
Shire of Kalamunda

General Services Committee

Agenda for 12 September 2011

NOTICE OF MEETING GENERAL SERVICES COMMITTEE

Councillors

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

12 September 2011 commencing at 6.30pm

For the benefit of Committee Members, staff and members of the public, attention is drawn to the following requirements as adopted by Council.

Open Committee Meetings – Procedures

1. Standing Committees are open to the public, except for Confidential Items listed on the Agenda.
2. Standing Committees have a membership of all 12 Councillors.
3. Unless otherwise advised a Committee makes recommendations only to Full Council (Held on the third Monday of each month at 6.30 pm).
4. Members of the public are able to ask questions at a Committee Meeting, however, the questions should be related to the functions of the Committee.
5. Members of the public wishing to make a comment on any Agenda item may request to do so by advising staff prior to commencement of the Committee Meeting.
6. Comment from members of the public on any item of the Agenda is usually limited to 3 minutes and should address the recommendations (at the conclusion of the report).
7. It would be appreciated if silence is observed in the gallery at all times except for Question Time.
8. All other arrangements are in general accordance with Council's Standing Orders, the Policies and decision of person Chairing the Committee Meeting.
9. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice at the meeting by signalling to a staff member.

Clayton Higham
Acting Chief Executive Officer
7 September 2011

** Dinner will be served at 5.30pm **

INDEX

1.0	OFFICIAL OPENING	1
2.0	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED.....	1
3.0	PUBLIC QUESTION TIME.....	1
4.0	PETITIONS/DEPUTATIONS.....	1
5.0	APPLICATIONS FOR LEAVE OF ABSENCE	1
6.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	1
7.0	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION....	1
8.0	MATTERS FOR WHICH MEETING MAY BE CLOSED	1
9.0	DISCLOSURE OF INTERESTS	1
10.0	REPORT TO COUNCIL.....	2
	111. Creditors' Accounts Paid During the Period 3 August to 26 August 2011	3
	112. Debtors and Creditors Reports for the Period ending 31 August 2011	5
	113. Rates Debtors Report for the Period ending 31 August 2011	9
	114. Land Asset Assessment – Acquisition of the First Five (5) 20A Reserves.	13
	115. RFT1118 Panels of Specialist Providers – Property Development Specialists	23
	116. RFT1118 Panels of Specialist Providers – Town Planners	27
	117. Land Asset Management Policy	31
	118. Community Facilities Plan (2011 – 2031).....	35
	119. Kalamunda and Districts Historical Society – Memorandum of Understanding for Occupancy of the Zig Zag Cultural Centre.....	49
	120. Shire of Kalamunda Bush Fire Prevention Strategies.....	55
	121. Tender for Supply and Delivery of Various Road Construction Materials, Sands and Landscape Products (T1119)	61
	122. Monthly Reporting of Financial Statements	67
11.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	70
12.0	QUESTIONS BY MEMBERS WITHOUT NOTICE.....	70
13.0	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	70
14.0	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	74
15.0	MEETING CLOSED TO THE PUBLIC	74
16.0	CLOSURE.....	74

AGENDA

1.0 OFFICIAL OPENING

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers are summarised.

4.0 PETITIONS/DEPUTATIONS

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 That the Minutes of the General Services Committee Meeting held on 8 August 2011 are confirmed as a true and correct record of the proceedings.

Moved:
Seconded:
Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the minutes as a true and accurate record of the meeting of 8 August 2011".

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

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. (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*.)

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.

10.0 **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.

111. Creditors' Accounts Paid During the Period 3 August to 26 August 2011

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Finance
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A

Attachment 1 Creditor Payments during the period 3 August to 26 August 2011 – Page 1

PURPOSE

1. To receive creditors' accounts paid during the period 3 August to 26 August 2011 (Attachment 1).

BACKGROUND

2. It is a requirement of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)* that a list of Creditors' Accounts paid is compiled each month.
3. The report is required to show payee's name, the amount of the payment, the date of the payment, and sufficient information to identify the transaction.

DETAILS

4. Accordingly, the list of creditors paid during the period 3 August to 26 August 2011 (Attachment 1).

STATUTORY AND LEGAL IMPLICATIONS

5. Nil.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Nil.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

9. *Shire of Kalamunda Strategic Plan 2009 - 2014*
5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.

Sustainability Implications

Social implications

10. Nil.

Economic Implications

11. Nil.

Environmental Implications

12. Nil.

OFFICER COMMENT

13. Nil.

OFFICER RECOMMENDATION (GS 111/2011)

1. That the list of creditors paid during the period 3 August to 26 August 2011 (Attachment 1) be received by Council in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

Moved:

Seconded:

Vote:

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

112. Debtors and Creditors Reports for the Period ending 31 August 2011

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Finance
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
 Attachment 1	 Summary of Debtors for the period ended 31 August 2011 – Page 19
Attachment 2	Summary of Creditors for the period ended 31 August 2011 – Page 21

PURPOSE

1. To receive a monthly report on debtors and creditors.

BACKGROUND

2. Attached are the reports detailing aged debtors (Attachment 1) and creditors (Attachment 2) as at 31 August 2011.
3. Council has requested reports detailing outstanding debtors and creditors on a monthly basis.

DETAILS

Debtors

4. The total of debtor accounts outstanding as at 31 August 2011 was \$605,294.
Particular items affecting the outstanding balances are:

The total outstanding in the category 90+ days for the month of August 2011 was \$66,879.
Major debtors in this category are shown at attachment 2 to this report.

The total outstanding in the category 60+ days for the month of August 2011 was \$158,452.
Major debtors in this category are shown at attachment 2 to this report.

The total outstanding in the category 30+ days for the month of August 2011 was \$71,317.

Major debtors in this category are shown at attachment 2 to this report.

The total outstanding in the category Current Debt for the month of August 2011 was \$308,646.

The term of payment given to a debtor is 30 days from date of invoice.

Creditors

5. Payments totalling \$4,362,476.89 were made during the month of August.
6. Standard payment terms are 30 days from the end of month, with local business and contractors on 14 day terms.
7. Invoices showing as outstanding greater than 60 and 90 days are the result of the original invoice documentation not being received by Finance.
8. All contractors, trades and suppliers are advised of the Shire's preference to pay by Electronic Funds Transfer (EFT) for efficiency and cost savings.

STATUTORY AND LEGAL IMPLICATIONS

9. Nil.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. Nil.

FINANCIAL IMPLICATIONS

12. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

13. Shire of Kalamunda Strategic Plan 2009 - 2014
5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.

Sustainability Implications

Social implications

14. Nil.

Economic Implications

15. Nil.

Environmental Implications

16. Nil.

OFFICER COMMENT

17. Nil.

OFFICER RECOMMENDATION (GS 112/2011)

1. That the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports as at 31 August 2011 be received.

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
113. Rates Debtors Report for the Period ending 31 August 2011

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Finance
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A
Attachment 1	Summary of Outstanding Rates for the period ended 31 August 2011 – Page 22

PURPOSE

1. To receive a report on rates debtors as at 31 August 2011.

BACKGROUND

2. Attached is the report detailing rates debtors as at 31 August 2011 (Attachment 1).

DETAILS**2011/2012 – Rate Billing**

3. Rate Billing has been completed for 2011/2012 with the following levies raised:

Rates	\$23,565,591.68
ESL	\$4,159,527.04
Services	\$6,692,098.45

(Included Refuse & Other Services)

2011/2012 – Rate Notices

4. Rate Notices were posted to Ratepayers on Monday 8 August 2011. The Due Dates are as follows:

Due Date:	12.09.2011
2 nd Instalment:	07.11.2011
3 rd Instalment:	12.01.2012
4 th Instalment:	08.03.2012

5. Ratepayer Contact

Surprisingly, there was not the high number of telephone calls this year as there were last year after the rate notices were issued. This is largely due to the accuracy of the rate notices after a year of data base cleansing.

6. Most of the calls were in relation to the revaluation effective 1 July 2011.

7. The areas of Maida Vale, High Wycombe and parts of Forrestfield were severely impacted by large GRV increases so the Shire has spent the past month explaining the rating system and how property values are calculated using GRV to assist ratepayers to better understand how the rating system works.

8. Approximately 12 letters have been drafted and sent addressing written complaints.

2010/2011 – Legal Action

9. This process has now progressed to the Property Seizure and Sale Order stage. There are 37 outstanding debts totalling \$101,373.02 that have been referred to the Bailiff for a Property Seizure and Sale Order.

10. No current action is outstanding with Austral Mercantile – our business with them has now been completed.

11. Dun & Bradstreet plan to meet with the Shire to discuss Debt Recovery processes for 2011/2012.

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*
5.5.2: Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.

Sustainability Implications

Social implications

17. Debt collecting processes contain the risk of bringing negative publicity to the Shire.

Economic Implications

18. Effective collection of all outstanding debtors leads to enhanced financial sustainability for the Shire.

Environmental Implications

19. Nil.

OFFICER COMMENT

20. Nil.

OFFICER RECOMMENDATION (GS 113/2011)

1. That the rates debtors report as at 31 August 2011 (Attachment 1) be received.

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
114. Land Asset Assessment – Acquisition of the First Five (5) 20A Reserves.

Previous Items	GS49 11 April 2011, OCM47/18 April 2011
Responsible Officer	Director Corporate Services
Service Area	Corporate Services
File Reference	Reserves 43471, 33221, 37699, 27721 & 27570
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider the public submissions received from the community as a result of the two public meetings and a mail out of the proposal to affected residents in respect to the Reserve Rationalisation Project (Land Asset Strategy)
2. To obtain Council approval to make a formal application to acquire three Reserves from the State Government as freehold title following the completion of the community consultation process.
3. To initiate further research with respect to one Reserve to determine whether the issues raised by the community would affect any further consideration as to the acquisition or otherwise of the property.

BACKGROUND

4. In July 2010 the Shire of Kalamunda ("the Shire") engaged the services of Hester Property Solutions ("HPS") to undertake independent assessment of the Shires property portfolio and to identify opportunities with respect to these properties.
5. At the Ordinary Council Meeting held on 18 April 2011 Council resolved to approve "the purchase of the 20A Reserves Numbered R43471, R33221, R37699, R27721 and R27570 at 5% of the market value as valued by the Valuer General's Office" subject to community consultation processes.

