

Ordinary Council Meeting

Minutes for Monday 23 June 2014

CONFIRMED



**shire of
kalamunda**

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MINUTES

1.0 OFFICIAL OPENING

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

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

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

Members of Staff

Rhonda Hardy	Chief Executive Officer
Warwick Carter	Director Development Services
Charles Sullivan	Director Infrastructure Services
Gary Ticehurst	Director Corporate Services
Darrell Forrest	Manager Governance
Rajesh Malde	Manager Financial Services
Darren Jones	Manager Community Development
Meri Comber	Governance Officer
Nicole O'Neill	Public Relations Coordinator

Members of the Public 27

Members of the Press Nil

2.2 Apologies

Councillors

Justin Whitten	South West Ward
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2.3 Leave of Absence Previously Approved

Nil.

3.0 PUBLIC QUESTION TIME

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

3.1 Mr Tim Colegate of Walliston asked the following questions:

- Q1. Black cockatoos and other wildlife inhabit Reserve 30314 on Wilkins Road, Kalamunda. The 2011 and 2012 reports on the reserve assess almost all the vegetation as being in good to excellent condition, and say that the reserve is worthy of conservation. How can the Shire justify clearing this bushland when there are other potential aged care sites identified in the Local Planning Strategy – sites that are not environmentally sensitive areas?
- Q2. How are the actions of the Shire in seeking to rezone this reserve consistent with its Local Planning Strategy, which states an intent to “develop sustainably within the guidelines established in the Shire’s Local Biodiversity Strategy to ensure all local natural areas and environmentally sensitive areas are afforded the appropriate protection in the planning process”?
- Q3. If a development application were approved for an aged care facility on Wilkins Road how many years would construction be expected to take?
- Q4. How will the Shire guarantee that the noise and dust from construction will not impact nearby residents?
- Q5. Is the Shire breaching its duty of care by proposing an aged care facility in a fire prone area?
- Q6. Has the Shire obtained legal advice to ensure that it will not be liable for any injuries or loss of property or life as a result of the aged care facility being located on vulnerable land in a moderate and high fire risk area? If so, what is the result of this advice? If not, when will the Shire make that assessment?
- Q7. Has the Shire assessed the risk that any proposed development will be unviable, due to the cost of building on the cap-rock, meeting environmental conditions and building to the bushfire standards for a bushfire prone area? If so, what is this risk? If not, when will the Shire make that assessment?

Mr Colegate referred to an article in the Echo newspaper from 15 February 1997, concerning a report by Shire Planners that recommended the preservation of several reserves because of valuable bushland, including 40 Wilkins Road, Kalamunda, which was included in the Darling Range Regional Park.

- Q8. Do the current Shire Officers have access to this report and is it publicly available?
- Q9. Given the report states that 40 Wilkins Road, Kalamunda was included in the Darling Range Regional Park, does the Shire now think that this reserve on Wilkins Road is no longer part of the Darling Range Regional Park?

The Shire President thanked Mr Colegate and the questions were taken on notice.

3.2 Andrea Lomman of Gooseberry Hill asked the following:

Q. My family life is impacted by the anti-social behaviour that takes place on the lower part of the Zig Zag Scenic Drive and the gravel bend also at the lower end. Will the Shire install traffic calming devices at this lower end and will the gravel bend be addressed by Council?

A. The Chief Executive Officer indicated that discussions had taken place with the Community Action Group, it is planned that the car parks will be improved and the Chief Executive Officer believed the gravel bend as mentioned is on the schedule of car parks. Traffic calming devices are to be trialled at the top of the Zig Zag and if successful could be used further down the Drive. The Chief Executive Officer indicated that Andea Lomman's input into the Community Action Group would be appreciated.

4.0 PETITIONS/DEPUTATIONS

4.1 Deputation Duncan McConachy

A request to make a Deputation received from Duncan McConachy was approved by the Shire President. Neil Holtham also spoke.

The Deputation was in respect of Item 10.1.4, D&I 32, The Parking of One Commercial Vehicle – Lot 205 (31) Ind Street, Lesmurdie.

