan Regional Scheme and Local Planning Scheme No. 3.
 23. The Shire has undertaken a Flora and Fauna Survey on the site and a number of environmental concerns, including the habitat of various threatened cockatoo species have been identified.
 24. The Shire will be required to negotiate ownership of the site with the State Government and make application for appropriate zoning and land use changes.
 25. The Shire will be required to negotiate a partnership agreement that outlines the Shire's requirements in relation to its equity and/ or financial requirements through a legal agreement or lease instrument. The Shire will need to determine whether to sell the land or lease the land as well as any other considerations that the Shire believes is important.
 26. The disposal of the land will be in accordance with Section 3.58 (3) of the *Local Government Act 1995*.

RESOLVED SMC 156/2011

1. That Bethanie Group Inc. be advised they are the preferred partner of the Shire of Kalamunda in the development of Reserve 30314 (40) Wilkins Road Kalamunda; and that they will create a complex that will yield :-
 - 100 bed Residential Care facility
 - 50 Community Housing Apartments
 - 40 Serviced Apartments
 - 134 Independent Living Villas
 - 36 Independent Living Apartments
 - Plus other services, facilities and amenities as outlined in this report.

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2. Notwithstanding the above recommendation if during the development and detailed design unforeseen constraints prevail or improvement opportunities present themselves the configuration of the accommodation types within the Wilkins Road site may be required to be altered, however the overall yield in accommodation will be retained.
 3. That subject to all relevant statutory approvals and clearances being received to allow development of the land, negotiations proceed with Bethanie Group Inc. to develop formal lease documentation.
 4. That the Chief Executive Officer be authorised to negotiate a legal agreement with Bethanie Group Inc. to formulate a contract or lease for the land with consideration being given to items such as rates and charges applicable, lease amounts and commercial tenancies arrangements.
 5. That Environmental Consultants be engaged to assess the environmental clearances required and provide recommendations on the process to be followed in obtaining the required clearances which will allow the development to proceed.
 6. That the Shire of Kalamunda commences negotiation with the State Government for the acquisition of the site.
 7. That no further consideration be given to the submissions received for Reserve R17098 Hale Road/Tonkin Highway Forrestfield/Wattle Grove until environmental surveys and master planning have been completed.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (11/0)**

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
6.2 Shire of Kalamunda Submission – Draft Public Transport for Perth in 2031

Previous Items	OCM 117/2011
Responsible Officer	Director Planning and Development Services
Service Area	Strategic Planning
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Draft Public Transport for Perth in 2031 -Shire of Kalamunda Draft Submission
Attachment 2	Local Planning Strategy – Key Planning Elements

PURPOSE

1. To seek Council endorsement of the attached Draft Submission to the Department of Transport in response to the State Government's recently released draft *Public Transport for Perth in 2031*.

BACKGROUND

2. The Department of Transport recently released its draft *Public Transport for Perth in 2031*. This Plan maps out the future for Perth's public transport network.
3. The Plan is derived from the metropolitan strategic land use plan – *Directions 2031 and Beyond* - and identifies the public transport network needed to support Perth's growing population and links between strategic centres.
4. The Department of Transport is seeking comments on this Plan by October 14, 2011. Comments will be considered by the Department of Transport before a final Plan is released.

DETAILS

5. A summary of the key points made in the submission are provided below.
6. The Shire of Kalamunda is recognised in *Directions 2031 and Beyond* and the State's *Industrial Land Strategy* as an important growth area for urban and industrial development but this is not supported by *Public Transport for Perth in 2031*.
7. *Public Transport for Perth in 2031* does not offer the Shire of Kalamunda any more public transport than currently exists, even though Kalamunda's population is forecast to grow from 56,000 to over 80,000 by 2031.

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8. *Public Transport for Perth in 2031* does not support *Directions 2031 and Beyond's* vision of increasing urban density, creating activity centres, and supporting employment efficiency. Instead it facilitates the expansion of a linear city by simply reacting to predicted population growth rather than taking the opportunity to influence urban development and growth patterns in line with *Directions 2031 and Beyond*.
 9. *Public Transport for Perth in 2031* should create a public transport system that facilitates the movement of local people to access employment and community services locally as well as ease of movement to more strategic centres on an east west basis.
 10. In its current form *Public Transport for Perth in 2031* largely ignores the eastern growth corridor of the Perth metropolitan area and does not adequately plan for growth at Perth Airport and other key areas in the Region.
 11. While additional services to the Shire of Kalamunda may not be delivered before 2031, consideration needs to be given to planning the land parcels and transport corridors that will cater for and enable all modes of public transport, including rapid bus, light rail and heavy rail in the long term future. This aspect needs to be planned for and at least be considered within the State's long term public transport planning otherwise the necessary land to support future public transport infrastructure may become unavailable.

