
Shire of Kalamunda

General
Services Committee

Agenda for 14 March 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:

14 March 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.

James Trail
Chief Executive Officer
9 March 2011

** Dinner will be served at 5.30pm **

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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 14 February 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 14 February 2011".

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

7.1 Nil.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

- 8.1 Item 41. Request for Expressions of Interest EOI 1005 – Land Lease and Community Housing Development Lot 106 (88) Hale Road, Forrestfield.
Reason for Confidentiality
Local Government Act 1995: Section 5.23(2) (c), "A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting".

9.0 DISCLOSURE OF INTERESTS

9.1 Disclosure of Financial and Proximity Interests

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

24. Creditors' Accounts Paid During the Period 2 February to 25 February 2011

Previous Items	N/A
Responsible Officer	Acting Director Corporate Services
Service Area	Finance
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
 Attachment 1	 Creditor Payments for the period 2 February to 25 February 2011 – Page 1

PURPOSE

1. To receive creditors' accounts paid during the period 2 February to 25 February 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 periods 2 February to 25 February 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. This report works toward achieving objective:
- *5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.*
- of the Shire of Kalamunda Strategic Plan 2009-2014.

Sustainability Implications

Social implications

10. Nil.

Economic Implications

11. Nil.

Environmental Implications

12. Nil.

OFFICER COMMENT

13. Nil.

OFFICER RECOMMENDATION (GS 24/2011)

1. That the list of creditors paid during the period 2 February to 25 February 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.

25. Monthly Financial Statements for the Period ending 28 February 2011

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

Attachment 1 Statement of Financial Activity for the period ending 28 February 2011 – Page 18

PURPOSE

1. To receive the draft monthly financial statement reports for the period ending 28 February 2011.

BACKGROUND

2. Attached is the monthly Rate Setting Statement and Statement of Comprehensive Income for the period ending 28 February 2010. These have been prepared in accordance with the requirements of *Local Government (Financial Management) Regulations 1996 (Section 34)*.
3. It is also a requirement of the Regulation that each financial year the local government adopts a percentage or value to be used in statements of financial activity for reporting material variances.

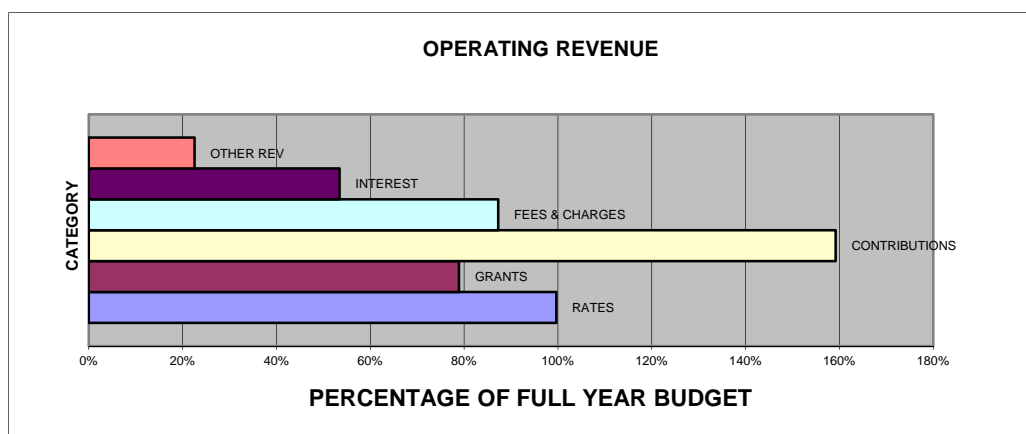
DETAILS

4. As part of the Budget adoption process, Council agreed to report variances of 5% or \$5,000, whichever is greater, within the monthly Financial Activity Statement.
5. Refer to the comments relating to the above mentioned variances in the report.

6. Financial Commentary

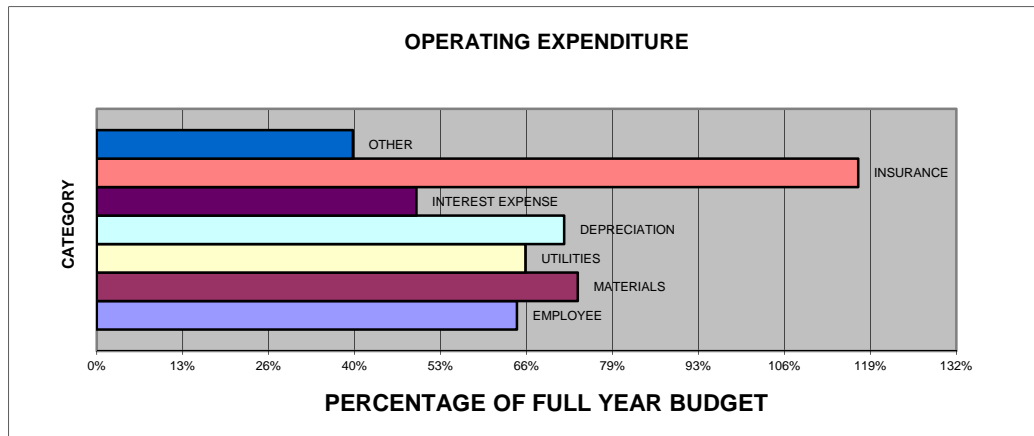
Operating income

- a. **RATES** Cash in lieu of rates from Co-Operative Bulk Handling yet to be received. Further interim rating in second half of financial year expected.
- b. **OPERATING GRANTS** - Increased over previous month \$403,953 being general purpose funding grants.
- c. **INTEREST** - Recognised \$72.930 in earnings as with multiple term deposit maturities.
- d. **FEES & CHARGES** - Excluding household waste collection charges levied, the monthly increase in fee revenue was \$201,979 with building and planning fees remaining at year to date budgeted amounts.



Operating expenditure Continuing as reported previously with most categories generally reporting on budget with savings offsetting over expenditures within the categories.

- a. **MATERIALS** - Overall expenditure is in line with budget. IT equipment lease expenditures are under budget, though over in other areas.
- b. **INSURANCE** - Retrospective workers compensation premium adjustments received, to be funded from reserve.
- c. **OTHER** - Comprising a small category of budgeted expenditure, this is largely affected by the payment of the Historical Societies operating grant of \$20,500 during the month.
- d. **INTEREST EXPENSE**- Although well under as a percentage of annual budget, this is affected by the timing of loan payments. The Kalamunda Road land purchase loan was drawn down ahead of planned which will necessitate a loan payment in the second half of the 2010/2011 year, increasing interest expenses.