4.1.1 *The Shire President thanked Duncan McConachy and Neil Holtham, there were no questions from Councillors.*

4.2 Deputation Nigel Dickinson

A request to make a Deputation received from Nigel Dickinson was approved by the Shire President.

The Deputation was in respect of Item 10.3.1, Zig Zag Scenic Drive Community Action Plan.

4.2.1 *A Councillor asked Nigel Dickinson if he contacted the police to report the hooning he had witnessed and he confirmed he had done. The Shire President thanked Nigel Dickinson for his interest.*

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 That Council grant leave of absence to Cr Allan Morton from 1 July to 31 July 2014 inclusive and Cr John Giardina from 1 July to 1 August 2014 inclusive.

These periods cover the Development & Infrastructure Services Committee Meeting on 14 July 2014, the Corporate & Community Services Committee Meeting on 21 July 2014 and the Ordinary Council Meeting on 28 July 2014.

RESOLVED OCM 84/2014

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Margaret Thomas**

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

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 RESOLVED OCM 85/2014

That the Minutes of the Ordinary Council Meeting held on 26 May 2014, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Geoff Stallard**

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

6.2 RESOLVED OCM 102/2014

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

Moved: **Cr Noreen Townsend**

Seconded: **Cr John Giardina**

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

The vote was taken for Item 6.2 under Point 15, Meeting Closed to the Public as a Councillor wished to ask questions relating to this Special Meeting.

7.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

7.1 Nil.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 The Presiding Member moved Item 6.2 Confirmation of the Minutes Special Council Meeting 12 July 2014 as a Councillor wished to ask questions regarding this meeting. **CONFIDENTIAL ITEM – Metropolitan Local Government Reform – Consideration of Legal Advice.** Reason for Confidentiality – *Local Government Act 1995*: Section 5.23 (2) (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

9.0 DISCLOSURE OF INTERESTS

9.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the *Local Government Act 1995*.)

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- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

9.1.1 Nil.

9.2 **Disclosure of Interest Affecting Impartiality**

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

9.1.2 Nil.

10.0 REPORTS TO COUNCIL

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

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

10.1 Development & Infrastructure Services Committee Report

10.1.1 Adoption of Development & Infrastructure Services Committee Report

RESOLVED OCM 86/2014

Voting Requirements: Simple Majority

That recommendations D&I 30 to D&I 37 inclusive, contained in the Development & Infrastructure Services Committee Report of 9 June 2014 except withdrawn items D&I 32 and D&I 33, be adopted by Council en bloc.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Margaret Thomas**

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

10.1.2 D&I 30 Child Care Premises - Lot 34 (338) Hale Road, Wattle Grove

EN BLOC RESOLUTION OCM 86/2014

That Council:

1. Approves the application dated 1 April 2014 for a child care premises at Lot 34 (338) Hale Road, Wattle Grove, subject to the following conditions:
 - a. The access way shall be suitably constructed, sealed and drained to the satisfaction of the Shire.
 - b. Vehicle parking, manoeuvring and circulation areas, except for the overflow area, to be suitably constructed, sealed, kerbed, line marked and drained to the satisfaction of the Shire.
 - c. The provision and maintenance of a total of 13 car spaces including a minimum of (1) disabled car bay. All car parking and vehicle access ways being line marked, sealed and drained prior to the occupation of the building and maintained thereafter.
 - d. The provision of shade trees to car parking area to the satisfaction of the Shire.
 - e. The proposed landscaping being planted within 28 days of the proposed development's completion, and maintained thereafter by the landowner to the satisfaction of the Shire.

- f. All stormwater to be managed in accordance with the adopted Drainage Strategy for the Wattle Grove Cell 9 Structure Plan.
- g. The development shall be connected to reticulated sewer.
- h. A contribution to the Shire of Kalamunda in accordance with Schedule 11 of the Shire of Kalamunda Local Planning Scheme No. 3 shall be paid for cell infrastructure costs for Wattle Grove Cell 9. The contribution shall be paid in full prior to the issue of a Certificate of Occupancy.
- i. A geotechnical report being submitted prior to the issue of a building licence detailing site conditions, particularly in respect to soil and groundwater and stormwater disposal by soakage (Clearance, quantity, soil permeability and location and size of soakwells).
- j. Prior to issuing the building licence, the landowner, shall grant to the public an easement in gross pursuant to sections 195 and 196 of the *Land Administration Act 1997* over the proposed lots for the purposes of vehicular and pedestrian access (Easement). The Easement shall be prepared by the Shire's solicitors and shall be in accordance with the specifications of and to the satisfaction of the Shire. The applicant shall be responsible to pay all costs associated with the Shire's solicitor's costs of and incidental to the preparation of (including all drafts), stamping and registration of the Easement at Landgate.