DETAILS

6. Whilst Council has formally resolved to approve the acquisition of the above properties, the process for acquisition of properties using the 20A 5% acquisition model through the State Government requires the completion of a number of processes before an application can be lodged for consideration. These steps in the process is outlined as follows:

Initiation of Appropriate Community Consultation

7. As the form and content of such community consultation is not prescribed by the State Government, advice was sought from HPS on the best way to proceed. HPS advised that initial public meetings should be held with invitations circulated to all affected residents in the immediate vicinity of the respective Reserves.
 8. Letters were sent to all residents within a 400 metre radius of each of these Reserves in the weeks prior to the meetings being held. Two separate meetings were held.
(The 400 metre distance for consultation was based on what is considered to be a walkable catchment. It is taken from the State Government Planning Guidelines "Liveable Neighbourhoods" based on typically what most people would consider to be the maximum distance or time (5 minutes) they would travel for a daily activity, such as visiting a local park.)
 9. The first being held on Tuesday 14 June 2011 at the Jack Healey Centre Kalamunda and was to provide information on the rationalisation of:
 - Reserve 27570 Trafalgar Road Lesmurdie
 - Reserve 37699 Holly Way Kalamunda
 - Reserve 27721 Wordsworth Avenue Gooseberry Hill
 10. The second being held on Wednesday 15 June 2011 at the High Wycombe Recreation Centre and was to provide information on the rationalisation of:
 - Reserve 43471 Cygnet Court High Wycombe
 - Reserve 33221 Swan Road High Wycombe
 11. Both meetings were coordinated by Hester Property Solutions who provided a presentation outlining the proposed process, the use of the funds raised from the proposed acquisition and eventual disposal and responded to all questions. The meetings were reasonably well attended and many residents asked questions during the course of each meeting.
 12. Submission forms were made available at each meeting for attendees to complete and hand back on the evening or to take and submit to the Shire at their convenience before the 1 August 2011.
 13. Following the meetings a further discussion was held with Hester Property Solutions to determine the success of the public meetings in terms of community engagement and if any improvements to the community consultation process could be achieved. It was agreed that whilst the public meetings had been successful in terms of attendees there were a number of issues identified where improvements to the process could be made.
 14. Prior to the meetings residents who received invitations were not provided with supporting information. This made consideration of the issue very difficult for those attending the meeting and also for residents unable to attend and not having detailed information to provide feedback.
-

-
15. Furthermore it was difficult to ascertain that those residents who attended the meeting were representative of the residents within the 400 metre radius. A number of comments from attendees indicated they were aware of residents who would have liked to attend the meetings but were unable to do so for one reason or another.
 16. With the approval of the Chief Executive Officer, it was decided that a letter drop would be undertaken. This letter would summarise the information presented at the public meetings, enabling residents to consider the matter in full and be better informed when making a response.
 17. Contact information was provided for further questions and a submission form enclosed in the event householders wished to submit a response in respect to the proposal. A distribution radius of 400 metres from each Reserve was used.

Consideration of Submissions

18. Prior to considering any application with respect to rationalisation of Reserves the State Government will require evidence that the Council has considered community submissions made during the process in reaching its decision.
19. One substantive petition was received. Whilst this contained a large number of signatures in opposition to one of the proposals, this was considered as one submission only.
This decision was taken due to the fact that:
 - It would have required cross referencing with other submissions made and the deletion of duplicate submissions (a decision that had not been made in other forms of submissions received).
 - The manner or method used in which the signatures had been collected could not be ascertained.
 - The letters and invitations had been circulated to an area of 400 metres around each Reserve, and this would necessitate the deletion of any person outside of this immediate area to retain equity.
 - Members attending the public meetings had enquired about the use of a petition and had been informed that these were not generally considered as their accuracy or means of collection could not be substantiated.
20. A summary of the submissions received for each of the Reserves following the completion of the public consultation process is as follows:

Reserve 27570 – Trafalgar Road, Lesmurdie

21.	Total Submissions Received	76
	Total Submissions in Favour	64
	Total Submissions Against	12
	Total Submissions Undecided	0

Key issues raised:

In Favour

Support use of funds from Reserve for upgrades of Reserves and better facilities.

Support for urban development

Against

Impact on flora and fauna

Insufficient information

Conclusion

Clearly with respect to this proposal there is broad support. The issues raised within those opposed do not contain issues that have not previously been considered and cannot be resolved through effective design of any subsequent redevelopment of the property.

Reserve 37699 – Holly Way, Kalamunda

22.	Total Submissions Received	62
	Total Submissions in Favour	24
	Total Submissions Against	37
	Total Submissions Undecided	1

Key issues raised:

In Favour

Support use of funds from Reserve for upgrades of Reserves and better facilities.

Support potential aged care in area.

Against

Impact on flora and fauna.

Benefit of sale not recognised.

Historical significance.

Conclusion

This summary of submissions was perhaps the most difficult to assess due to the content of the submissions made and the number of people both in favour and against the proposal. A number of the issues raised within the objections could be reasonably countered. There were a number of issues raised that also brought into question the suitability of the site to sustain any

form of intensive development.

Issues raised included the existence of a water course at the property and other limitations to development. These limitations were not identified prior to the consultation phase commencing, and as such if they exist as restrictions to development, then the proposal to rationalise this Reserve may not be appropriate, irrespective of the submissions received and whether the submissions are generally in favour or against the proposal.

As such it is suggested that this property be deferred from further consideration until more research has been completed with respect to the issues as raised within the submissions received.

Reserve 33221 – Swan Road, High Wycombe

23.	Total Submissions Received	84
	Total Submissions in Favour	60
	Total Submissions Against	20
	Total Submissions Undecided	5

Key issues raised:

In Favour

Support use of funds from Reserve for upgrades of Reserves, although alternate Reserves (to Range View Park) were suggested.

Support retention of public access way if Reserve is developed

Proceeds to be used in local area only.

Against

Opposed to further urbanisation.

Impact on flora and fauna.

Insufficient information.

Conclusion

There is a strong majority support for this proposal from the residents within the immediate 400 metre catchment of this Reserve. The issues raised by persons opposed to this proposal do not indicate any issue that has not been considered previously.

Council may require further consideration be given to the project on which funds realised from this proposed disposal are used, with further community consultation perhaps warranted.

Reserve 43471 – Cygnet Court, High Wycombe

24.	Total Submissions Received	27
	Total Submissions in Favour	20
	Total Submissions Against	7
	Total Submissions Undecided	0

Key issues raised:

In Favour

Support the integration of the Reserve into the larger land parcel.
Support the rationalisation of such a small Reserve.

Against

Opposed to the development of this Reserve and the larger property.
Property too close to Roe Highway to support residential development.

Conclusion

There is strong support for the rationalisation of this Reserve.

Many feel that the integration of this small corner lot into the larger property is a logical outcome. There were concerns about the proximity of the proposed residential development to Roe Highway.

This will need to be considered as a part of any subdivision application for the larger property to ensure suitable noise attenuation methods are employed if required.

Reserve 27721 – Wordsworth Avenue, Gooseberry Hill

25.	Total Submissions Received	34
	Total Submissions in Favour	0
	Total Submissions Against	34
	Total Submissions Undecided	0

Key issues raised:

In Favour

Nil.

Against

Loss of Community Garden.
Local Community Benefit and Amenity.

Conclusion

There is clearly a strong objection for this proposal, with no letters of support having been received.

Overall Comments

26. Whilst the submission process in an overall context was very successful, it is interesting to note there was almost a ratio of 2:1 submissions received in support of the proposals from the mail out process in comparison with the public meetings.

-
27. This would seem to confirm the feedback received at the public meetings which provided officers with the insight that members of the public had wanted to attend the meetings but had been unable to for various reasons.
28. A review of the process and findings from this initial phase will lead to further improvements in similar processes in the future. It would appear appropriate to conclude that future public consultation processes do not rely on public meetings but instead be undertaken in the first instance using the following format:
- Direct mail out to residents in affected area (400 metre radius).
 - Information session/s to be held to enable residents to attend and ask questions (different format from a public meeting).
 - Clarification as to the manner in which petitions will be considered as part of any such public consultation process.
29. The Shire will utilise the experiential learning from the process recently undertaken to inform the development of its future Community/Public Consultation Strategy.

STATUTORY AND LEGAL IMPLICATIONS

30. Following the completion of this public consultation process the Council may now consider the submission received and, where appropriate, make resolutions to formally apply to purchase the Reserves from the State Government as freehold title.
31. Approval of the acquisition and issue of title fall within the jurisdiction of Ministerial Policy under the *Land Administration Act*.

POLICY IMPLICATIONS

32. The Shire of Kalamunda does not currently have a policy in regard to the Acquisition and Disposal of Land; however a Draft Policy has been prepared and is the subject of a report being presented to Council at its General Services Committee meeting 12 September 2011.

PUBLIC CONSULTATION/COMMUNICATION

33. The process outlined in this report concludes the public consultation proposed to be undertaken for this part of the Reserves rationalisation program.

FINANCIAL IMPLICATIONS

34. Funds have been set aside in the 2011/2012 Shire of Kalamunda Budget to fund the 5% purchase cost of each Reserve.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

35. The acquisition and then sale of these properties will assist in meeting a range of key outcomes as stated within the Shire of Kalamunda Strategic Plan 2009-2014.
- Outcome 1.3 The community has access to a diverse range of recreational opportunities
- Outcome 2.1 Improved asset management to meet community needs today and in the future
- Outcome 2.3 Long term viability of infrastructure and facilities
- Outcome 5.4 Diversify revenue and funding sources
- Strategy 5.4.2 – Explore all avenues of funding including borrowings and sale of assets.
36. The use of revenue for sale of Reserves will be utilised to upgrade parks identified during this consultation process and as a result of the submissions received will enable the Shire of Kalamunda to deliver outcomes contained within the Community Facilities Plan. Without these funds being available works identified in the Community Facilities Plan will not be able to be undertaken within the Shire's current Long Term Financial Plan.

Sustainability Implications

Social implications

37. In initiating this proposal to rationalise Reserves, the Community Facilities Plan has concluded that the provision of open space, services and facilities is better met through the improvement of more centrally located and well serviced public open space areas. The rationalisation of any Reserve whilst may be perceived to have a detrimental impact on the local amenity of the neighbouring area can only be investigated through effective community consultation processes and the Shire is committed to such a process before any Council decisions are made. The Shire must take into account the views of all its residents and must also make decisions based on the greater good on the community in meetings and social obligations.
38. All areas within this proposal have been assessed and show a supply of open space in excess of the requisite 10% required by the Department of Planning. It has further been assessed the manner in which this open space is provided is not providing the best possible services to the community or accessibility to these Reserves. The Shire aims to assess and preserve land reserved for public recreation, where it provides a benefit to the broader community.