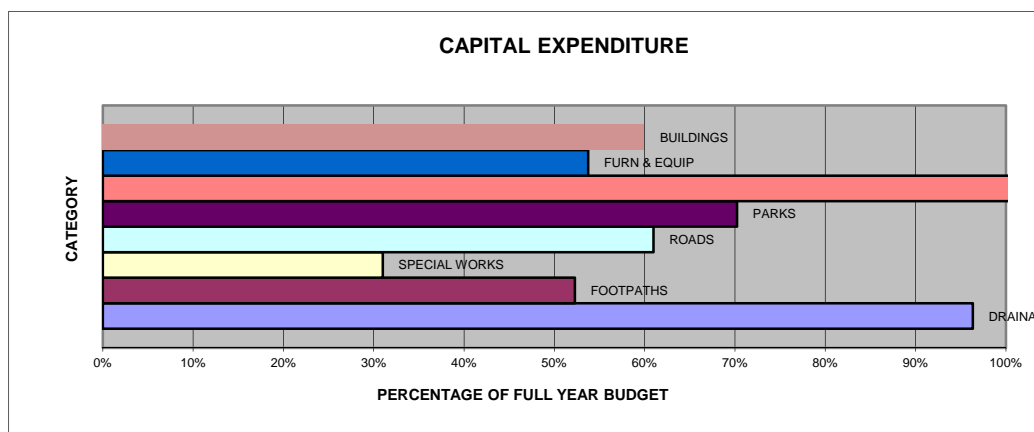


Salaries & Wages

Net employment costs are tracking at 100% of year to date budget, with savings in some areas continue to be offset by vacancies and late appointments in others. Training expenditure is reporting at only 68% of year to date budget though is offsetting recruitment costs which are above budget due to staff turnover.

Capital Expenditure

The Engineering works program is currently at 61% of budget based upon actual expenditure. Expenditure for the month was \$1.588m - Building (being largely the Zig Zag Centre and Depot Operations Centre) and roadworks represent the bulk of the capital program and are reflecting as on target based upon expenditure. Plant replacement purchases exceed adopted budget amounts due in part to unbudgeted FESA supplied vehicle replacements and HACC bus replacement funded from reserve. Also heavy equipment intended to be leased as part of the original budget has since been purchased and is to be funded via a loan.



FINANCIAL RATIOS 2010/11 2009/10

Current Ratio 3.3:1 0.59:1

Calculated as follows:
$$\frac{\text{Current assets minus restricted current assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$$

The current ratio is used to evaluate the liquidity, or ability to meet short term debts.

Untied Cash to Trade Creditors Ratio 4.6:1 0.00:1

Calculated as follows:
$$\frac{\text{Untied cash}}{\text{Unpaid trade creditors}}$$

The untied cash to trade creditors ratio indicates the ability of the Council to pay its trade creditors, in accordance with normal trading terms and conditions, using untied / unrestricted funds. This is an indicator of the short term position of Council. A ratio of less than 1 would indicate insufficient funds to pay trade creditors.

Debt Ratio 2.69% 2.86%

Calculated as follows:
$$\frac{\text{Total liabilities}}{\text{Total assets}}$$

The debt ratio is a measure of the Council's liabilities as a percentage of its assets. Generally the lower the ratio the greater the capacity to borrow, though a local government must include infrastructure assets in this calculation, which should be considered in context.

Debt Service Ratio 1.07% 0.29%

Calculated as follows:
$$\frac{\text{Debt Service Cost (Principal \& Interest)}}{\text{Available operating revenue}}$$

The debt service ratio represents Council's ability to service debt out of uncommitted or general purpose funds available for operations. Self supporting loans should be taken into consideration when evaluating this ratio.

Gross Debt to Revenue Ratio 14.75% 10.29%

Calculated as follows:
$$\frac{\text{Gross debt}}{\text{Total revenue}}$$

The gross debt to revenue ratio illustrates Council's ability to cover gross debt with its revenue in any given year. The lower the percentage the greater the ability to service borrowings. As debt is typically repaid over several years, this ratio is more of a guide for Council's future capacity to repay.

Gross Debt to Economically Realisable Assets Ratio 2.71% 2.04%

Calculated as follows:
$$\frac{\text{Gross debt}}{\text{Economically realisable assets}}$$

The gross debt to economically realisable assets ratio relates actual borrowings directly to tangible assets (excludes infrastructure assets). It illustrates a Council's reliance on borrowings to fund new projects and gives an indication as to its future capacity. The lower the ratio the better placed a Council is.

Rate Coverage Ratio 51.30% 49.45%

Calculated as follows:
$$\frac{\text{Net rate revenue}}{\text{Operating revenue}}$$

The rates coverage ratio measures Council's dependence on rate revenue to fund operations. It is considered that a higher ratio would indicate a higher controllable dependency on rates revenue and less of a dependency on government grants and other uncontrollable funding sources. Large grants or contributions of a once-off nature will affect this ratio.

<u>Outstanding Rates Ratio</u>	13.37%	3.97%
Calculated as follows:		<u>Rates outstanding</u> Rates collectable

The outstanding rates ratio helps to determine the effectiveness of Council's rate collection procedures. The lower the ratio the better the collection policy and procedures. This ratio ignores pensioner rates deferrals due to their nature. The ratio should be low as at 30 June each year.

STATUTORY AND LEGAL IMPLICATIONS

7. Nil.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

11. This report works toward achieving objective:
- *5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.*

of the Shire of Kalamunda Strategic Plan 2009-2014.

Sustainability Implications

Social implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Nil.

OFFICER COMMENT

15. More detail is provided on various analysis in the attachment.

OFFICER RECOMMENDATION (GS 25/2011)

1. That the monthly financial statements which comprise the Statement of Financial Position, Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Rate Setting Statement, Cash Flow Statement, Notes to and Forming Part of the Financial Report and Operating Budget Variance Analysis for the period ending 28 February 2011 (Attachment 1) be received.

Moved:

Seconded:

Vote:

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

26. Debtors and Creditors Reports for the Period ending 28 February 2011

Previous Items	N/A
Responsible Officer	Acting 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 28 February 2011 – Page 56
Attachment 2	Summary of Creditors for the period ended 28 February 2011 – Page 57

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 28 February 2011.
3. Council has requested reports detailing outstanding debtors and creditors on a monthly basis.

DETAILS

Debtors

4. Particular items affecting the outstanding balances are:
 - 90+ days - Rockway Pty Ltd disputed supervision fee and maintenance bond.
 - 60+ days - Department Regional Australia Development grant funding for Zig Zag Community Centre.
5. Outstanding debts to note:
 - a. Roger and Raimunda Townend (\$45,996) - being handled by the Shire's legal representatives.
 - b. Forrestfield United Soccer Club (\$32,336) - no further progress towards repayment of outstanding loan invoice. Contact with all committee members is in progress.
 - c. Kalamunda Youth Theatre Company (\$1,561.25) - pre-trial meeting date scheduled for 20 March 2011.

Creditors

6. Payments totalling \$4,166,862 were made during the month of February.
7. Standard payment terms are 30 days from the end of month, with local business and contractors on 14 day terms. Invoices showing as outstanding greater than 60 and 90 days are the result of the original invoice documentation not being received by the finance department.
8. All contractors, trade creditors 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. This report works toward achieving objective:
 - *5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.*of the Shire of Kalamunda Strategic Plan 2009-2014.

Sustainability ImplicationsSocial implications

14. Nil.

Economic Implications

15. Nil.

Environmental Implications

16. Nil.

OFFICER COMMENT

17. Nil.

OFFICER RECOMMENDATION (GS 26/2011)

1. That the outstanding debtors (Attachment 1) and creditors (Attachment 2) report as at 28 February 2011 be received.

Moved:

Seconded:

Vote:

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

27. Rates Debtors Report for the Period ending 28 February 2011

Previous Items	N/A
Responsible Officer	Acting 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 28 February 2011 – Page 58

PURPOSE

1. To receive a report on rates debtors as at 28 February 2011.

BACKGROUND

2. Attached is the report detailing rates debtors as at 28 February 2011 (Attachment 1).

DETAILS

3. The fourth 2010/2011 Rate Instalment is due on 8 April 2011.
4. The debt recovery process has commenced with stage 1 focusing on ratepayers with outstanding balances that are not on an instalment plan. This recovery process is being conducted by Dun & Bradstreet who have issued "Final Demand" letter to ratepayers who fall into this category. The Final Demand letter requested payment by 22 February 2011.