10.1.3 D&I 31 Local Planning Scheme No.3 Amendment - Special Control Area - Bushfire Prone Area

EN BLOC RESOLUTION OCM 86/2014

That Council:

1. Adopts the Bushfire Hazard Assessment Report and mapping.
2. Initiates the amendment to Local Planning Scheme No. 3, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING
SCHEME
SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
AMENDMENT NO.

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

- a) Deleting clause 5.6.1 and inserting the following clause in its place:

"5.6.1 Except for development in respect of which the Residential Design Codes apply and development in a Bushfire Prone Area, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such condition as the local government thinks fit."

- b) Deleting clause 5.9.1 (iii).
c) Deleting clause 5.9.2 (iv) and renumbering remaining clauses accordingly.
d) Deleting clause 5.11.1 (i)(e)
e) Deleting clause 5.11.2 (vi) and renumbering remaining clauses accordingly.
f) Deleting clause 5.12.1 (i)(e) and renumbering remaining clauses accordingly.
g) Deleting clause 5.12.2 (v)
h) Deleting clause 5.13.1 (i)(f)
i) Deleting clause 5.13.2 (vi)
j) Amending Clause 6.1.1:

(1) to renumber the second sub-clause "(f)" in clause 6.1.1 to "(g)"; and

(2) to insert a new subclause "(h)" as follows;

"(h) Bushfire Prone Areas shown on the Scheme Map as BPA"

- k) Inserting a new clause 6.6 to follow existing clause 6.5 'development contribution areas (DCA)' as follows:

"6.6 Bushfire Prone Areas

6.6.1 Interpretation

In clause 6.6, unless the context otherwise requires:

"AS3959" means Australian Standards AS 3959 Construction of buildings in bushfire-prone areas, as amended from time to time;

"Bushfire Attack Level" means the bushfire attack level of a site assessed in accordance with AS3959;

"Bushfire Prone Area" means a bushfire prone special control area shown on the Scheme Map as BPA and certified by the Fire and Emergency Services Commissioner;

"Bushfire Risk Management Guidelines" means the policy entitled 'Planning for Bushfire Risk Management Guidelines and Appendices', as amended from time to time;

"State Planning Policy 3.7" means State Planning Policy 3.7 Planning for Bushfire Risk Management, as amended from time to time;

6.6.2 Purpose

The purpose and intent of designating a Bushfire Prone Area is to:

(a) identify land that is bushfire prone by reason of it being subject to, or likely to be subject to, a bushfire hazard;

(b) ensure that development within a Bushfire Prone Area is effectively designed in accordance with AS3959 to address the level of bush fire hazard applying to the land; and

(c) facilitate improved strategic planning for bushfires and more effective bushfire risk management.

(d) implement the requirements under State Planning Policy 3.7 and related Bushfire Risk management guidelines.

Note: The designation of particular parts of the district as Bushfire Prone Areas does not mean that land not designated as a Bushfire Prone Area is free from risk associated with bushfire threat.

6.6.3 Applications in a Bushfire Prone Area

An application for planning approval within a Bushfire Prone Area must be accompanied by:

- (a) a bushfire attack level assessment carried out in accordance with the methodology contained in the Bushfire Risk Management Guidelines by a suitably qualified professional; and*
- (b) a bushfire management plan carried out in accordance with the Bushfire Risk Management Guidelines which addresses each criteria to the satisfaction of the Shire.*

6.6.4 Development requirements in a Bushfire Prone Area

Development in a Bushfire Prone Area shall comply with AS3959.