-
39. The need for the Shire to commence a program of rationalisation of its land assets; and in case of this report, the A20 Reserves, has been based on the findings of the research undertaken in the development of the Community Facilities Plan.
 40. The Shire is moving into a growth stage of its development over the next 10-20 years, particularly in the foothill suburbs, so finding alternative funding sources from which to fund high order infrastructure, such as public recreation facilities has been clearly highlighted in the research undertaken by the Shire.

Economic Implications

41. The funds arising from any disposal of these Reserves will be used to provide essential services at public open space Reserves within the same immediate precinct in which the Reserves are being considered for rationalisation.
42. Without the revenue from sale of Reserves the work required at other Reserves which is critical to maintain amenities, would not be able to be accommodated by the Shire of Kalamunda for at least a further 10 years, as has been identified in the Shire's Long Term Financial Plan. The Long Term Financial Plan has been a key driver is showing a future financial model for the Shire and the inability for the Shire to provide high quality assets based on current income streams.

Environmental Implications

43. There are no immediate environmental implications from the freehold acquisition of any of the Reserves. The sale and /or development of these properties will potentially raise environmental issues that will be required to be considered.
44. There will be further environmental investigation in relation to the Holly Way Reserve as these were significant concerns raised by the community.
45. Any such environmental issues will form part of any proposal to dispose or develop the subject sites and will be able to be accommodated in any conditions of development applied by the Council.

OFFICER COMMENT

46. The acquisition process is in line with the recommendations of the Hester Property Solutions Report and meets the guide lines of the draft Land Asset Management Policy and Plan.
47. It is proposed there be no further consideration for the acquisition of Reserve 27721 Wordsworth Avenue, Gooseberry Hill in response to community comment received and the clear broad community use and significance of this property.

48. The issues raised during the consultation process in respect of Reserve 37699 Holly Way will be investigated and a further report provided for Council consideration.

OFFICER RECOMMENDATION (GS 114/2011)

That Council:

1. Applies to the Department of Regional Development and Lands (State Land Services Division) to obtain approval from the Minister for Lands to acquire, for 5% of the assessed valuation, the following Reserves:
- Reserve 27570 Trafalgar Rd Lesmurdie
 - Reserve 43471 Cygnet Ct High Wycombe
 - Reserve 33221 Swan Rd High Wycombe

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
115. RFT1118 Panels of Specialist Providers – Property Development Specialists

Previous Items	Nil
Responsible Officer	Director Corporate Services
Service Area	Property & Procurement
File Reference	
Applicant	N/A
Owner	N/A
Confidential	Price Schedule
Attachment 1	

Reason for Confidentiality: In accordance with Section 5.23(2) (c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: *"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."*

PURPOSE

1. To consider awarding the tender for the Provision of Property Development Specialists for a period of 3 years with an option to extend for a further two periods of 12 months.

BACKGROUND

2. The Request for Tender was advertised in The West Australian Newspaper on Saturday 2 July 2011 and closed at 2.00 pm Tuesday 26 July 2011.
3. The Panel of Specialist Providers Tender contained seven categories:
 - Civil Engineers
 - Town Planners
 - Architects
 - Environmental Consultants
 - Project Managers
 - Property Development Specialists
 - Community Consultation Facilitators
4. To avoid confusion when dealing with so many panels for specialist services each provider group will be presented to Council individually for approval. This report deals with Property Development Specialists.

DETAILS

5. From the tender advertisement a total of four responses were received for this group.

STATUTORY AND LEGAL IMPLICATIONS

6. Section 3.57 of the *Local Government Act 1995* and Part IV of the *Local Government (Functions and General) Regulations 1996*.

POLICY IMPLICATIONS

7. The Tender complies with Policy PUR 1 – Purchasing Policy.

PUBLIC CONSULTATION/COMMUNICATION

8. There is no requirement for public consultation.

FINANCIAL IMPLICATIONS

9. The awarding of the tender is expected to provide some savings in consultant costs and will ensure Council's compliance with the *Local Government (Functions and General) Regulations 1996*.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

10. Shire of Kalamunda Strategic Plan Goal 5 Governance and Organisation:
5.1.4 Ensure appropriate systems and procedures are in place to comply with statutory compliance and enhance effective business management.

Sustainability Implications

Social Implications

11. There are no social implications.

Economic Implications

12. There are no economic implications.

Environmental Implications

13. There are no environmental implications.

OFFICER COMMENT

14. A total of four submissions were received for this group:
- Hester Property Solutions
 - Aspen Property Developments Pty Ltd
 - Westbury Investments Pty Ltd
 - CRL Highbury Consulting

Hester Property Solutions

15. Formed by three Directors, with over 50 years combined experience in local government predominantly at an executive level in Strategic Town Planning, Economic Development, Governance, Master Planning, regeneration projects, community consultation, private/public sector joint ventures and projects and highly developed negotiation skills.
16. Hester specialise in rationalising land ownership and land holdings to provide more efficient land assets and have extensive experience in identifying opportunities with land based assets where none were thought to exist.
17. The consultancy has worked with a number of metropolitan and country local governments as well as the State Government and private sector.

Aspen Property Developments Pty Ltd

18. Is the operating entity of Aspen Living and provides for Aspen Living to establish and manage the strategic direction of a project.
19. Aspen is well versed in the complexities of a master-planned project, and is committed to the delivery of developments that create new communities, jobs, infrastructure and sense of destination.

Westbury Investments Pty Ltd

20. Specialised land development, sales and marketing vehicle that has extensive development experience spanning four (4) decades and covering residential, office, commercial and industrial development and have detailed knowledge of all property markets in Western Australia.

CRL Highbury Consulting

21. Provide strategic property and investment advice, associated policy development and specific property outcomes, including land lease opportunities, redevelopment of community facilities through maximising the opportunities presented by land ownership.
22. CRL Highbury Consulting have worked with a number of local governments as well as state government instrumentalities.

OFFICER RECOMMENDATION (GS 115/2010)

That Council:

1. Appoints:

1. Hester Property Solutions
2. Aspen Property Developments Pty Ltd
3. Westbury Investments Pty Ltd
4. CRL Highbury Consulting

to the Panel of Providers for Property Development Specialists at the rates shown in (Confidential Attachment 1) – Price Schedule for a period of three years with an option to extend for a further two periods of twelve months.

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
116. RFT1118 Panels of Specialist Providers – Town Planners

Previous Items	Nil.
Responsible Officer	Director Corporate Services
Service Area	Property & Procurement
File Reference	RFT 1118
Applicant	N/A
Owner	N/A
Confidential Attachment 1	Schedule of Tender Prices

Reason for Confidentiality: In accordance with Section 5.23(2) (c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: "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."

PURPOSE

1. To consider awarding the tender for the Provision of Town Planning Consultancy Services for a period of three years with an option to extend for a further two periods of 12 months.

BACKGROUND

2. The Request for Tender was advertised in The West Australian Newspaper on Saturday 2 July 2011 and closed at 2.00 pm Tuesday 26 July 2011.
3. The Panel of Specialist Providers Tender contained seven categories:
 - Civil Engineers
 - Town Planners
 - Architects
 - Environmental Consultants
 - Project Managers
 - Property Development Specialists
 - Community Consultation Facilitators.
4. To avoid confusion when dealing with so many panels for specialist services each provider group will be presented to Council individually for approval. This report deals with Town Planners.

DETAILS

5. From the tender advertisement a total of thirteen responses were received.
6. The responses were assessed in accordance with the Qualitative Criteria in the tender document and the assessments were carried out by the Director Planning and Development Services and the Manager Strategic Planning and Sustainability.

STATUTORY AND LEGAL IMPLICATIONS

7. Section 3.57 of the *Local Government Act 1995* and Part IV of the *Local Government (Functions and General) Regulations 1996*.

POLICY IMPLICATIONS

8. The tender complies with Policy PUR 1 – Purchasing Policy.

PUBLIC CONSULTATION/COMMUNICATION

9. There is no requirement for public consultation.

FINANCIAL IMPLICATIONS

10. The awarding of the tender is expected to provide savings in consultant costs.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

11. Shire of Kalamunda Strategic Plan Goal 5 Governance and Organisation
5.1.4 Ensure appropriate systems and procedures are in place to comply with statutory compliance and enhance effective business management.

Sustainability Implications

Social Implications

12. There are no social implications.

Economic Implications

13. There are no economic implications.

Environmental Implications

14. The use of qualified and experienced Planning Consultants on land projects will help to ensure a responsible approach is taken with development proposals.

OFFICER COMMENT

15. Of the thirteen responses received the submissions submitted by Chris Antill Planning and Urban Design, TPG Town Planning and Urban Design and Burgess Design Group have been assessed as the most suitable to meet the Shires requirements.

OFFICER RECOMMENDATION (GS 116/2011)

That Council:

1. Appoints the following Panel of Specialist Providers for Town Planners:
 1. Chris Antill Planning and Urban Design
 2. TPG Town Planning and Urban Design
 3. Burgess Design Group

as per the tender prices in the schedule at (Confidential Attachment 1) for a period of three years with an option to extend for a further two periods of twelve months.

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
117. Land Asset Management Policy

Previous Items	Nil
Responsible Officer	Director Corporate Services
Service Area	Property & Procurement
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Draft Policy – Land Asset Management – Page 23
Attachment 2	Draft – Land Assessment Criteria – Page 25

PURPOSE

1. To consider adopting the draft Land Asset Management Policy.

BACKGROUND

2. In July 2010 the Shire of Kalamunda (the Shire) engaged the services of Hester Property Solutions (HPS) to undertake independent assessment of the Shire's property portfolio and to identify opportunities with respect to these properties.
3. At its meeting in April 2011 Council received a report containing a confidential summary of the Hester Property Assessment Report which outlined the Shire property portfolio.
4. The Shire's portfolio comprises approximately 85 freehold properties and 410 vested reserves. These properties are located across all areas of the Shire both in urban town site locations as well as in rural and special rural areas outside of the urban centres of the district.
5. Over the past four months the Shire has been developing processes and practices in order to better implement the recommendations of the Hester Report. One such recommendation is to develop a Land Asset Management Policy and an associated Management Framework to guide all processes.
6. A draft Policy and component of the framework has been drafted to ensure that the Shire provides a transparent and equitable approach to all land asset acquisitions and disposals.

DETAILS

7. The draft Land Asset Management Policy aims to assess and preserve land and give due consideration to the current and future needs of the broader community (Attachment 1).

-
8. To ensure the effective implementation of this Policy will be achieved through the following plans and strategies:-
- Public Consultation Strategy and Plan
 - Land Asset Management Strategy
 - Land Asset Management Plan
 - Land Asset Assessment Criteria (Attachment 2).
9. These documents will form the Land Asset Management Framework and will guide all the processes associated with land acquisitions, transfers and/or disposals.