STATUTORY AND LEGAL IMPLICATIONS

5. Nil.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Rates Department staff are currently telephoning all ratepayers who have not responded to a final demand. This contact is to request payment in full. If after this request payment is not forthcoming general procedure claims will then follow.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

9. This report works toward achieving objective:

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

of the Shire of Kalamunda Strategic Plan 2009-2014.

Sustainability Implications

Social implications

10. Nil.

Economic Implications

11. Nil.

Environmental Implications

12. Nil.

OFFICER COMMENT

13. Nil.

OFFICER RECOMMENDATION (GS 27/2011)

1. That the rates debtors report as at 28 February 2011 (Attachment 1) be received.

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
28. Mid-Year 2010/2011 Budget Review

Previous Items	N/A
Responsible Officer	Acting Directors Corporate Services
Service Area	Corporate
File Reference	
Applicant	N/A
Owner	N/A

Attachment 1	Budget Review Explanation and Summary – Page 59 Statement of Comprehensive Income by Nature or Type, Statement of Comprehensive Income by Program, Rate Setting Statement, - Note 6 – Reserves of Notes to and Forming Part of the Financial Report for the period ended 31 December 2010 – Page 62
Attachment 2	

PURPOSE

1. To adopt the midyear review on the 2010/2011 Budget.

BACKGROUND

2. It is a requirement of the *Local Government (Financial Management) Regulations* that between 31 January and 31 March in each year a local government is to carry out a review of its Annual Budget for that year. The review of the 2010/2011 Budget has been completed and is based upon the financial position as at 31 December 2010.

DETAILS

3. The Budget Review documents are presented as (Attachment 2).

STATUTORY AND LEGAL IMPLICATIONS

4. Pursuant to Regulation 33A of the *Local Government (Financial Management) Regulations* the local government is to review its annual budget and provided a copy of the review and determination to the Department of Local Government within 30 days.

POLICY IMPLICATIONS

5. Nil.

PUBLIC CONSULTATION/COMMUNICATION

6. Nil.

FINANCIAL IMPLICATIONS

7. The Budget Review reports performance to 31 December 2010 (mid-year) and estimates financial position as at 30 June 2011. Based upon that information the budget deficit as reviewed has increased from (\$96,876) to (\$230,357).

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

8. Goal 5: Governance and Organisation. A Shire that is well governed, provides positive leadership and efficient service delivery to the community.

Sustainability ImplicationsSocial implications

9. Nil.

Economic Implications

10. Nil.

Environmental Implications

11. Nil.

OFFICER COMMENT

12. Details of the Budget Review have been circulated for Councillor information. The review documentation which is presented as (Attachment 2), being the operating statements, rate setting statements and cash backed reserves note, contains details explaining major items of note.

OFFICER RECOMMENDATION (GS 28/2011)

1. That the 2010-2011 Budget Review Explanation and Summary (Attachment 1) be noted.
2. That the 2010/2011 attachments (Attachment 2) as presented, being the Comprehensive Statements of Income by Nature or Type, Comprehensive Statements of Income by Program, Rate setting Statement and Note 6 – Reserves of the Notes to and forming part of the Finance Statements, be adopted.

Moved:

Seconded:

Vote: **Absolute Majority Required**

29. Application to Keep More Than Two Dogs – 25 Joyce Street, Lesmurdie

Previous Items	OCM 177/2010
Responsible Officer	Director Community Development
Service Area	Community Development
File Reference	RA-ANC-011: ICS-23014
Applicant	Michelle Eaton and Anthony Shepherd, 25 Joyce Street, Lesmurdie
Owner	Michelle Eaton and Anthony Shepherd
Attachment 1	Location Map – Page 69

PURPOSE

1. To consider an application for an exemption under section 26(3) of the *Dog Act 1976* to keep more than two dogs.

BACKGROUND

2. At the Ordinary Council Meeting held 20 December 2010, the following Resolution was passed.

 “That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, refuses an exemption to the applicant of 25 Joyce Street, Lesmurdie to keep four dogs on this property.”
3. The refusal to grant the exemption was based on a recommendation from the inspecting Ranger that the property was of a substantial size, but any suitable confinement would require the perimeter fencing to be completely encased or electrified.
4. Since this time, the dog owner has installed electric fences around the entire perimeter of the property and purchased electronic collars to train the dogs.
5. Therefore, the owner of 25 Joyce Street, Lesmurdie has sent another application to Council requesting permission to keep more than two dogs on their property based on these changes in circumstance.
6. Clause 3.2.(2) of the Shire of Kalamunda Dogs Local Law 2010 stipulates:

 “The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the *Dog Act 1976*, 2 dogs over the age of 3 months and the young of those dogs under that age.”

DETAILS

7. The applicant is requesting the approval to keep four dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Registration Number	Age	Local Authority
1.	Staffy X	F	YES	White/ Tan	Misty	12-2194	9	Kalamunda
2.	Beagle	M	NO	Tri	Thor	12-2195	5	Kalamunda
3.	Beagle	F	NO	Lemon	Brooks		4mth	Kalamunda
4.	Beagle	F	NO	Tri	Shilo		4mth	Kalamunda

8. In considering the merit of the application, an inspection was undertaken by Ranger and Emergency Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
9. The property at 25 Joyce Street, Lesmurdie is 3000sqm and zoned residential.

STATUTORY AND LEGAL IMPLICATIONS

10. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.

11. Clause 3.2 of the Local Law reads:

"3.2 Limitation on the number of dogs

1. This clause does not apply to premises which have been –
- licensed under part 4 as an approved kennel establishment; or
 - granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age."

12. If Council refuses to permit four dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

POLICY IMPLICATIONS

13. Nil.

PUBLIC CONSULTATION/COMMUNICATION

14. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant's property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.

-
15. There are eight adjoining properties within the vicinity of the applicant's property that may be directly affected (Attachment 1). The occupants of these properties have been surveyed where five supported, two did not support and one did not respond regarding the application.

FINANCIAL IMPLICATIONS

16. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

17. Nil.

Sustainability Implications

Social Implications

18. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or convenience of neighbours within the immediate vicinity of the property concerned.

Economic Implications

19. Nil.

Environmental Implications

20. Nil.

OFFICER COMMENT

21. In considering this application for exemption, the following two options are available:
- (a) Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or
 - (b) Council may refuse permission to keep more than two dogs.
22. As part of the decision making process, Officers have not recorded any issues regarding the dogs kept at this property. The applicants have installed electric boundary fences and are utilising electronic collars to train the dogs. The applicant has purchased the two additional beagles and intends to show them through the Beagle Association WA.
23. It is in the opinion of inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing four dogs. The Ranger can also confirm that the fences and gates are compliant with the *Dog Act 1976*.
-

24. It is recommended that the application to keep more than two dogs is supported and is noted that this approval may be varied or revoked should any dog complaints be received which are considered reasonable.