6.6.5 Determination of applications in a Bushfire Prone Area

(1) Without detracting from clause 3.4.2 or clause 10.2, the local government in:

- (a) determining an application for planning approval; or*
- (b) making a recommendation in respect of an application for subdivision approval; or*
- (c) the adoption or amendment of a structure plan resulting in the introduction or intensification of development;*

in respect of land in a Bushfire Prone Area, shall have due regard to:

- (a) State Planning Policy 3.7;*
- (b) the Bushfire Risk Management Guidelines;*
- (c) AS3959;*
- (d) any other relevant policy or standard dealing with areas subject to bushfire hazard; and*
- (e) any relevant advice in relation to the application from the local government's Chief Bush Fire Control Officer.*

- (2) *Notwithstanding any other provision of this Scheme, the local government may refuse to approve a proposed development within a Bushfire Prone Area, if the local government considers:*
- (a) *the proposed development does not comply with State Planning Policy 3.7, the Bushfire Risk Management Guidelines, AS3959 or any relevant other policy or standard applicable to Bushfire Prone Areas;*
 - (b) *the level of bushfire hazard to which the proposed development is likely to be subject presents an unreasonable level of risk to life and property; or*
 - (c) *the site of the proposed development is assessed to have a bushfire attack level of BAL-40 or BAL-FZ.*
- l) Amending clause 8.2 "Permitted Development" by deleting subclause (b) and substituting the following subclause:
- "(b) The erection on a lot of a single house including any extension, ancillary outbuildings, swimming pools, driveways and gates, except where:*
- (i) *the proposal requires the exercise of a discretion by the local government under the Scheme to vary the provisions of the Residential Design Codes;*
 - (ii) *the development will be located in a heritage area designated under the Scheme; or*
 - (iii) *the development is located in a Bushfire Prone Area with the exception of:*
 - *Gates and driveways that are compliant with the Bushfire Risk Management Guidelines; and*
 - *Outbuildings further than 6m away from any development used for permanent or temporary habitation; and*

- *Swimming pools."*

Amending Schedule 1 by inserting the following definition in appropriate alphabetical order:

"Bushfire Prone Area" has the meaning given to it by clause 6.6.1;

"Bushfire Risk Management Guidelines" has the meaning given to it by clause 6.6.1;

- m) Including Designated Bush Fire Prone Area Mapping under the Scheme.

3. Request the Chief Executive Officer advertise the amendment for a minimum of 60 days including two (2) open forum evenings for all interest groups, key stakeholders and community members during the advertising period.
4. Adopt the amendment documents, and that the Amendment being formally advertised for 60 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

10.1.4 D&I 34 Draft Municipal Heritage Inventory Review

EN BLOC RESOLUTION OCM 86/2014

That Council:

1. Endorses the draft Municipal Heritage Inventory included as (Attachment 2) for a 60 day public consultation period, to include notification to all affected landowners and an open information day.

10.1.5 D&I 35 Annual Caravan Park Licence Renewals

EN BLOC RESOLUTION OCM 86/2014

That Council:

1. Approves the renewal of the caravan park licences, subject to receipt of the required licence fees, for:
 - Discovery Holiday Park, 186 Hale Road Forrestfield.
 - Forrestfield Village, 351 Hawtin Road Forrestfield.
 - Hillview Lifestyle Village, 597 Kalamunda Road High Wycombe.
 - Advent Park, 345 Kalamunda Road Maida Vale.

10.1.6 D&I 36 Request to Purchase a Portion of Reserve R37218 – 19 Dampiera Court, Maida Vale

EN BLOC RESOLUTION OCM 86/2014

That Council:

1. Advertises the proposed disposal of approximately 1,214sqm as shown in (Attachment 1) being a portion of Reserve 37218 for 30 days.
2. Subject to no objection to the proposal, supports the disposal of the portion of R37218 to the owner of 17 Dampiera Court and owner of 110 Holmes Road and forwards the matter to the Department of Lands for their determination.
3. Requests that all costs associated with the acquisition be borne by the applicants.

10.1.7 D&I 37 Roe Highway and Berkshire Road land requirements for Main Roads Intersection Improvements

EN BLOC RESOLUTION OCM 86/2014

That Council:

1. Agrees to the dedication of the land shown shaded on (Attachment 2), the subject of Main Roads Land Dealings Plans 1260-138-2 as a road pursuant to Section 56 of the Land Administration Act 1997.