STATUTORY AND LEGAL IMPLICATIONS

10. *Local Government Act 1995* Part 3 Division 3 Section 3.58 Disposing of Property
Local Government Act 1995 Part 3 Division 3 Section 3.59 Major Land Transactions
Local Government (Functions and General) Regulations 1996 Clause 30

POLICY IMPLICATIONS

11. This is a new Policy.

PUBLIC CONSULTATION/COMMUNICATION

12. There is no requirement for public consultation. Council may wish to subject the Policy to a public consultation process if required.

FINANCIAL IMPLICATIONS

13. There are no financial implications.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

14. Shire of Kalamunda Strategic Plan Goal 5 Governance and Organisation
5.1.4 Ensure appropriate systems and procedures are in place to comply with statutory compliance and enhance effective business management.

Sustainability Implications

Social Implications

15. There are no social implications.

Economic Implications

16. There are no economic implications.

Environmental Implications

17. There are no environmental implications.

OFFICER COMMENT

18. The adoption of the draft Land Asset Management Policy and the accompanying documents that will be developed will provide an integrated framework for all elements of property management and ownership:
- Buying property – identifying what property is needed so that the right purchase decisions are made at the right time, and so necessary resources (including lifecycle costs) can be planned in advance.
 - Owning property – knowing what property is owned and why it is owned.
 - Managing property – knowing which properties are owned and why.
 - Management of Crown Reserves - identifying potential land swaps and rationalisations for better community use. Joint ventures with the State Government on developable Crown land and securing freehold title.
 - Investing in property – capturing the benefits of growth for the community.
 - Releasing property – making informed choices about when and why to dispose of property that has no further purpose in Council ownership.
19. The draft Policy once adopted will provide a mandate to the community that Council is committed to long term strategic planning and to ensure that the Shire has viable funding sources in place to deal with the demands of the community in the future.
20. A draft Policy and associated framework provide Council with a strong statement of intent, provided guiding principles to the Shire and the Community as well as a transparent process which cannot be brought into question. Having a robust Policy and Framework will ensure that the program is not undermined by vested interest.

OFFICER RECOMMENDATION (GS 117/2011)

That Council:

1. Adopts the draft Land Asset Management Policy shown at (Attachment 1).

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
118. Community Facilities Plan (2011 – 2031)

Previous Items	N/A
Responsible Officer	Kevin O'Connor
Service Area	Community Development
File Reference	CO-CCS-059
Applicant	N/A
Owner	N/A

Attachment 1	Community Survey – Page 29
Attachment 2	Backlog Priorities and Timeframes – Page 41
Attachment 3	Community Facilities Priorities 2017 – 2022 – Page 42
Attachment 4	Community Facilities Recommendations – Page 45
Attachment 5	Future Development Priorities 2022 – 2031 – Page 85

PURPOSE

1. To consider endorsing the Backlog Priorities and Timeframes emanating from the Shire of Kalamunda draft Community Facilities Plan.

BACKGROUND

2. In 2010, the Shire of Kalamunda commissioned the preparation of a 20 year Community Facilities Plan with the aim of obtaining a detailed understanding of the current and future community facility needs of the Shire.
3. The facilities considered under the Plan were those used by a large section of the community and which contribute significantly to the quality of life of our residents:
 - Parks
 - Sports Grounds and Sporting Facilities
 - Recreation Centres
 - Aquatic Centres
 - Community Centres
 - Performing Arts Centre
 - Libraries
4. The rationale for developing a 20 Year Community Facilities Plan is highlighted below:
 - Demand for improved or new facilities exceeds the financial resources available.
 - No overall picture of community facility needs.
 - Community needs are changing.
 - Catering for a growing population.
 - Sound direction is needed for the future.

DETAILS

5. The process utilised to develop the Community Facilities Plan has involved an extensive period of research, strategic analysis and planning, with six key stages of work undertaken:
 - Planning Catchments
 - Community Profile
 - Community Needs Assessment
 - Community Facilities Hierarchy
 - Community Facilities Planning Standards
 - Demand Gap Analysis

6. The principles used to underpin the development of the Community Facilities Plan and ultimately guide the outcomes and recommendations were:
 - Demonstrated Need and Demand
 - Maximising Use and Rationalisation
 - Sustainability and Viability
 - Environment and Quality of Life
 - Multi-Use and Purpose
 - Equity and Accessibility
 - Collaboration and Partnerships
 - Consultation and Engagement

Key issues

7. There are a number of key issues and challenges arising out of the research and analysis conducted in developing the Plan.

Low Level of Investment in Maintaining Facilities and Poor Building Conditions

8. Whilst the Shire of Kalamunda provides an extensive portfolio of community facilities, from the general appearance and condition of many facilities, it appears that the level and standard of maintenance provided has been relatively low for a sustained period of time.

9. When considering the building condition ratings and estimated life years remaining of the built community facilities, it is evident that a high number of facilities require major renewal or replacement, particularly with community centres and halls.

Dealing With Current Gaps in Facilities and New Demand

10. Whilst new community facilities have been established over the years, it is evident that this has not kept pace with the demand for community facilities and the population growth of the Shire of Kalamunda.

-
11. As a result of this, there is a backlog of facility requirements for the current population to be addressed, as well as new community facilities demands from the growing number of new residential areas. This presents a significant financial challenge in terms of catching up with the sizeable backlog in facility requirements, at the same time as funding the new community facility requirements.

Uneven Distribution and Standard of Facilities

12. The spatial analysis of community facilities clearly indicates there is an uneven distribution of facilities across the Shire of Kalamunda. This is most obvious with Parks, Community Centres and Sports Grounds Sporting Facilities. As a result of this, in some areas there is an oversupply of particular facilities and an undersupply in others.

Some Facilities are Residual to Requirements

13. In the process of preparing the Community Facilities Plan, there were a number of community facilities identified as residual to current and future requirements. This is largely due to a combination of factors such as an oversupply of that facility, poor facility design etc.

Changing Community Needs and Facility Trends

14. The way the Shire of Kalamunda has provided community facilities in the past will need to change significantly to reflect current community facility needs, changing expectations and the current best practice and trends in community facilities design and provision.

Improving the Planning and Provision of Facilities

15. While there has been a greater focus on community facility planning efforts in recent years, it is also evident that there has been a long history of limited planning and strategic foresight in the provision of community facilities. This is evident in the uneven distribution of community facilities and variable standard and quality of community facilities that exists across the Shire of Kalamunda.
16. Establishing a hierarchy or “structure” for providing community facilities is essential to ensuring local or everyday facility needs are catered for at the local level and located in the right position. The same applies to the demand for “higher order” or larger scale community facility requirements.

Addressing Community Planning Resource Requirements

17. The Community Facilities Plan is a major plan with over 250 recommendations and actions for implementation. If the Community Facilities Plan is to be implemented in a timely manner, additional Project Management resources will be required.

Timeframes and Priorities

18. The preparation of the Community Facilities Plan has involved the development of recommendations and priorities required to address current and future community facility needs.
19. The priority and timeframes of recommendations has been determined by a number of factors or “drivers” which are outlined below.

Population Profile and Development Fronts

20. The current profile and distribution of the population and likely development fronts and timing have a significant influence in determining priorities and timeframes.

Facility Standards, Condition and Functionality

21. The standard, condition and functional deficits of facilities have been taken into account in formulating the recommendations, priorities and timeframes.

Resident and Stakeholder Feedback

22. Shortcomings in current community facilities and the improvements and priorities identified by residents and stakeholders through the community consultation process have been taken into account in determining the Community Facilities Plan priorities and timeframes.

Community Facilities Hierarchy

23. The Community Facilities Hierarchy sets out how local, neighbourhood, district and regional level community facility requirements can be addressed in an efficient and effective manner across the Shire of Kalamunda.

Planning Standards and Design Criteria

24. The Community Facilities Planning Standards have established the purpose and function of each community facility and specified planning and design criteria to enable the consistent quality and standard of facility provision across the Shire of Kalamunda.

Facility Provision Benchmarks

25. The Community Facilities Planning Standards also established a benchmark and population ratio for providing each community facility to enable an equitable distribution of community facilities across the Shire of Kalamunda.

Need and Demand

26. The level or the extent of demand established by the Demand Gap Analysis in respect to each recommendation has been taken into account in determining the Community Facilities Plan priorities and timeframes.

Rationalising Community Facilities

27. Whilst one of the key outcomes of the Community Facilities Plan 2011-2031 has involved the identification of the priorities for upgrading and redeveloping community facilities and for developing new community facility requirements, this process has also identified the community facilities considered surplus to current and future demand.
28. This is largely due to the presence of at least two, or more, of the following factors:
- A surplus, or oversupply of that facility in a particular area.
 - Poor design and functionality of the facility.
 - Low usage levels.
 - Insufficient demand and viability.
 - Building condition ratings indicating major renewal, replacement and limited life years remaining.
29. In rationalising community facilities, it is acknowledged that there will be varying degrees of community opposition, as well as support.
30. The following principles are proposed to guide the implementation of the rationalisation of residual facilities, including addressing alternative uses for residual sites.
- Residents and community organisations will be proactively informed and consulted within the rationalisation of residual facilities.
 - User Groups of residual facilities will be supported in the relocation to alternative facilities, prior to the removal of any facility.
 - Funds gained from rationalising will be invested in improving the standard and quality of community facilities available.
 - The future use of residual sites will take into account environmental, economic and viability factors.

-
31. Due to the complexities involved in the proposed rationalisation exercise, an independent facilitator will be engaged to coordinate this process in collaboration with an in-house project team.
 32. It is anticipated that the facilitator and staff from Finance, Asset Management and Community Development will review and challenge what is proposed to ensure the rationale is as robust as possible, taking into account the principles as outlined above and the possible need to look at any other facilities that are due for major renewal.

STATUTORY AND LEGAL IMPLICATIONS

33. Nil.

POLICY IMPLICATIONS

34. Asset Management Policy: ENG 15 (2011)

PUBLIC CONSULTATION/COMMUNICATION

35. Community workshops were held in each of the four Wards of the Shire of Kalamunda to seek input from residents, sporting groups and community organisations in developing the Community Facilities Plan.
36. Each workshop focused on identifying the positive and negative aspects of community facilities and the priorities and vision ideas for the future. By identifying the positive aspects of community facilities, this provides a good indication of what is liked or valued the most about facilities. In planning for the future, this enables consideration to be given to retaining, maximising and enhancing these positive features and values.