OFFICER RECOMMENDATION (GS 29/2011)

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of 25 Joyce Street, Lesmurdie to keep four dogs on this property.

Moved:

Seconded:

Vote:

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

30. Application to Keep More Than Two Dogs – 99 Moffett Road, Lesmurdie

Previous Items	N/A
Responsible Officer	Director Community Development
Service Area	Community Development
File Reference	RA-ANC-011: ICS-27365
Applicant	Andrea Marslen – 99 Moffett Road, Lesmurdie
Owner	AJ & GW Marslen

Attachment 1 Location Map – Page 70

PURPOSE

- To consider an application for an exemption under section 26(3) of the *Dog Act 1976* to keep more than two dogs.

BACKGROUND

- The applicant at 99 Moffett Road, Lesmurdie has recently applied to Council requesting permission to keep more than two dogs on his property.
- Clause 3.2.(2) of the Shire of Kalamunda Dogs Local Law 2010 stipulates:
 “The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the *Dog Act 1976*, 2 dogs over the age of 3 months and the young of those dogs under that age.”

DETAILS

- The applicant is requesting the approval to keep the following dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Registration Number	Age	Local Authority
1.	Collie X	F	YES	Tan/White	Mila	13-1146	12	Kalamunda
2.	Rottweiler X	F	YES	Black	Tilly	13-1144	11	Kalamunda
3.	Collie X	M	YES	Black/White	Jack	13-1145	1	Kalamunda

- In considering the merit of the application, an inspection was undertaken by Ranger and Emergency Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing three dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
- The property at 99 Moffett Road, Lesmurdie is 15 acres and Zoned Rural Agriculture.

STATUTORY AND LEGAL IMPLICATIONS

7. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.
8. Clause 3.2 of the Local Law reads:
"3.2 Limitation on the number of dogs
 2. This clause does not apply to premises which have been –
 - (c) licensed under part 4 as an approved kennel establishment; or
 - (d) granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age."
9. If Council refuses to permit three dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant's property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.
12. There are three adjoining properties within the vicinity of the applicant's property that may be directly affected (Attachment 1). The occupants of these properties have been contacted by the attending Ranger and have provided no response regarding the application.

FINANCIAL IMPLICATIONS

13. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

14. Nil.

Sustainability ImplicationsSocial Implications

15. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or

convenience of neighbours within the immediate vicinity of the property concerned.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

OFFICER COMMENT

18. In considering this application for exemption, the following two options are available:

(c) Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or

(d) Council may refuse permission to keep more than two dogs.

19. As part of the decision making process, Officers have not recorded any issues regarding the dogs kept at this property.

20. It is in the opinion of the inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing three dogs. The Ranger can also confirm that the fences and gates are compliant with the *Dog Act 1976*.

21. It is recommended that the application to keep more than two dogs is supported and is noted that this approval may be varied or revoked should any dog complaints be received which are considered reasonable.

OFFICER RECOMMENDATION (GS 30/2011)

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of 99 Moffett Road, Lesmurdie to keep a third dog on this property.

Moved:

Seconded:

Vote:

31. Application to Keep More Than Two Dogs – 258 Grove Road, Lesmurdie

Previous Items	N/A
Responsible Officer	Director Community Development
Service Area	Community Development
File Reference	RA-ANC-011: ICS-26169
Applicant	Stephen Jones – 258 Grove Road, Lesmurdie
Owner	DE and SD Jones

Attachment 1 Location Map – Page 71

PURPOSE

- To consider an application for an exemption under section 26(3) of the *Dog Act 1976* to keep more than two dogs.

BACKGROUND

- The applicant at 258 Grove Road, Lesmurdie has recently applied to Council requesting permission to keep more than two dogs on his property.
- Clause 3.2.(2) of the Shire of Kalamunda Dogs Local Law 2010 stipulates:
 “The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the *Dog Act 1976*, 2 dogs over the age of 3 months and the young of those dogs under that age.”

DETAILS

- The applicant is requesting the approval to keep the following dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Registration Number	Age	Local Authority
1	Ridgeback	M	YES	Red/Wheat	Axle	11-3141	1	Kalamunda
2	Ridgeback	F	NO	Red/Wheat	Nala	11-3140	1	Kalamunda
3	Ridgeback	F	NO	Red	Kara	11-3139	1	Kalamunda

- In considering the merit of the application, an inspection was undertaken by Ranger and Emergency Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing three dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
- The property at 258 Grove Road, Lesmurdie is 2000sqm and Zoned Residential.

STATUTORY AND LEGAL IMPLICATIONS

7. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.
8. Clause 3.2 of the Local Law reads:
"3.2 Limitation on the number of dogs
 3. This clause does not apply to premises which have been –
 - (e) licensed under part 4 as an approved kennel establishment; or
 - (f) granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age."
9. If Council refuses to permit three dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant's property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.
12. There are six adjoining properties within the vicinity of the applicant's property that may be directly affected (Attachment 1). The occupants of these properties have been contacted by the attending Ranger. Four have supported the application and two have provided no response.

FINANCIAL IMPLICATIONS

13. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

14. Nil.

Sustainability ImplicationsSocial Implications

15. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or

convenience of neighbours within the immediate vicinity of the property concerned.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

OFFICER COMMENT

18. In considering this application for exemption, the following two options are available:

(e) Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or

(f) Council may refuse permission to keep more than two dogs.

19. As part of the decision making process, Officers have not recorded any issues regarding the dogs kept at this property.

20. It is in the opinion of the inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing three dogs. The Ranger can also confirm that the fences and gates are compliant with the *Dog Act 1976*.

21. It is recommended that the application to keep more than two dogs is supported and is noted that this approval may be varied or revoked should any dog complaints be received which are considered reasonable.

OFFICER RECOMMENDATION (GS 31/2011)

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of 258 Grove Road, Lesmurdie to keep a third dog on this property.

Moved:

Seconded:

Vote:

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

32. Community Sport and Recreation Facilities Fund Small Grants Winter 2011/12

Previous Items	N/A
Responsible Officer	Director Community Development
Service Area	Community Development
File Reference	FI-FAG-050
Applicant	N/A
Owner	N/A

Attachment 1 Assessment matrix – Page 72

PURPOSE

1. To consider supporting the two applications received for funding through the Department of Sport and Recreation's ("DSR") Community Sport and Recreation Facilities Small Grant Fund ("CSRFF").

BACKGROUND

2. Through the CSRFF program, the State Government provides financial assistance to community groups and Local Government Authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation with an emphasis on increasing physical activity through the provision of well-planned facilities.
3. In 2009, the CSRFF budget was increased to \$20 million. There are now three categories of CSRFF funding:
 - **Small Grants** - \$1.5 million (allocated over two rounds of \$750,000) to be spent within one year of allocation for projects with a total value between \$5,000 and \$150,000.
 - **Annual Grants** - \$3 million to be spent in the following financial year for projects valued between \$150,001 and \$500,000.
 - **Forward Planning Grants** - \$4 million for the first year of the triennium, \$7 million for the second year of the triennium and \$4.5 million for the third year of triennium for projects with a total value over \$500,000.
4. The Shire's role in the provision of the funding is to call for applications and assess them in priority order, and rate each application received (Attachment 1).
5. The maximum grant approved will be no greater than one third of the total estimated project cost.