For separate consideration

A Councillor requested that Item D&I 32 be withdrawn for separate consideration as she wished to suggest an amendment to the start-up time noted in point (f). A mover and seconder for the Committee Recommendation was found, the mover did not agree to the amendment. A seconder for the Amendment could not be found and therefore it lapsed.

Amendment to substantive motion

- f. Movement and start-up times of the vehicle being restricted to 7.00am and 7.00pm Monday to Saturday and 9.00am to 5.00pm on Sundays and public holidays.

Moved: **Cr Noreen Townsend**

Seconded:

Vote: **LAPSED**

A Councillor questioned whether it would be possible to lay rubberised matting in both the tray and the truck to reduce the noise.

A vote was taken on the substantive motion.

10.1.8 D&I 32 The Parking of One Commercial Vehicle – Lot 205 (31) Ind Street, Lesmurdie

RESOLVED OCM 87/2014

That Council:

1. Approves the retrospective planning application dated 9 March 2014 for Peter and Teresa Faranda to continue to park one commercial vehicle, an Isuzu truck (registration number 1BNW 050), at Lot 205 (31) Ind Street, Lesmurdie, subject to the following conditions:
 - a. The vehicle must, at all times, be parked in the location shown on the approved site plan (Attachment 1).
 - b. Maintenance and cleaning of the commercial vehicle is only permitted between 8.00am and 6.00pm Monday to Saturday, and 9.00am to 6.00pm on Sundays.
 - c. Only maintenance of a minor nature, such as servicing or wheel changing, is to be carried out on the subject property between the hours designated in condition b. No panel beating, external spray painting, external welding or the removal of major body or engine parts is permitted.
 - d. The idling time for the start-up and cool down of the vehicle being a maximum of five minutes per day.
 - e. Washing of the commercial vehicle on the subject lot is to be limited to the use of water and mild detergent, but not involve the use of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment.
 - f. Movement and start-up times of the vehicle being restricted to 6.00am and 7.00pm Monday to Saturday and 9.00am to 5.00pm on Sundays and public holidays.
 - g. Materials associated with the landowner's business not being offloaded and stored on the property. All material associated with the landowner's business being removed from the property within 28 days of Council's decision.

Moved: **Cr John Giardina**

Seconded: **Cr Simon Di Rosso**

Vote: **For**
Cr John Giardina
Cr Frank Lindsey
Cr Geoff Stallard
Cr Allan Morton
Cr Andrew Waddell
Cr Bob Emery
Cr Dylan O'Connor
Cr Simon Di Rosso
Cr Margaret Thomas
Cr Sue Bilich

Against
Cr Noreen Townsend

CARRIED (10/1)

For separate consideration

A Councillor requested that this item be withdrawn for separate consideration, he foreshadowed a new motion and the Shire President invited him to give the details of this to Councillors.

The Committee Recommendation was put, no mover was found and this lapsed.

A Councillor requested a comment from the Director Development Services as to whether these increased hours might bring an upturn in applicants wishing to extend their hours and how this fits in with Shire Policies. The Director responded that all applications are considered with a view to whether the amenity of the area would be compromised by the number of vehicles entering the premises on a case by case basis.

10.1.9 D&I 33 Home Occupation (Hairdressing) – Modification to existing approval - Lot 5 (25) Ravenswood Road, Maida Vale

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 33/2014)

That Council:

1. Defer Item 33. Home Occupation (Hairdressing) – Modification to existing approval - Lot 5 (25) Ravenswood Road, Maida Vale until July 2014 Development & Infrastructure Services Meeting.