Workshops

37. A report was prepared from each workshop documenting all of the comments put forward and following an analysis of the outcomes across all workshops a number of common themes have emerged and these are highlighted below.

Ageing Community Facilities and Poor Level of Maintenance

38. The ageing and deterioration of facilities was most commonly raised with the Aquatic Centre and to a lesser extent with Community Centres and Sports Grounds and Sports Facilities.

Improving and Developing Existing Community Facilities

39. Overall, there was not a significant call for a large number of new facilities, with a stronger emphasis on the need to improve and develop the standard of existing community facilities.

Uneven Distribution of Community Facilities

40. Across nearly all types of community facilities there was a perception that there is an uneven distribution of facilities across all areas.

Rationalising Community Facilities

41. The rationalisation of community facilities was commonly suggested as a potential way of improving the standard and quality of community facilities.

Multi-purpose Community Facilities and Providing Facilities as “Hubs”

42. There was a strong preference for community facilities being multi-purpose and able to cater for a wide range of activities and age groups.

Catering for all Age Groups

43. Across all community facilities, improvements to better cater for the needs of children and young people was considered a priority and improving facilities to better cater for seniors was also a common suggestion.

Better Planning and Design

44. The need to improve the way facilities are planned and designed was identified across all facilities, with many facilities considered to be lacking in good design and functionality.

Environmentally Friendly

45. Across all community facilities, designing, providing and managing facilities in an environmental sensitive way was a common priority.

Community Survey

46. A Community Survey was undertaken as part of the Community Needs Assessment phase of the Community Facilities Plan. The Community Survey was available on-line and in hard copy, with survey forms available at all the Libraries, Recreation Centres and the Administration Centre, as well as by mail. The survey was promoted and advertised in the local papers for a two week period and on the Shire of Kalamunda’s website.

47. A total of 207 people responded to the Community Survey, with 66% of these being female and 34% being male. The key outcomes and findings from the survey are contained in (Attachment 1).

FINANCIAL IMPLICATIONS

48. The Community Facilities Plan provides indicative cost estimates in today's dollars to meet the community facility needs of the current and future population.
49. The Community Facilities Plan will require a significant investment of capital funds, largely in upgrading the capacity of existing community facilities and in establishing new community facilities to meet both the existing and future needs of the population of the Shire of Kalamunda.
50. The cost estimates provided are largely derived from the Facilities Hierarchy and Facility Planning Standards which have been used in the development of this plan. The application of these have a large bearing on facility provision ratios and the specifications detailed in this Plan.
51. The Community Facilities Plan, outlining a 20 year capital expenditure program, was formulated with cost estimates for facilities based on current costings used by the Shire of Kalamunda and costings of similar facilities in other councils.
52. This cost schedule should therefore be considered as indicative or preliminary, with more detailed costings and business cases to be prepared at the planning and design stage of each facility. Furthermore, the Shire needs to ensure it updates and reviews the cost estimates annually in line with funding sources and revenue constraints.
53. The summary table below of the Community Facilities Plan 20 year capital expenditure program shows that over the next 20 years, \$166 million will be required to address the community facility needs of the current and future population.

Community Facilities Plan – 20 Year Capital Expenditure Summary 2011-2031	Cost	Current Backlog
Parks	22,000,000	5,300,000
Sports Grounds and Facilities	40,200,000	7,400,000
Recreation Centres	17,000,000	0
Aquatic Centres	14,500,000	0
Community Centres	56,000,000	11,300,000
Libraries and Performing Arts Centre	16,300,000	0
Total	\$166,000,000	\$24,000,000

- 54. It is acknowledged that, based on the typical level of community facility expenditure by the Council and the current level of potential income sources, implementing the Community Facilities Plan recommendations within these timeframes will only be achievable providing that long term funding sources are realised in line with the Long Term Financial Plan.
- 55. The Community Facilities Plan 20 year capital expenditure program is aimed at providing the Council with an accurate or “real” picture of when community facilities are ideally required to meet the current and future community facility needs of the population.
- 56. While there are number of scenarios that could be adopted to address the current backlog, a five year scenario is outlined in the table (Attachment 2). Although the Hartfield Park Master Plan short term priorities were not included with the backlog of facilities, officers believe that redevelopment of this reserve is of sufficient importance for Council to also consider these improvements within the first 5 years.
- 57. The next Priority Tables 2017-2022 (Attachment 3a,b,c) provide indicative timelines and an indication of the level of funding required to address the next group of priorities.
- 58. The summary table below indicates this would require \$45.0 million over five years, or an average annual capital investment of \$9.0 million.

Five Year Community Facility Priorities 2017 - 2022	Total Cost Estimate	2017/18	2018/19	2019/20	2020/21	2021/22
Parks	7,700,000	1,500,000	700,000	2,700,000	2,000,000	800,000
Sports Grounds & Facilities	3,600,000	3,000,000	400,000		200,000	
Aquatic Centres	300,000	300,000	0	0	0	0
Community Centres	24,400,000	200,000	2,200,000	6,000,000	11,000,000	5,000,000
Libraries and Performing Arts	9,000,000	0	0	1,600,000	2,300,000	5,100,000
<i>Total</i>	45,000,000	5,000,000	3,300,000	10,300,000	15,500,000	10,900,000

- 59. The reason for extending the timeframes for the backlog and the next group of priorities is to align the Community Facilities Plan funding requirements more closely with the potential funding sources in Council’s Long Term Financial Plan.

60. If Council were to endorse the Backlog and Priorities as proposed in this report, the implementation of the identified priorities would then be subject to the funding strategies identified in the Long Term Financial Plan.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

61. *Shire of Kalamunda Strategic Plan 2009 – 2014*
- 1.3.1 Manage the effective promotion, planning and usage of recreational spaces, services and facilities.
 - 1.4.1 Continue to improve the physical environment and design of Council facilities experiencing safety problems.
 - 2.1.2 Design and implement effective decision making frameworks for asset management.
 - 2.3.2 Maintain, refurbish or upgrade existing infrastructure to encourage increased utilisation and extension of asset life.
 - 5.2.2 Service Standards – Define what services we provide, and manage service promises to agreed levels of quality and timelines.
 - 5.3.3 Provide modern and welcoming facilities which meet organisational and community needs.

Sustainability Implications

Social Implications

62. Community and cultural infrastructure is seen as an essential ingredient in creating social capital and a safe, inclusive, accessible and sustainable community.
63. The Community Facilities Plan will assist the community to achieve greater cohesion and resilience and address the Council's responsibility of developing and implementing strategic and integrated social planning strategies.

Economic Implications

64. Nil.

Environmental Implications

65. Nil.

OFFICER COMMENT

66. The Community Facilities Plan is a strategic planning tool which can now be integrated with Council's other related plans and documents to provide a clear direction to guide future community facility development.

67. The funding strategy adopted to facilitate the implementation of the Community Facilities Plan will be a critical aspect in reviewing and confirming timeframes.

68. In order to maximise the effectiveness of potential funding availability within the first five years of the Plan, Officers have reviewed the priority for redevelopment of Kostera Oval.

69. The priority area for redevelopment of this reserve should be the expansion of the playing fields and associated change-room facilities, then followed by the next stage which would include the new pavilion and other district level facilities.

70. Currently the Community Facilities Plan shows the total Kostera Oval Project being completed with the backlog facilities. These timeframes have now been adjusted to show Stage 1 in the first 5 years and Stage 2 in the next 5 year priorities.

71. Due to the importance of Hartfield Park as the Shire's premier active sporting reserve and the priorities previously established in the Master Plan, there is an urgent need to enhance and develop available sport and recreation facilities in this area. These projects have now been incorporated within the Backlog Priorities Table (Attachment 2).

72. Asset Management Strategies and Principles will need to be applied based on the agreed service levels and the effectiveness of the new assets to continue to provide that level of service.

73. The Facilities Hierarchy and Planning Standards used in this report could become the basis of the agreed service levels for the provision and upgrading of community facilities over the life of the Community Facilities Plan.

74. All the Community Facilities have been classified under this hierarchy and then the Planning Standards applied to help determine the cost estimates and timing of facility developments.

-
75. At this stage Council are asked to note and receive the recommendations from the Community Facilities Plan (Attachment 4) and consider the outcomes from the rationalisation exercise prior to determining if the proposed hierarchy and planning standards are appropriate for the Shire of Kalamunda.
 76. The rationalisation exercise, will require close cooperation and communication with the key stakeholders, both external and internal and ensure that discussions are based on sound asset management principles.
 77. Internal workshops will be held once the process has reached critical points that will require Councillor input and feedback.
 78. The rationalisation process will involve a detailed and thorough investigation of all the facilities identified in the Plan and impacts the rationalisation will have on the community and the timeframe for replacement facilities.
 79. The proposed implementation dates for any residual facilities will need to be aligned with priorities and timeframes as set by Council.
 80. The feasibility of the development of the Neighbourhood and District level facilities identified in the Plan will have to be further investigated on a case by case basis, with more detailed consideration being given to the opportunities and constraints of each situation.
 81. Subject to Council's support or otherwise of this Report's recommendations, a Public Communication Strategy will need to be prepared, so that the broader community can be informed of the direction that Council has adopted.
 82. Two Councillor Workshops were held with the Consultant who prepared the Community Facilities Plan. At the second Workshop a copy of the Executive Summary was provided to Councillors.

OFFICER RECOMMENDATION (GS 118/2011)

That Council:

1. Notes and receives the Recommendations from the Community Facilities Plan (Attachment 4).
2. Endorses the Backlog Priorities and Timeframes (Attachment 2), subject to appropriate Business Plans/Cases and financial modelling .
3. Notes the Five Year Priorities and Timeframes (Attachment 3).
4. Notes the remaining community facilities developments in accordance with the priority order (Attachment 5).
5. Notes the implementation of the Community Facilities priorities are subject to the funding strategies being achieved and identified in the Shire of Kalamunda's Long Term Financial Plan.
6. Notes that officers will submit the final recommendations for rationalisation of facilities back to Council for consideration once the process is completed.

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
119. Kalamunda and Districts Historical Society – Memorandum of Understanding for Occupancy of the Zig Zag Cultural Centre

Previous Items	OCM 61/09 - 15 June 2009
Responsible Officer	Director Community Development
Service Area	Community Development
File Reference	RL 01/056 & CO-INF-015
Applicant	Kalamunda and Districts Historical Society
Owner	Shire of Kalamunda
Attachment 1	Zig Zag Cultural Centre Floor Space Plan – Kalamunda and Districts Historical Society – Page 86

PURPOSE

1. To consider the key terms and conditions for a proposed Memorandum of Understanding (“MOU”) between the Shire of Kalamunda and the Kalamunda and Districts Historical Society (“KDHS”), formalising the Society’s occupancy of floor space located within the Zig Zag Cultural Centre (“ZZCC”).