-
6. There is no obligation on the Local Government Authority to make any contribution to a project.
 7. All applications for this small grants round are to be received by the Department of Sport and Recreation by 31 March 2011 for assessment.
 8. Successful applicants will be advised in May 2011, with funds to be expended by 15 June 2012.

DETAILS

9. The Shire of Kalamunda has received one external application and one internal application for the Department of Sport and Recreation's CSRFF winter 2011 small grants funding round.

Hartfield Park Feasibility Study:

10. The Shire of Kalamunda will be submitting an application for the completion of a Needs and Feasibility study for the Hartfield Park Recreation Centre based in Forrestfield.
11. The proposed cost contribution is as follows:

	Contributions ex GST
CSRFF	\$13,300
Shire of Kalamunda	\$26,700
Total Project Cost	\$40,000

Kalamunda and Districts Basketball Association (KDBA):

12. KDBA have requested assistance towards the purchase and installation of two pairs (four) basketball rings and backboards.
13. The current backboards are unsafe and do not comply with the latest safety standards. The new backboards will allow for younger users to have access to the correct height rings.

14. The Kalamunda and Districts Basketball Association is proposing a project cost contribution as follows:

	Contributions ex GST
Kalamunda and Districts Basketball Association	\$24,223
CSRFF	\$24,223
Shire of Kalamunda	\$24,224
Total Project Cost	\$72,670

STATUTORY AND LEGAL IMPLICATIONS

15. Nil.

POLICY IMPLICATIONS

16. Nil.

PUBLIC CONSULTATION/COMMUNICATION

17. Written correspondence provided to all sporting clubs, advising them of the upcoming CSRFF funding round.

FINANCIAL IMPLICATIONS

18. The Shire of Kalamunda's contribution towards the proposed projects will be dependent on the outcome of the CSRFF applications and is proposed to be considered as part of the 2011/12 budget process.
19. As the Hartfield Park Needs and Feasibility Study is a Shire driven project, Council will be requested to consider funding two thirds of the total project cost, with one third to be requested from DSR.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

20. Shire of Kalamunda Strategic Plan 2009-2014:
- "1.3 The community has access to a diverse range of recreational opportunities.
- 2.3 Long term viability of infrastructure and facilities.
- 1.3.3 Effective management of recreational open space requirements to maintain the feeling of a community and family friendly atmosphere.

1.3.5 Development of active and passive recreational facilities based on evidence supported evaluation and environmentally sustainable principles.”

Sustainability Implications

Social implications

21. The provision of high quality community sport and recreation facilities is essential in fostering a positive sense of community health and wellbeing.

Economic Implications

22. Nil.

Environmental Implications

23. Nil.

OFFICER COMMENT

24. Through the CSRFF program, the State Government provides financial assistance to community groups and Local Government Authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation with an emphasis on increasing physical activity through the provision of well planned facilities.
25. The Department of Sport and Recreation requires all applications to be assessed by each Local Government Authority and provided with a ranking according to the Local Government’s assessment. It should be noted, there is no obligation on the Shire to support a project.
26. A summary of each application in relation to the criteria and ranking is included at (Attachment 1). The following priority has been identified:
- (a) Hartfield Park Recreation Centre Needs and Feasibility Study
 - (b) Kalamunda and Districts Basketball Association

Hartfield Park Needs and Feasibility Study:

27. The development of a Needs and Feasibility Study for the Hartfield Park Recreation Centre has been ranked as the first priority. This is due to the increasing need for the facility to be assessed to determine the future recreational needs of the community and the overall viability of upgrading the facility.
28. The need for the Study has been included in the one to five year recommendations of the Hartfield Park Masterplan (OCM 110/2010), to

ensure that the requirements of the facility are considered prior to any potential expansion of the Forrestfield United Clubrooms. The Study further compliments the work currently being conducted through the development of the Community Facilities Plan.

29. The project scored higher due to the overall sustainability implications and financial viability of the Study and as such has been assessed as the number one priority.

Kalamunda and Districts Basketball Association:

30. The Kalamunda and Districts Basketball Association project for the installation of four new basketball rings has been ranked as the second priority due to the current state of the existing basketball rings and the necessity for replacement. The rings will aim to increase physical activity through having the capacity to be electronically lowered to accommodate U/10's basketball.

OFFICER RECOMMENDATION (GS 32/2011)

That Council:

1. Endorses the following applications for the Department of Sport and Recreation's 2011/12 Community Sport and Recreation Facilities Small Grant Fund in order of priority:
 - (a) Hartfield Park Recreation Centre Feasibility Study
 - (b) Kalamunda and Districts Basketball Association
2. Considers allocating \$40,000 in the 2011/2012 budget for the Hartfield Park Feasibility Study subject to the successful outcome of the CSRFF application.
3. Considers allocating \$24,224 in the 2011/2012 budget for the purchase of four new basketball backboards at the Ray Owen Sports Centre subject to the successful outcome of the CSRFF application.

Moved:

Seconded:

Vote:

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

33. Community Safety and Crime Prevention Advisory Committee – Nomination for Membership

Previous Items	N/A
Responsible Officer	Director Community Development
Service Area	Community Development
File Reference	CO-CCS-006
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider the appointment of a replacement Committee Member to the Community Safety and Crime Prevention Advisory Committee.

BACKGROUND

2. The Lesmurdie Ratepayers Association has nominated Gordon Gray to the Community Safety and Crime Prevention Advisory Committee to replace their current member, John Everett, who has resigned.
3. The current membership is as follows:

Name	Representing
Cr Sue Bilich	Councillor Delegate
Snr Sgt Wayne Hawes	WA Police Service – Forrestfield Station
Greg Smith	Wattle Grove Residents Association
Keith Hughes	Forrestfield Residents Association
Brian Davis	Kalamunda Chamber of Commerce
John Everett	Lesmurdie Ratepayers Association
Angela Charlesworth	High Wycombe Community Association

DETAILS

4. The Terms of Reference for this Committee allow a membership of seven members, including one representative nominated by each of the following stakeholders:
 - WA Police Service (Kalamunda/Forrestfield)
 - Kalamunda Chamber of Commerce
 - Forrestfield Residents Association
 - Wattle Grove Residents Association (Inc)
 - High Wycombe Community Association
 - Lesmurdie Ratepayers Association (Inc)
 - Shire of Kalamunda Elected Member

STATUTORY AND LEGAL IMPLICATIONS

5. Appointments are made in accordance with Section 5.10 (1) of the *Local Government Act 1995*.

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
- “1.4.2 Facilitate and where appropriate, support and educate the community in the development and implementation of community safety and crime prevention initiatives.”

Sustainability Implications

Social implications

10. The main objective of the Community Safety and Crime Prevention Committee is to monitor and provide support to community strategies and initiatives.

Economic Implications

11. Nil.

Environmental Implications

12. Nil.

OFFICER COMMENT

13. The appointment of Gordon Gray will ensure representation from the Lesmurdie Ratepayers Association is maintained on the Community Safety and Crime Prevention Advisory Committee.

OFFICER RECOMMENDATION (GS 33/2011)

That Council:

1. Accepts the resignation of John Everett.
2. Appoints Lesmurdie Ratepayers Association Representative, Gordon Gray, to the Community Safety and Crime Prevention Advisory Committee.