STATUTORY AND LEGAL IMPLICATIONS

12. Nil.

POLICY IMPLICATIONS

13. Nil.

PUBLIC CONSULTATION/COMMUNICATION

14. Nil.

FINANCIAL IMPLICATIONS

15. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

16. *Shire of Kalamunda Strategic Plan 2009-2014*
- 4.1.1 Continue to lobby all levels of government, community and regional partnerships to support the development of appropriate public transport options for the region.
 - 4.1.2 Advocate for the extension of rail facilities to the Perth Airport and beyond to the Kalamunda region.

Sustainability Implications

Social implications

17. Public transport is a key social development lever. Without accessibility for all ages the Shire will not have an inclusive community able to sustain the needs of all its demographic ranges.

Economic Implications

18. Plentiful public transport supports those of lower economic means and acts as an attractor for investors wishing to live in the Shire. Furthermore, public transport will be a driver to support future employment growth within the industrial areas in the Shire such as Forrestfield.

Environmental Implications

19. Public Transport reduces the reliance on vehicle usage which is extremely beneficial to the environment in reducing carbon emissions.

OFFICER COMMENT

20. The Shire has a strategic mandate before it to improve public transport within the Shire and to the Region.
21. The Shire needs to ensure it sends a strong message to the State Government in response to the draft *Public Transport for Perth in 2031* outlining how the Plan does not support growth to this region.
22. The Shire has participated on the WALGA Metropolitan Public Transport Policy Forum which was been initiated to prepare a whole of metropolitan local government wide response to the *Public Transport for Perth in 2031*.

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23. The Shire has also participated in the development of a regional submission through the Eastern Metropolitan Regional Council to ensure the interests of Perth's Eastern Region are taken into account.
24. The *Public Transport for Perth in 2031* needs to place a stronger emphasis on developing existing and new communities. There is too much emphasis on the viability of the transport network and nothing in terms of taking a holistic approach and looking at the viability of communities.
- The Shire struggles to see any real connection with the *Public Transport for Perth in 2031* to what *Directions 2031 and Beyond* is trying to achieve.
25. The Shire of Kalamunda has highlighted in its submission that the Plan as it stands now is deficient in that it is not a truly integrated strategy and is very one dimensional – essentially transport for transport sake and all focussing on the Perth CBD. To be of any use for the future of Metropolitan Perth it has to show how it is economically and socially integrated and how it contributes to these facets of future Perth.
26. The lack of future vision of the *Public Transport for Perth in 2031* is its greatest deficiency and this point has been acknowledged by WALGA and most other Local government's contributing to the consultation. It is hoped that the Department of Transport will recognise this limitation and create a Transport Plan that will underpin the future development of Perth beyond the year 2031 as effective transport planning has done in so many developed cities around the world.
- A minor wording change has been made to (Attachment 1.) on pages 2 & 4 "satellite CBD" was amended to "Business Activity Centre" as this more correctly describes the area. This was circulated to all Councillors.

RESOLVED SMC 157/2011

That Council:

1. Endorses the Shire of Kalamunda's submission on the Public Transport for Perth in 2031 – Draft for Consideration for lodgement with the Department of Transport.
2. Requests that copies of the Shire of Kalamunda's submission are sent to all Local Members of Parliament.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Martyn Cresswell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

7.0 MEETING CLOSED TO THE PUBLIC

7.1 Nil.

8.0 CLOSURE

The Chairman announced that the Shire of Kalamunda was very honoured to have the official Commonwealth Heads of Government Meeting's ("CHOGM") Orchestra to play their one and only concert not connected with CHOGM at the Kalamunda Performing Arts Centre on 23 October 2011.

Attendance will be by invitation only and the Shire will send invitations to selected local musical groups, service clubs and volunteers throughout the Shire. A gold coin donation will be appreciated, with all monies to go to the Orchestra for their personal expenses.

The Chairman thanked the Council for all their cooperation over the last two years in office.

There being no further business, the Chairman declared the meeting closed at 7.52pm.

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

Signed: _____
Chairman

Dated this _____ day of _____ 2011