BACKGROUND

2. On 15 June 2009 (GS63 - 2 June 2009 / OCM 61/09) Council unanimously resolved to endorse a proposed Licence Agreement between the Shire of Kalamunda and the KDHS for Stirk Cottage and the Kalamunda History Village for a period of five years with an option of a further five years.
3. The proposed Licence outlined the responsibilities of the two parties in respect to operating costs, annual contributions and management of the subject properties. During legal drafting of the Licence it was determined that a “Lease”, not a “Licence”, would better protect the interest of the Shire and the KDHS and also to recognise actual practice for the property and Council Policy. The Lease was also drafted with due consideration of the Zig Zag Cultural Centre and its interaction with the History Village. The Lease Agreement was subsequently executed.
4. During the planning phase for the ZZCC the KDHS remained a key stakeholder and was given the opportunity to take up floor space in the ZZCC for their administration. A 33 sqm area has been dedicated for KDHS use on the first floor for this purpose. The allocated floor space is shown in (Attachment 1).

DETAILS

5. The relationship between the Shire and KDHS is long standing and mutually beneficial, and is specifically addressed in Council Policy (refer *Policy Implications* in this Report). The siting of the ZZCC adjacent to the History Village provides avenues for the community and visitors to enjoy a scope of cultural activities.

-
6. The floor space in the ZZCC gives the KDHS the opportunity to locate some of its administration functions from part of Ellis Cottage in the History Village, releasing that building for display purposes. It will also promote closer communication between the management of the ZZCC and the KDHS, benefitting all visitors to the cultural precinct.
 7. It is proposed that an MOU be established to formally recognise the KDHS occupation of the floor space. This will allow some flexibility for both the Shire and the KDHS while the practicalities of the interaction between the ZZCC and History Village are established over time and use. If proved successful, there is scope at a later date to include the occupancy in the current lease for the History Village. However it is envisaged that the MOU will secure and serve the interests of both parties for the interim.
 8. The proposed MOU will address key aspects of the occupancy of the ZZCC, including:
 - Permitted usage of the premises
 - Rental of the premises
 - Any in-kind contributions
 - Office furniture and equipment
 - Maintenance and repairs
 - Information Technology support
 - Cleaning
 - Contribution to operation costs
 - Communication between the parties
 - Access times, restrictions and security of the premises
 - Insurance (including contents) and Indemnity
 - Car parking
 - Access to shared facilities (toilets, kitchen, meeting rooms, office equipment, etc)
 - Any other matter recommended by legal advice
 9. It is proposed that the rental of the floor space be \$1 per annum, recognising the established financial relationship between the Shire and the KDHS. The financial cost of the History Village is detailed under *Financial Implications* in this report. Cost of the KDHS occupancy of the ZZCC floor space is to be treated as an in-kind contribution from the Shire.

STATUTORY AND LEGAL IMPLICATIONS

10. Section 3.58 of the *Local Government Act 1995–2011* specifies the manner in which a Local Government may dispose of property by way of leasing.

Regulation 30 of the *Local Government (Functions and General) Regulations 1996-2011* details those land dispositions that are exempt from the requirements of Section 3.58, and in particular where –

- “(b) the land is disposed of to a body, whether incorporated or not —
- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions.”

POLICY IMPLICATIONS

11. *Policy ART5:*

Stirk Cottage and Kalamunda Museum – Management Agreements
Objective: “To ensure that any Agreement to manage the facilities takes account of the necessity to preserve and promote the history and heritage of the Kalamunda Districts for the benefit of its residents and for future generations.”

The Kalamunda and Districts Historical Society Inc undertakes the control, care and management of all buildings, artefacts and land owned by the Shire and contained within the properties known as the Kalamunda Museum and Stirk Cottage, in accordance with the Lease Agreement.

PUBLIC CONSULTATION/COMMUNICATION

12. KDHS have been consulted in respect to the proposal.

FINANCIAL IMPLICATIONS

13. The proposed MOU “Licence” fee is \$1.00 per year payable on demand.
14. Based on the rental sought for dedicated office space for other proposed occupants of the ZZCC, that being \$400 per sqm, the approximate value of the floor space allocated for KDHS usage is \$13,200 per annum. This amount would represent the opportunity cost to the Shire of providing the floor space to the KDHS. The occupancy of the floor space will result in ongoing costs such as power and cleaning, and it is anticipated that these will be treated as an in-kind contribution by the Shire. It is difficult to accurately assess what the total occupancy costs might be at this time.

15. According to the terms of the existing Lease Schedule, the Shire Budget for History Village - 2011/2012 is:

Income	Budget \$
Gate Receipts (To Shire)	(28,000)
Total Income	(28,000)
Expenditure	
Salaries, Service Fees and Overheads	70,484
Donation (to KDHS)	20,500
Public Relations Officer (In-Kind Donation - estimate)	2,500
Total Expenditure	93,484
<i>Net Expense Kalamunda History Village</i>	<i>65,484</i>

16. The above figures exclude building maintenance, depreciation and insurance. The KDHS are responsible for the cost of minor maintenance (including items such as cleaning, minor painting etc). The Shire is responsible for outgoings such as utility costs, rates and charges.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

17. *Shire of Kalamunda Strategic Plan (2009 – 2014)*
- 1.2.1 Strengthen the community spirit through the provision of cultural activities promoting participation and capacity building in partnership with community groups and networks.
 - 1.6.1 Encourage and support volunteerism throughout the community.
 - 1.6.2 Support and encourage partnerships that provide community service programmes, in addition to education and wellbeing opportunities for all ages.
 - 2.2.1 Support the preservation of historic sites and buildings.
 - 1.6.4 Support and partner with community, government and not for profit groups that provide learning and wellbeing opportunities for all ages.
 - 4.3.2 Develop the Kalamunda Community and Cultural Centre.

Sustainability Implications

Social Implications

18. The preservation of history contributes to the enrichment of the community.

Economic Implications

19. The presence of the History Village provides a source of visitors to the Kalamunda community and may contribute to consequential economic benefits.

Environmental Implications

20. There are no evident environmental implications.

OFFICER COMMENT

21. It is acknowledged and accepted that the KDHS perform a range of valuable voluntary services within the community, protecting and promoting the history and heritage of the Kalamunda District for the benefit of its residents and future generations.
22. The current lease agreement with the KDHS has established a professional and transparent partnership and it is expected that the MOU will support this foundation.
23. The Shire's contribution to the History Village will expand as a consequence of providing the Society with the floor space. The net expense allocated in the 2011-2012 budget is \$65,484 (excluding Building Maintenance and Depreciation). The additional contribution will be the opportunity cost of the floor space rental of approximately \$13,200 and an estimated in-kind amount of \$3,000 comprising operating costs such as cleaning, utility costs, shared facilities costs, etc. The contribution would be consistent with the arrangements currently in place for the lease between the two parties.
24. The responsibility for the ZZCC and the relationship with the History Village will reside with the Coordinator Library and Cultural Services. Communication with the Society is expected to be enhanced due to the Coordinator's office being located in the same facility.
25. It is expected that the practical management of the ZZCC and the History Village will become established over time, with the Society determining the most effective uses for the allocated floor space whilst maintaining a presence and interaction with the Village and volunteers on the ground.

OFFICER RECOMMENDATION (GS 119/2011)

That Council:

1. Endorses the occupancy of approximately 33 sqm of floor space in the Zig Zag Cultural Centre by the Kalamunda and Districts Historical Society as hatching on the floor plan detailed in (Attachment 1).
2. Approves the rental for the floor space of \$1 per annum, payable on demand.
3. Agrees that cost of occupancy of the Zig Zag Cultural Centre by the Kalamunda and Districts Historical Society be treated as an in-kind contribution by the Shire of Kalamunda consistent with the lease arrangements in place for the History Village.
4. Authorises a Memorandum of Understanding be prepared between the Shire of Kalamunda and the Kalamunda and Districts Historical Society to formalise the occupancy of the Zig Zag Cultural Centre, addressing issues such as:
 - Permitted usage of the premises.
 - Rental of the premises.
 - Any in-kind contributions.
 - Office furniture and equipment.
 - Maintenance and Repairs.
 - Information Technology support.
 - Cleaning.
 - Contribution to operation costs.
 - Communication between the parties.
 - Access times, restrictions and security of the premises.
 - Insurance (including contents) and Indemnity.
 - Car parking.
 - Access to shared facilities (toilets, kitchen, meeting rooms, office equipment, etc).

Moved:

Seconded:

Vote:

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

120. Shire of Kalamunda Bush Fire Prevention Strategies

Previous Items	N/A
Responsible Officer	Kevin O'Connor
Service Area	Community Development
File Reference	RA-BFC-016
Applicant	N/A
Owner	N/A
Attachment 1	Special Enquiry – Recommendations – Page 87
Attachment 2	Fire Protection Crew Bushfire Mitigation Program 2011 – Page 98

PURPOSE

1. To provide Council with information on the Shire's Bush Fire Prevention Strategies and Fire and Emergency Services Authority's reporting lines.

BACKGROUND

2. The State Government has recently released the report from the Special Enquiry into the Roleystone/Kelmscott Bush Fires. The Report makes 55 Recommendations (Attachment 1), some of which directly relate to local government.

DETAILS

3. The Enquiry Terms of Reference included all aspects of bush fire risk management in the Perth Hills, including:
 - a. The adequacy of current preventative measures, specifically prescribed burning and other bushfire mitigation activities.
 - b. The impact of land use, environmental and building laws, practices and policies in the affected areas, affecting bushfire prevention, mitigation and response and what, if any, changes may be required.
4. The Shire of Kalamunda is responsible for the management of its Reserves including the development and implementation of fire mitigation programs.
5. Currently the Shire of Kalamunda's annual mitigation program is developed and implemented by the Shire's two man Fire Protection Crew. The crew is supervised by the Coordinator of Rangers and Emergency Services and the program is also updated and progress recorded by the Coordinator Rangers and Emergency Services.