Moved:

Seconded:

Vote: **Absolute Majority Required**

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

34. Adoption of Asset Management Policy

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	HU-PAA-013
Applicant	N/A
Owner	N/A
Attachment 1	Asset Management Policy – Page 73

PURPOSE

1. To consider the adoption of an Asset Management Policy (ENG 15) as shown at (Attachment 1), to set the necessary guidelines for the implementation of consistent and sustainable asset management processes.

BACKGROUND

2. The Shire of Kalamunda is responsible for the creation, provision, maintenance and management of infrastructure assets, this includes roads, buildings, footpaths, car parks, stormwater drainage, parks and reserves.
3. Both Federal and State Governments have placed great emphasis on asset management in their policy statements including Local Government reform. It is anticipated that funding from both these governments will be linked to the asset management practices of individual local governments.
4. In order to provide an adequate level of service it is important that the assets are managed in a professional manner for the whole of their life. An Asset Management Policy, together with an Asset Management Strategy, will provide a framework for asset management and improve accountability, risk management, service centred delivery and financial efficiency of all infrastructure assets.

DETAILS

5. The Policy will provide strategic direction and guidance to the Shire of Kalamunda, its employees and contractors, with regards to the provision of consistent and sustainable asset management processes.
6. The Policy has been prepared in accordance with National Asset Management Framework.

STATUTORY AND LEGAL IMPLICATIONS

7.
 - Australian Accounting Standards

-
- *Local Government Act 1995*
 - *Occupational Health & Safety Act 2000*
 - *Protection of the Environment Operations Act 1997*
 - *Disability Discrimination Act 1992*

POLICY IMPLICATIONS

8. The proposed Policy will provide guidance to Council and its employees to manage its assets and to provide a sustainable level of service.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. All capital and operational expenditure, as well as the maintenance budgets, will be derived by the implementation of an Asset Management Policy.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

11. This Policy will assist in achieving the following strategic outcomes:
- 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.

Sustainability Implications

12. This Policy will assist the Shire to manage infrastructure assets for present and future needs in a sustainable manner.

Social implications

13. Nil.

Economic Implications

14. Nil.

Environmental Implications

15. Nil.

OFFICER COMMENT

16. There is no existing policy, strategy or formal procedure within the Shire of Kalamunda for the ongoing management of infrastructure assets. Accordingly, the proposed Policy will assist with the future management of all asset categories for the Shire of Kalamunda both now and in the future.

OFFICER RECOMMENDATION (GS 34/2011)

1. That Council adopts the Asset Management Policy (ENG 15), as shown at (Attachment 1).

Moved:

Seconded:

Vote:

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

35. Boonooloo Road – Petition, Traffic Calming Request

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	IPE-112841; BN-10/GEN
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider a petition from residents in Boonooloo Road Kalamunda, requesting traffic calming devices.

BACKGROUND

2. A petition was presented to the Planning Services Committee on 7 February 2011, which contained 38 signatories.
3. The petition was based on the following requests:
 - speed humps,
 - traffic calming devices, or
 - a roundabout.

DETAILS

4. Following complaints from residents, the Shire conducted investigations in Boonooloo Road and applied for funding to install speed cushions, under the Anti-Hoon Speed Cushion Programme.
5. In February 2011, Main Roads WA advised that the Boonooloo Road Project has been recommended for approval in the 2011/12 financial year.

STATUTORY AND LEGAL IMPLICATIONS

6. Nil.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. It is a requirement of the funding body to conduct community consultation prior to installing speed cushions. This will be carried out at the design stage during the next financial year, subject to Council approval of the project.

FINANCIAL IMPLICATIONS

9. The Project is estimated to cost \$51,800. The State Government, will fund two thirds of this cost and the remaining one third (\$17,300) will need to be funded by the Shire.
10. The project will be listed in the Works Program for the 2011/12 financial year, for Council consideration.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

11. Nil.

Sustainability Implications

Social implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Safety improvements for pedestrians and motorists using this street.

OFFICER COMMENT

15. Boonooloo Road had been highlighted as a possible candidate for State Government funding, under the Anti-Hoon Speed Cushion Programme, prior to receiving the petition.
16. The petition provides an “in principal” support for the project, from the majority of residents in Boonooloo Road, however, a formal consultation process will be carried out as a requirement of the Main Roads WA funding agreement.

OFFICER RECOMMENDATION (GS 35/2011)

1. That Council notes the proposed installation of speed cushions on Boonooloo Road Kalamunda, for consideration in the Works Programme for the 2011/12 financial year budget and the proponent of the petition be advised accordingly.

Moved:

Seconded:

Vote:

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

36. Endorsement of Restricted On-Street Parking

Previous Items	
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	EG-CMP-001
Applicant	
Owner	

Attachment 1	On-Street Parking Restriction Register – Page 76
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PURPOSE

1. To consider endorsement of on-street parking restrictions, on all known locations within the Shire of Kalamunda.

BACKGROUND

2. Over the years “No Parking”, “No Stopping” and “Parking Time Restrictions” signs have been installed at a number of locations throughout the Shire.
3. Whilst all these restrictions would have been authorised by a Council Resolution initially, there is no inventory or consolidated record to easily trace Council’s authorisation for all locations. Accordingly, the restrictions may not be “legally” enforceable for issuing infringements.

DETAILS

4. Endorsement of all known on-street restricted parking locations within the Shire of Kalamunda will provide a safe road and roadside environment. Additionally, endorsement will legally enable Ranger Services to infringe non-compliance with location and/or time restrictions of on-street restricted parking locations within the Shire.
5. Shire staff has taken an inventory of parking restriction signs within the Shire of Kalamunda. A detailed database of all known restricted parking locations is presented at (Attachment 1).
6. A search of Shire records could only find a limited number of Council Resolutions for restricted parking locations within the Shire’s road reserve. Council endorsement of all the restricted parking locations as identified in (Attachment 1) will provide a legal basis for enforcement.

STATUTORY AND LEGAL IMPLICATIONS

7. Clause 1.10 of the Shire of Kalamunda – Parking and Parking Facilities Local Law 2008 – provides that a local government may, by resolution, prohibit or

regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicle in any part of the parking region, but must do so consistently within the provisions of this local law.

8. This local law does not apply to a parking facility that is not occupied by the local government, unless the local government and the owner or occupier of that facility have agreed in writing that this local law will apply to that facility.

POLICY IMPLICATIONS

9. This proposal will have no impact on existing Council Policies.

PUBLIC CONSULTATION/COMMUNICATION

10. Public consultation is not required as no new signs are being proposed at this time.

FINANCIAL IMPLICATIONS

11. There are no financial implications other than normal maintenance of the signs.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

12. This proposal is complimentary to existing strategies within the Strategic Planning Outcomes:
- 5.1.3 – ensure appropriate systems and procedures are in place to comply with statutory requirements; and
 - 5.1.4 – regularly review and develop local laws and policies to ensure relevance to the strategic direction of the Shire of Kalamunda and the community.

Sustainability Implications

Social implications

13. An increased awareness of restricted parking locations will assist in improving the safety of residents, visitors and the community, particularly within the vicinity of schools, shopping centres and recreational/sports centres.