Moved: **LAPSED**

Seconded:

Vote:

Voting Requirements: Simple Majority

RESOLVED OCM 88/2014

That Council:

1. Approves the retrospective planning application to increase the hours of operation and maximum number of clients able to attend the home occupation (hairdressing) at Lot 5 (25) Ravenswood Road, Maida Vale, subject to the following conditions:
 - a) The home occupation only being permitted to operate between:

Monday	8am - 7pm
Tuesday	8am - 7pm
Wednesday	8am - 7pm
Thursday	8am - 7pm
Friday	8am - 7pm
Saturday	8am - 5pm
 - b) A maximum of 25 clients per week being permitted to visit the premises, by prior appointment only.
 - c) All car parking being contained on site.
 - d) The activity complying with the definition for the use "Home Occupation" stipulated under Schedule 1 (Land Use Definitions) of Local Planning Scheme No 3.

Moved: **Cr Andrew Waddell**

Seconded: **Cr Dylan O'Connor**

Vote: <u>For</u> Cr John Giardina Cr Frank Lindsey Cr Allan Morton Cr Noreen Townsend Cr Andrew Waddell Cr Bob Emery Cr Dylan O'Connor	<u>Against</u> Cr Geoff Stallard Cr Simon Di Rosso Cr Margaret Thomas Cr Sue Bilich
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CARRIED (7/4)

10.2 Corporate & Community Services Committee Report

10.2.1 Adoption of Corporate & Community Services Committee Report

RESOLVED OCM 89/2014

Voting Requirements: Simple Majority

That the recommendations C&C 19 to C&C 21 inclusive, contained in the Corporate & Community Services Committee Report of 16 June 2014, be adopted by Council en bloc.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Margaret Thomas**

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

10.2.2 C&C 19 Debtors and Creditors Report for the Period Ended 31 May 2014

EN BLOC RESOLUTION OCM 89/2014

That Council:

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

A Councillor sought and received further clarification regarding a number of EFT payments.

10.2.3 C&C 20 Rates Debtors Report for the Period Ended 31 May 2014

EN BLOC RESOLUTION OCM 89/2014

That Council:

1. Receives the rates debtors report for the period ended 31 May 2014 (Attachment 1).

10.2.4 C&C 21 Disability Access and Inclusion Policy Statement and Disability Access and Inclusion Plan

EN BLOC RESOLUTION OCM 89/2014

That Council:

1. Endorse the amended Disability Access and Inclusion Plan 2012 – 2017 (Attachment 1) and Disability Access and Inclusion Policy Statement (Attachment 2) to include Outcome 7.

10.3 CHIEF EXECUTIVE OFFICER REPORTS

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

10.3.1 Zig Zag Scenic Drive Community Action Plan

Previous Items	OCM183/2013, OCM 74/2014
Responsible Officer	Director Infrastructure Services
Service Area	Infrastructure Services
File Reference	HU-PUH-007
Applicant	N/A
Owner	Shire of Kalamunda
Attachment 1	Zig Zag Scenic Drive Community Action Plan - Discussion Paper on Options and Possibilities
Attachment 2	Zig Zag Scenic Drive Community Action Plan – Submissions

PURPOSE

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

BACKGROUND

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

and improvements of the intersection of Lascelles Parade, Zig Zag Scenic Drive/Ocean Parade.

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

DETAILS

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

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

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

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

STATUTORY AND LEGAL CONSIDERATIONS

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

POLICY CONSIDERATIONS

27. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

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

FINANCIAL CONSIDERATIONS

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

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

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

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

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

SUSTAINABILITY

Social Implications

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

Economic Implications

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

Environmental Implications

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

RISK MANAGEMENT CONSIDERATIONS

40.