-
6. The mitigation program comprises a number of treatment options, including:
 - Hazard reduction burns
 - Cutting trees and shrubs
 - Underpruning overgrown firebreaks
 - Spraying of grass and weeds
 - Mulching
 7. The 2011 program (Attachment 2) covers approximately 130 reserves prioritised on a risk assessment basis from a total of 550 reserves controlled or managed by the Shire.
 8. Some of the mitigation works, particularly slashing/mowing of verges is carried out by the Shire Parks Crew, while some fire breaks are renewed or constructed by private contractors.
 9. Expert advice on the annual mitigation program and treatment options is provided by the Shire staff together with the Fire and Emergency Services Authority ("FESA"), Community Emergency Services Manager ("CESM") if/when required.
 10. The CESM also provides advice on sub-division plans and in regard to new building compliance.
 11. Another important strategy for bush fire prevention is community education and awareness and this is also reflected in the recommendations from the Special Enquiry.
 12. The Shire of Kalamunda 2010 Bush Fire Education and Awareness Campaign included:
 - Ranger and Emergency Services staff attending local festivals and events in the Shire to provide information and discuss effective bushfire safety methods.
 - Provision of two LED Variable Message Boards at main intersections to remind Kalamunda residents of the upcoming bushfire season.
 - Bushfire Safety Information Sessions at venues within the Shire.
 - Bushfire Safety Displays at various shopping centres, libraries and markets in the Shire.
 - Eight Media Releases regarding bushfire prevention and mitigation.
 - CESM conducted school visits regarding Emergency and Critical Incident planning for five schools within very high bushfire risk locations.
-

-
13. The internal resources allocated to the 2010 Awareness Campaign included:
- Staff positions – Fire Protection Officer (0.5 FTE)(All West Australians Reducing Emergencies (“AWARE”) Program), Coordinator Ranger & Emergency Services, Two Fire Protection Officers.
 - Staff hours – Approximately 360.
 - CESM/FESA provided additional resources for two bushfire safety information sessions conducted in November 2010.
14. The 2011 Bush Fire Education and Awareness Campaign is intended to include the following activities:
- Conduct Bushfire Safety Information Sessions at Kalamunda Agricultural Hall in Kalamunda and Calamunnda Camel Farm in Piesse Brook.
 - Use of the Shire’s two new LED variable message boards with “Are You Prepared” message displayed at main street intersections within the Shire.
 - Shire Officers to visit various shopping centres and schools to discuss and provide bushfire safety information to the community.
 - Ranger and Emergency Services staff to attend the Walk the Zig Zag and Zig Zag Festival during October 2011 to raise community awareness about being prepared for emergencies such as bushfires, storms etc.
 - Production of new Bushfire Brochure for upcoming fire season.
15. The internal resources currently allocated to the 2011 Bush Fire Education and Awareness Campaign include:
- Staff positions – Coordinator Ranger and Emergency Services, Senior Ranger.
 - Staff hours required– approximately 360 hours per year.
 - CESM/FESA has advised that they can provide additional resources for two bushfire safety information sessions proposed for November 2011.
16. The CESM coordinates the implementation of education programs for local schools including the use of volunteers for delivery of the programs.
17. The CESM and FESA also assist with Community Education Programs including:
- Prepare Act Survive
 - Bush Fire Ready Groups
 - Smoke Alarm Programs
-

STATUTORY AND LEGAL IMPLICATIONS

18. *Bush Fire Act 1954* – An Act to make better provision for diminishing the dangers resulting from bush fires, for the prevention, control and extinguishment of bush fires.

POLICY IMPLICATIONS

19. Nil.

PUBLIC CONSULTATION/COMMUNICATION

20. Nil.

FINANCIAL IMPLICATIONS

21. The total employment costs for bushfire prevention in 2010/11 Operating Budget was \$185,887.
22. The total employment costs for bush fire prevention in the 2011/12 Operating Budget to \$154,274.
23. The reason for the difference between the employment costs is that the 0.5 Fire Protection Officer (relief position) is no longer included in the annual operating budget.
24. The final stage of the AWARE funding has now been acquitted, therefore this funding is no longer available.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

25. *Shire of Kalamunda Strategic Plan 2009 – 2014*
- 1.4 - The Shire of Kalamunda is a safe and secure Community.

Sustainability Implications

Social Implications

26. Nil.

Economic Implications

27. Nil.

Environmental Implications

28. Nil.

OFFICER COMMENT

29. The State Government has given a commitment to implement the Recommendations from the Special Enquiry Report.
30. The Report makes a number of Recommendations in relation to the shared responsibility of local governments, Department of Environment and Conservation ("DEC") and Fire and Emergency Services Authority ("FESA") for bush fire risk management and how this can be better coordinated in the future.
31. The Shire of Kalamunda has a very close working relationship with FESA's operational and management level officers. The current reporting arrangement for the CESM is unique in that he reports directly to the Chief Executive Officer and the Chief Executive Officer has a direct line of communication with his supervisor, the FESA District Manager.
32. This arrangement has been set up to minimise communication time delays and to facilitate efficient authorisations and decision making when required.
33. This working relationship is underpinned and formalised through an Memorandum of Understanding/Business Plan Agreement, signed by FESA and the Shire of Kalamunda. The Business Plan (2010 – 2013) has four priority areas:
- a. Operational Response in Shire of Kalamunda When Appropriate
 - b. Management of Local Government Bushlands
 - c. Management of Unallocated Crown Land/Unmanaged Reserves
 - d. Training of Bush Fire Brigades
34. The Business Plan details the Outcomes and Actions expected from the partnership arrangements and the CESM reports on the progress on a six monthly basis.
35. To further enhance the levels of accountability and communication with regard to the Shire's Bush Fire Mitigation responsibilities and the FESA partnerships arrangement, it is proposed to include Progress Reports for Council on these outcomes.
36. Another change that Council will notice next year is that in March/April 2012, as part of the 2012/13 budget process, the Shire's proposed Bush Fire Mitigation Works Program and other prevention strategies will be presented to Council for endorsement.
-

37. This will serve to highlight the importance of these works and to ensure that Council is aware of the resources needed to satisfactorily address our fire prevention responsibilities.

OFFICER RECOMMENDATION (GS 120/2011)

That Council:

1. Receives this Shire of Kalamunda Bush Fire Prevention Strategies Report.

Moved:

Seconded:

Vote:

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

121. Tender for Supply and Delivery of Various Road Construction Materials, Sands and Landscape Products (T1119)

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	AD-TEN-004
Applicant	N/A
Owner	N/A

Confidential Attachment 1 Summary of Tender Prices for the Supply and Delivery of Various Road Construction Materials, Sands and Landscape Products Treatment
Reason for Confidentiality: *Local Government Act 1995 S5.23(2)(c)* – “ a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

Confidential Attachment 2 Evaluation of Tender Submissions for Compliance Criteria and Qualitative Criteria
Reason for Confidentiality: *Local Government Act 1995 S5.23(2)(c)* – “ a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

PURPOSE

1. To consider awarding the Tender for the Supply and Delivery of Various Road Construction Materials, Sands and Landscape Products (T1119).

BACKGROUND

2. The Tender for the Supply and Delivery of Various Road Construction Materials, Sands and Landscape Products (T1119) was advertised in the West Australian on Saturday 16 July 2011, and closed at 2.00pm on 9 August 2011.

DETAILS

3. Five tender submission were received from:
 - Holcim (Australia) Pty Ltd
 - All Earth Group Pty Ltd
 - WA Limestone
 - Farfield Holdings Pty Ltd TA Capital Recycling
 - B & J Catalano Pty Ltd
4. A Summary of Tender Prices for the Supply and Delivery of Various Road Construction Materials, Sands and Landscape Products is shown in (Confidential Attachment 1).

-
5. An Evaluation of Tender Submissions for Compliance Criteria and Qualitative Criteria is shown in (Confidential Attachment 2).

STATUARY AND LEGAL IMPLIMENTIONS

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

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

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

FINANCIAL IMPLICATIONS

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

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

Engineering Works Construction and Renewal

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

Engineering Works Maintenance

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

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

Sustainability Implications

Social implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Nil.

OFFICER COMMENT

15. All contractors have supplied quality materials to the Shire in the past and have worked well with the Shire Operations for the delivery of materials
16. WA Limestone have provided most materials in the past.
17. Farfield Holdings Pty Ltd TA Capital Recycling and All Earth Group Pty Ld have provided recycled products.
18. Shire operations prefer where possible to utilise its own truck (30 tonne) to maximise staff resource in the most efficient way and minimise transport costs.
19. It is recommended that all tenders be awarded with preference to the lowest price which included transport and availability.
20. Most delivery journeys from material source are within 25kms to 40kms.
21. To provide for a consistent evaluation of tenders an average tonnage and distance has been used comparing 25tonne and 30km respectively.
22. No prices were tendered for certified playground pine bark chips and Pine black mulch.
23. Farfield Holdings Pty Ltd TA Capital Recycling and B & J Catalano Pty Ltd do not have formal quality assurance certification. However, they would be providing material certification to measure that the products meet the required specification in the tender.

OFFICER RECOMMENDATION (GS 121/2011)

That Council:

1. Awards the Tender, for the Supply and Delivery of Various Road Construction Materials, Sands and Landscape Products (T1119), for the period of three years from the date of signing documentation with an option to extend a further two 12 month periods based on an annual CPI increase for Perth from the preceding 12 months as follows:

Materials Supplied at Source	Recommended Tenderer as per tendered price in (Confidential Attachment 1)
Yellow lawn sand	1. WA Limestone 2. Holcim Pty Ltd
10mm washed blue metal	1. WA Limestone 2. Holcim Pty Ltd
14mm washed blue metal	1. WA Limestone 2. Holcim Pty Ltd
50mm ballast stone	1. WA Limestone 2. Holcim Pty Ltd
75mm limestone sub base material (Appendix B Specification)	1. WA Limestone 2. Holcim Pty Ltd
Crushed rock road base material (Appendix C Specification)	1. WA Limestone 2. Holcim Pty Ltd
Clean fill sand	1. Holcim Pty Ltd 2. WA Limestone
Brickie yellow sand	1. Holcim Pty Ltd 2. WA Limestone
5mm washed blue metal	1. Holcim Pty Ltd 2. WA Limestone
7mm washed blue metal	1. Holcim Pty Ltd 2. WA Limestone
Washed white sand	1. All Earth Group Pty Ltd 2. Capital Recycling
Recycled sand	1. All Earth Group Pty Ltd 2. Capital Recycling
Screened Top Soil	1. WA Limestone
20mm washed blue metal	1. WA Limestone
50mm recycled drainage material	1. Capital Recycling 2. All Earth Group Pty Ltd
Compost black mulch	1. All Earth Group Pty Ltd

Materials Delivered to Operations Centre or Shire Compound at 155 Lawnbrook Road West, Walliston	Recommended Tenderer, as per tendered price in (Confidential Attachment 1)
5mm washed blue metal	1. Holcim Pty Ltd 2. WA Limestone
7mm washed blue metal	1. Holcim Pty Ltd 2. WA Limestone
Brickies yellow sand	1. Holcim Pty Ltd 2. WA Limestone
50mm ballast stone	1. Holcim Pty Ltd 2. WA Limestone
Screened top soil	1. WA Limestone 2. All Earth Group Pty Ltd
75mm limestone sub base material (Appendix B Specification)	1. Holcim Pty Ltd 2. All Earth Group Pty Ltd
Crushed rock road base material (Appendix C Specification)	1. B & J Catalano Pty Ltd 2. Holcim Pty Ltd
50mm recycled drainage material	1. All Earth Group Pty Ltd 2. Capital Recycling

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
122. Monthly Reporting of Financial Statements

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Finance
File Reference	
Applicant	N/A
Owner	N/A
Attachment	N/A

PURPOSE

1. The *Local Government Act 1995* requires that monthly Financial Statements need to be produced and presented to Council.