Economic Implications

14. There are no considered economic implications with this proposal.

Environmental Implications

15. There are no environmental implications with this proposal.

OFFICER COMMENT

16. The authorisation by the Council of the restricted parking signs and its location/times of restricted parking, as shown at (Attachment 1), will empower the Shire of Kalamunda Ranger Services to legally issue infringement notices for non-compliance by the road users. This proposal will provide safer road environments to road users as well as pedestrians, school children, the disabled and the elderly.

OFFICER RECOMMENDATION (GS 36/2011)

1. That the parking restrictions as detailed at (Attachment 1) be endorsed by Council.

Moved:

Seconded:

Vote:

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

37. Delegation of Authority to Chief Executive Officer - Determination of Prohibited Parking Areas

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	EG-CMP-001
Applicant	N/A
Owner	N/A

Attachment 1 Determination of Prohibited Parking Areas (ENG-1)
Policy – Page 80

PURPOSE

1. To consider the Delegation of Authority by Council to the Chief Executive Officer to determine "No Parking" areas within the Shire of Kalamunda.

BACKGROUND

2. In order to carry out its functions efficiently and effectively, Council has the ability to delegate its powers and duties to the Chief Executive Officer (or to another staff member, in some cases).

DETAILS

3. Clause 1.10 of the Shire of Kalamunda, Parking and Parking Facilities Local Law 2008, provides that a local government may by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region, but must do so consistently with the provisions of this local law.
4. Any "Simple Majority" decision making power or function may be delegated by the Council to the Chief Executive Officer. Conditions can be imposed on any delegation of authority to the Chief Executive Officer.

STATUTORY AND LEGAL IMPLICATIONS

5.
 - Clause 1.10 of the Shire of Kalamunda Parking and Parking Facilities Local Law 2008.
 - Section 5.42 of the *Local Government Act 1995* states that – "A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in Section 5.43." (Absolute Majority required)."
 - Limits on delegations to CEO's – Section 5.43 of the *Local Government Act*

POLICY IMPLICATIONS

6. This proposal has no impact on existing Council Policies.

PUBLIC CONSULTATION/COMMUNICATION

7. Public consultation is not considered necessary for this proposal.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

9. This proposal is complimentary to strategies within Strategic Planning Outcomes:
- 5.1.3 – Ensure appropriate systems and procedures are in place to comply with statutory requirements.
 - 5.1.4 – Regularly review and develop local laws and policies to ensure relevance to the strategic direction of the Shire and community.

Sustainability Implications

Social implications

10. Nil.

Economic Implications

11. Nil.

Environmental Implications

12. Nil.

OFFICER COMMENT

13. The provision of a Delegation of Authority to enable to the Chief Executive Officer to determine “No Parking” areas within the Shire of Kalamunda will provide efficiencies and streamline procedures.

OFFICER RECOMMENDATION (GS 37/2011)

1. That Council adopts Determination of Prohibited Parking Areas (ENG-1) as shown at (Attachment 1).

Moved:

Seconded:

Vote: **Absolute Majority Required**

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

38. Dundas Road and Maida Vale Road – Works Programme

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	DN-03/GEN
Applicant	N/A
Owner	N/A
Attachment 1	Location Plan – Page 81
Attachment 2	Vehicle Network Class Diagram – Page 82
Attachment 3	Network Route Map (Main Roads Internal Document) - Page 83

PURPOSE

1. To consider withdrawing the Dundas Road and Maida Vale Road intersection improvements from the 2010/11 Works Programme. Location Plan appears at (Attachment 1)
2. To advise Main Roads WA to remove “Network 7” vehicle access on Maida Vale Road from Everitt Place to Roe Highway. Description of vehicles that are permitted on various networks appears at (Attachment 2).

BACKGROUND

3. The construction work for the intersection of Dundas Road and Maida Vale is included in the budget for the current financial year at a cost of \$45,600.
4. The project scope requires the installation of a median island on Maida Vale Road to improve the safety of the intersection.

DETAILS

5. The design of the improvements at the intersection of Maida Vale Road and Dundas Road was undertaken on the understanding that Maida Vale Road has a “Network 1 Access”. Accordingly, the proposed treatment to install a median island in Maida Vale Road accommodated the turning movement for 19.0m long semi-trailers. All vehicles up to 19.0m long can use “Network 1” without the requirement of a permit.
6. Further contact with Main Roads WA revealed that Maida Vale Road from Dundas Road to Roe Highway, including Everitt Place, is identified as a “Network 7” route, which allows access for road trains up to 36.5m in length.
7. It is impracticable to design and construct the intersection to accommodate turning movement, for 36.5m long road trains, within the existing road

reserve. The cost of the project, if undertaken, would also be significantly higher as it will involve land acquisition and the undergrounding of power.

8. The permit issued by Main Roads WA has been in place for some time for "Network 7" vehicles to access Everitt Place and Maida Vale Road, which precludes the Shire to modify the intersection.
9. Discussions with Main Roads WA also revealed that the section of Maida Vale Road from Dundas Road to Roe Highway is identified as a 'Network 7' route which has impact on the amenity of the residential area along Maida Vale Road.

STATUTORY AND LEGAL IMPLICATIONS

10. Main Roads WA is empowered under the Main Roads Act, to issue permits to vehicles over 19.0m in length, to access specific roads.

POLICY IMPLICATIONS

11. Nil.

PUBLIC CONSULTATION/COMMUNICATION

12. Nil.

FINANCIAL IMPLICATIONS

13. An allocation of \$45,600 was made for the project under the current financial years programme. These funds could be identified as savings to compensate any unforeseen over expenditure in other areas.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

14. Nil.

Sustainability Implications

Social implications

15. Nil.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

OFFICER COMMENT

18. Ideally 36.5m long road trains should not be permitted on Maida Vale Road. However, it may be difficult to revoke the permit as it has been in place for a number of years, enabling access to a property in Everitt Place. Further negotiations will be held with the permit holders and Main Roads WA with a view to prevent "Network 7" vehicles from accessing Maida Vale Road.
19. Accordingly it is recommended the project be removed from the current financial year's Works Programme pending further investigation. The project will be included in a future programme if necessary, with a revised project scope depending on relative priority of the project.
20. Main Roads internal documentation shows Maida Vale Road as a "Network 7" route, refer (Attachment 3). As the road provides access to a residential area and many of the properties have direct access, it is not suitable for heavy vehicles.
21. Main Roads WA will need to be asked to remove Maida Vale Road, from Everitt Place to Roe Highway, from the list of "Network 7 Vehicle Access" and default to "Network 1 Vehicle Access".

OFFICER RECOMMENDATION (GS 38/2011)

1. That the project for the improvement of intersection of Dundas Road and Maida Vale Road at a budget of \$45,600 be deleted from the 2010/11 Works Programme.
2. That Main Roads WA be requested to remove the section of Maida Vale Road, from Everitt Place to Roe Highway from the list for "Network 7 Vehicular Access".

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
39. Waste Services Positions

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	HU-REC-008
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider creating two new full time positions within the Waste Services area, in lieu of the existing contractors.

BACKGROUND

2. Waste Services currently utilises contractors to carry out the collection and disposal of illegal dumping, litter pickups and bin services. While the works are typically carried out well, there can often be a delay in the provision of the service due to the contractors competing priorities.
3. The result can be that dumped rubbish remains uncollected for a number of days. During this delay, there are opportunities for additional rubbish to be dumped or the existing rubbish to be spread by animals or the wind.