BACKGROUND

2. Regulation 34 (1A) of the *Local Government (Financial Management Regulations) 1996* provides that:-

- (1) *A local government is to prepare each month a statement of financial activity report on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) OR (c);*
 - (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*

DETAILS

3. In the normal course of business the monthly Financial Report for July 2011 would be presented to Council at the September round of meetings. However, there are a number of issues with the 2010/11 Annual Financial Statements which require consideration by the Auditors as part of the Annual Audit which is scheduled to be conducted in late September 2011.

-
4. Additionally, some major cost distribution issues have been identified with respect to the 2011/12 Budget. Whilst the overall integrity of the 2011/2012 Budget is reasonable, the distribution of costs between “Materials and Contracts”, “Employment Costs” and “Utility Costs” is not sound and requires a full analysis and re allocation
 5. The Administration are of the opinion that to place before Council a Financial Statement of which it has little confidence in the details presented would be inappropriate.
 6. In lieu of a Financial Statement for July and August 2011 presented below are some details of the two months of operation of the 2011/2012 financial year.

Rates

The rates were “billed” to ratepayers on 8 August 2011 and achieved a total billing of \$23,565,591.68 which represents 98.8% of the Annual Budget for rates income. The balance to be raised of \$291,273 is to be achieved from interim and back rating.

Cash at Bank

The Shire had in the Bank and in Investments \$3,975,461 as at 31 August 2011.

Overdraft Facility

The Bank Overdraft Facility to fund land development at Smokebush Estate East Welshpool Road, and to be repaid from sales stood at \$910,565 at 31 August 2011. The approved limit of this facility is \$1.5 million.

Rates Received

Ratepayers of the Shire have paid \$5,757,887 in rates to 31 August 2011.

STATUTORY AND LEGAL IMPLICATIONS

7. The *Local Government Act 1995* requires that Financial Statements need to be produced and presented to Council.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

11. Nil.

Sustainability Implications

Social implications

12. There are no social implications.

Economic Implications

13. There are no economic implications.

Environmental Implications

14. There are no environmental implications.

OFFICER COMMENT

15. Whilst it is not ideal that monthly Financial Reports cannot be presented at this time, staff changes and technical issues have impacted on the Shire's ability to guarantee the veracity of the reports at this point in time.
Remedial action has been implemented to enable accurate reports to be produced for the next round of meetings.

OFFICER RECOMMENDATION (GS 122/2011)

1. That Council note the comments on of the Report.

Moved:

Seconded:

Vote:

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE****13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN****13.1 Cr Carol Everett – Leases and Licences**

Q1. Please could the Shire explain the process taken to forward invoices (for water, electricity, rates, phone, cleaning etc.) to the many users of our facilities?

A.1. Normal practice is that users are invoiced on a monthly basis, the costs being derived from Shire financial reports and relevant utility invoices.

Q2. Is it possible to determine why invoices are not sent out on a regular basis?

A2. There was a breakdown in the system, including issues/faults with Synergy (Electricity) relating to billing systems, which has an impact on the continuous recovery of the costs deemed the responsibility of facility users. This resulted in costs not being invoiced for a lengthy period of time. A decision was made to try to recover these costs, however, this proved difficult to achieve, prompting the Audit Committee recommendation and subsequent 20 June 2011 Council resolution to write off some of these amounts and determine that: -

From 1 July 2011 all users will be required to pay for:

- Utility Costs
- Telephone Usage
- Rubbish, waste and recycling services
- Special Cleaning and Damage
- Lease/Licence Fees
- Loan Repayments.

A satisfactory system of invoicing users has been re-established and the recovery of costs from 1 July 2011 is in operation. This will now occur on a monthly basis. Council Officers are investigating the use of the Shire's core document management system to more efficiently manage this process.

- Q3. In the footnotes for Summary of debtors it states that aged debt (90+) related to building maintenance and insurance reimbursements are currently not being pursued, pending directional outcome of the forum on lease and license policy. When will the forum be held?
- A3. The Shire has recently appointed a Shire Officer to progress the review of the Leases and Licences Policy. The desired outcome of this review is to recognise the Shire's obligations to providing community facilities, recognise the users' obligations in being granted access to the facility, determining what contributions should be made towards the provision of those facilities and ensuring uniformity, fairness and equity in the provision of, and access to, facilities.

It is anticipated that the Leases and Licences Policy review will be workshopped with Council in the latter part of this year, and further forums with the community will be undertaken as part of the public consultation process.

- Q4. What happens to lease and licenses that have already been drawn up for an extended period?
- A4. Existing agreements are not expected to be affected immediately by any Policy change, the terms and conditions contained in the agreement will take precedence. Those agreements being 'held over' or nearing expiry will be influenced by any new Policy.
- Q5. Why do they not continue to be invoiced until their agreements end?
- A5. They will continue to be invoiced for obligations in accordance with the Shire's interim stance resolved in June 2011. The only exception to this is for groups that have recently had their existing agreement renewed and/or should the relationship be of a commercial nature. In these instances the relevant agreement will continue to be applied.

13.2 Cr Maureen Robinson – Tree Tagged

- Q. Could the Shire investigate a tree which has been tagged on the verge in Honey Road in Forrestfield to see if graffiti can be removed from a tree?
- A. Graffiti has been removed by Graffiti crew.

13.3 Cr Dylan O'Connor – Graffiti Removal

- Q1. The deli on the corner of Edney Road and Newburn is an absolute disgrace. What powers do we have as a Council/Shire to compel shop owners to clean graffiti from the walls of their buildings?

-
- A1. Following Officer contact with local police on this matter from a legislative/law and Council enforcement perspective, in the above instance the property owner (business) has no obligation to remove and clean the graffiti from the walls.
- 13.4 Q2. Can Councillors have an update on the effectiveness of the graffiti program in terms of gathering evidence leading to fines or convictions?
- A 2. The graffiti crew commenced operation in mid-December 2010. To date approximately 350 reported sites have been cleaned. Additionally, the crew has been proactively cleaning targeted Shire assets eg bus shelters in graffiti prone areas. The Staff have now been instructed to log all sites they attend including the time required to clean those sites. There has been a very positive feedback from the community in respect to the programme.

Racial and derogatory tags are removed as sighted or reported immediately. Forrestfield / Wattle Grove are the main targeted areas of graffiti activity recently

In discussions with the Police, Senior Sergeant Wayne Hawes indicated that the graffiti site information provided by the Shire has been of benefit in providing additional intelligence to assist the police in monitoring 'hot spot' areas and tracking offenders for prosecution. Below is feedback provided by Senior Sergeant, Wayne Hawes:

"Forrestfield Police commenced Operation Dales last year in response to a community concern about increasing crime. Hoon activity; anti-social behaviour; and graffiti were viewed as the key issues driving this perception:

An initial intelligence phase into graffiti lasted seven months and involved collecting information through both overt and covert means. During this phase, the Shire of Kalamunda allocated funds to develop a dedicated graffiti removal vehicle and staff. Without this commitment by the Shire a police operation would have been futile. In support of the police/shire partnership a police officer was appointed the position of youth liaison officer, positioning herself as the conduit between youth and shire youth programs, in support of participation.

The success of the operation to date is measured through the number of persons processed for graffiti offences within the subdistrict. With that being the yardstick, the operation is a success with 32 offenders charged with over 400 offences. The commitment to Operation Dales by Forrestfield Police remains as does the strong partnership with the Shire, particularly in this endeavour. Operation Dales will continue with further covert measures and investigation into fresh incidents. I

commend the Shire in their commitment to remove all graffiti within the municipality and will continue to receive the support the Forrestfield Police.”

13.5 Q3. Can I confirm that property owners whose wall border Shire land and road reserves are covered under the graffiti policy?

A3. The policy (extract) currently states the following:

“The Shire of Kalamunda will endeavour to reduce the incidence of graffiti vandalism and improve community reporting by:

Carrying out graffiti removal from Shire assets and private residential properties, such as fences and walls that abut Shire owned land (where permission has been sought).”

Under the current Policy, it is now interpreted that road reserves constitute Council owned land. However, should Council prefer that it be defined more clearly, the Policy can be revisited and refined.

The former Manager Operations agreed with this interpretation, but referenced the impact upon the volume of work in addressing private residential fences abutting road reserves. (Attachment 1), is the current Priority Matrix used by the graffiti removal team for Council information. If Council views road reserve frontages as more of a priority to that of other categories such as Public Access Ways, then this will need to be reflected to ensure clear direction for the graffiti removal team.

Note, that in the Edney Road Deli example, it is deemed a “private commercial property” and therefore falls outside of the existing policy parameters.

13.6 Cr Sue Bilich – Graffiti Removal

Q. Please could I have in writing whether it is the policy that property owners whose walls border Shire land and road reserves are covered under the graffiti policy. If the Chief Executive Officer feels the money is not sufficient for the intent of the policy come back to Council indicating that more money is required.

A. Yes, the boundary fences/walls abutting road reserves are covered under the policy. However, the removal of the graffiti is based on a priority matrix which takes into account nature of graffiti and ownership and type of property. Vulgar graffiti on Council property given the highest priority followed by vulgar graffiti on private fences abutting public land.

13.7 Cr Martyn Cresswell – Graffiti

Q. Please could the Shire tell us how much graffiti is being removed for the money it is costing?

A. Since the implementation of the graffiti removal crew in mid-December 2010, to date the graffiti team has removed graffiti from approximately 350 reported sites.

Racial and derogatory tags are removed as sighted or reported immediately. Forrestfield /Wattle Grove are the main targeted areas of graffiti activity recently and the crew has been proactively removing graffiti in these areas.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

15.0 MEETING CLOSED TO THE PUBLIC

16.0 CLOSURE