DETAILS

4. This proposal has already been trialled for a six month period, utilising casuals. During this time, it was demonstrated that there was greater flexibility and greatly reduced response times.
5. The vehicle will be made available by re-allocating from the existing fleet. Accordingly, there will be no additional set-up costs.
6. It is proposed that two new positions be created within the Waste Services area, in order to provide this service in-house.

STATUTORY AND LEGAL IMPLICATIONS

7. Section 5.2 of the *Local Government Act 1995* provides that the Council of a local government is to ensure that there is an appropriate structure for administering the local government.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. These works are currently fully funded from all or parts of the below accounts, which are currently used to pay for contractors. The creation of a two person crew will have no net effect to Council's budget.

375710.601	Contractor – Litter Control	\$ 40,000
375710.603	Contractor – Reserves Litter Control	\$ 19,500
375710.563	Illegal Dumping	\$ 50,000
375704.512	Salaries and Wages (Waste Management)	\$ 166,750
430702.573	Donations to Community Groups	\$ 37,500
G507 7999	Reserves Litter Control (Category 1 to 4)	\$ 137,400

STRATEGIC AND SUSTAINABILITY IMPLICATIONS
Strategic Planning Implications

11.
 - Action 3.2.3.5 - Investigate strategies, in consultation with EMRC and DEC, to reduce the level of illegal dumping and littering
 - Action 3.2.3.6 - Review and maintain the community litter bin program.

Sustainability Implications
Social implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Nil.

OFFICER COMMENT

15. The main concern with the current practice is the inability to provide a timely service, as contractor availability cannot be directly controlled. The creation of a two person crew will greatly reduce the intervention time and improve the level of service at no additional cost.

OFFICER RECOMMENDATION (GS 39/2011)

1. That two new full time positions be created within the Waste Services area, for the purpose of collection and disposal of illegal dumping, litter pickups and bin services.

Moved:

Seconded:

Vote:

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

40. Welshpool Road, Wattle Grove - Proposed Road Closure, Reserve Adjoining Lots 211 (12) Lewis Road, 8 (51) St John Road and 500 (32) Gavour Road

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	WL-10/GEN
Applicant	Peter Webb
Owner	N/A

Attachment 1	Location Plan for proposed closure – Page 84
Attachment 2	Proposed Road Closure and Drainage Reserve – Page 85

PURPOSE

1. To consider the closure of a triangular section of road reserve on Welshpool Road Wattle Grove, under Section 58 of *The Land Administration Act 1997*.

BACKGROUND

2. In July 2009, Peter Webb and Associates, on behalf of the owners of Lot 500 Gavour Road, requested closure of the triangular portion of the Welshpool Road reserve, refer (Attachment 1) and subsequent purchase of the land.
3. The applicant was advised that, to process this request, the Shire would require the existing drainage reserve to be extended to the modified road reserve, as shown at (Attachment 2). The applicant was asked if their client would still be interested in purchasing the land.
4. The owner then engaged CID Consultants who proposed that an easement be placed on the piece of land instead of creating a drainage reserve. This proposal was not accepted by Shire Engineering staff. The applicant has now requested that the matter be considered by Council.

DETAILS

5. The triangular portion of the road reserve as shown on (Attachment 1) and (Attachment 2) was originally acquired from Lot 212 (20) Lewis Road, to create the Welshpool Road reserve. This section is surplus to the road reservation requirements.
6. A 5m wide and 830m long drainage reserve exists between Welshpool Road at the proposed location and a natural water course running north of Welshpool Road refer (Attachment 1). If the triangular portion of the road reserve is closed the drainage reserve will need to be extended to the new road reserve boundary refer (Attachment 2).

-
7. The land, once the road closure takes place, is disposed of by Landgate and the applicant will need to negotiate directly with their office, should they wish to purchase the land.
 8. Subdivisional Approval for a four lot subdivision exists on Lots 193 (851) Welshpool Road and 211 (12) Lewis Road as shown in (Attachment 1). The owners of 12 Lewis Road may also stake a claim to purchase the land, as it abuts their lot and would not be affected by the drainage reserve.

STATUTORY AND LEGAL IMPLICATIONS

9. The road closure will need to be affected under Section 58 of *The Land Administration Act 1997*.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. *The Land Administration Act* requires the Local Government to advertise its intent to close the road, by placing a notice in a newspaper circulating within the district, and allow a minimum period of thirty five days for submissions. The Local Government must consider any objections prior to making a decision to close the road.
12. Accordingly, consultation will take place by way of a statutory notice and resultant submissions. However, the landowners adjoining the road reserve proposed for closure have been advised of the report being considered by the General Services Committee.

FINANCIAL IMPLICATIONS

13. There is a cost for advertising and processing the road closure application including surveying and preparation of deposit plans. Traditionally these costs have been paid by the applicant or prospective purchaser of the land.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

14. There are no strategic implications.

Sustainability Implications

Social implications

15. Nil.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

OFFICER COMMENT

18. The section of the road reserve proposed for closure is surplus to the Shire's future road network requirements. The closure does not provide any benefit to the Shire.
19. The applicant has proposed placement of an easement in lieu of the drainage reserve. This proposition was not supported as the easement does not provide exclusive use of the land for drainage purposes.
20. An easement defines the rights and objectives of the respective parties, which could be subject to legal interpretations in the event of a dispute. As opposed to the drainage reserve being created under the ownership of crown and vested to the Shire, which provides exclusive rights to the Shire.
21. Easements are generally created either to retrofit infrastructure or where creation of a reserve is not achievable. There have been a number of cases where the Shire's infrastructure has either been damaged or the owners have built temporary or semi-permanent structures over the easements. This has resulted in additional maintenance and reinstatement costs.
22. It is in the Shire's interest to require a drainage reserve rather than an easement. Accordingly, the road closure is recommended on the basis that the drainage reserve is extended to the proposed new boundary of the road reserve.

OFFICER RECOMMENDATION (GS 40/2011)

1. That, subject to the applicant agreeing to meet all costs associated with the road closure, Council advertises its intent to close the rectangular section of Welshpool Road, as shown on (Attachment 2), in accordance with Section 58 of *The Land Administration Act 1997*.

Moved:

Seconded:

Vote:

41. Request for Expression of Interest EOI 1005 – Land Lease and Community Housing Development Lot 106 (88) Hale Road Forrestfield

CONFIDENTIAL ITEM – Provided under separate cover.

Reason for Confidentiality - *Local Government Act 1995*: Section 5.23(2) (c), "A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting"

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Nil.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Cr Maureen Robinson – Item 7 Budget Reallocation – Nature and Type and Program Classification.

Could a list be sent to Councillors showing the Donations referred to in the attachment to this item?

This question was taken on notice by the Acting Director of Corporate Services a full response will appear in the Ordinary Council Meeting Agenda.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 Item 41. Request for Expression of Interest EOI 1005 – Land Lease and Community Housing Development Lot 106 (88) Hale Road Forrestfield – **CONFIDENTIAL ITEM** – Provided under separate cover.

Reason for Confidentiality - Local Government Act 1995: Section 5.23(2) (c), "A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

16.0 CLOSURE