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

OFFICER COMMENT

41. Overall there was a relatively low response rate to the community consultation indicating that the issues around the Zig Zag Scenic Drive are not a priority for the wider community. There were 42 responses received in total and 20 responses from the locality (Gooseberry Hill).
42. It should be noted the Report released for public consultation attracted significant media coverage but unfortunately did not yield significant numbers of community submissions. It is therefore difficult to conclude the merit of some actions without further investigation being undertaken. This is particularly so in the area of increasing tourism capacity of the Zig Zag and funding security services.
43. The responses and submissions received through the community consultation process was mixed, however there was a significant number of responses challenging the options presented and recommending that minimal funds are to be spent on the actions proposed.
44. There is a clear need to look at means to reduce the incidence of anti-social and hooning behaviour, however this is an issue across the Shire. It is therefore being recommended that the issue of anti-social behaviour at the Zig Zag is referred to the Shire's Community Safety and Crime prevention Committee for consideration and further investigation.
45. The improvement of the car parking and improved signage and line marking are seen as appropriate preliminary treatments. These may improve passive surveillance, increase the feeling of safety and reduce the incidence of the behaviours that initiated the community action groups concerns. A further stage of traffic treatments and improved lighting can be considered if required once these treatments are completed.
46. With improvements to the car parking, signage and lighting this should increase the use of the Zig Zag by residents and visitors for what it is intended. This increase in users and improved physical environment would increase a sense of safety amongst users and residents and would help deter those intending to visit the Zig Zag for hooning and anti-social behaviour.
47. There are economic benefits to increasing tourism in the Shire of Kalamunda but it is unknown if tourism initiatives alone will significantly address the issues of anti-social behaviour. In light of this the Shire will further research and examine tourism growth opportunities for the Zig Zag Scenic Drive though the ongoing development and implementation of it tourism strategies.
48. This report was originally presented to the Ordinary Council Meeting on 26 May 2014 and deferred (OCM 74/2014) to the Ordinary Council Meeting 23 June 2014 to allow further investigation.
49. The Police and all those who made a Submission regarding the Zig Zag Scenic Drive have been invited to attend this meeting.

50. Since this Report was presented at the Ordinary Council Meeting on 26 May 2014, discussions have been held with the Action Group and funding for the car park improvements has been brought forward.

RESOLVED OCM 90/2014

Voting Requirements: Simple Majority

That Council:

1. Approve the following infrastructure works to be funded in the Long Term Financial Plan:
 - a) Traffic treatments to Lascelles Parade to include consideration of minor traffic management improvements such as signage, line marking and chicanes between Tella Street and Ocean View Parade. (2014/15)
 - b) Funding of three car park improvement projects along Lascelles Parade and the Zig Zag Scenic Drive to be staged in 2015/16, 2016/17 and 2017/18.
 - c) Implement advance warning signage to identify the restricted turning space available for large vehicles at Lascelles Parade/Ocean View Parade/Zig Zag Drive.
2. Request the Community Safety and Crime Prevention Committee to engage with the members of the Zig Zag Action Group to investigate and consider initiatives to further assist in the reduction of anti-social behaviour in the Zig Zag Scenic Drive precinct.
3. Request the Chief Executive Officer to further investigate opportunities for developing tourism potential of the Zig Zag Scenic Drive.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Dylan O'Connor**

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

Attachment 1

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

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

Attachment 2

Zig Zag Scenic Drive Community Action Plan –
Submissions

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

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

10.3.2 Draft Monthly Financial Statements to 31 May 2014

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

Attachment 1	Draft Statements of Financial Activity for the eleven months to 31 May 2014 incorporating the following: <ul style="list-style-type: none">• Statement of Comprehensive Income by Nature and Type• Statement of Comprehensive Income by Program• Statement of Cash Flow• Statement of Financial Position• Statement of Financial Activity (Nature or Type)• Statement of Financial Activity (Statutory Reporting Program)• Net Current Funding Position, note to financial statement• Statement of Changes in Equity• Reserves – Cash / Investment Backed – note to financial statement• Investment Schedule – note to financial statement
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PURPOSE

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

BACKGROUND

2. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirement of the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* (Regulation 34).
3. The opening funding position in the Statement of Financial Activity statement reflects the 2012/13 audited financial position.
4. The budget column reflected matches to the revised budget approved by Council at its meeting on 24 March 2014.

DETAILS

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

Financial Commentary

Draft Statement of Comprehensive Income by Nature and Type for the eleven months to 31 May 2014

6. This Statement reveals a net result surplus of \$4,452,940 against revised budget for the same period of \$3,284,105.

Revenue

7. Total Revenue is under budget by \$284,424. This is made up as follows:
- Rates are under budget by \$222,195. The variance will be normalised at year end once the prepaid rates estimated at \$300,000 are recognised as revenue for the year.
 - Operating Grants, Subsidies and Contributions are under budget by \$80,257. Areas which are tracking below budget are:
 - Forrestfield Industrial Area receipt of monies from the Trust account for infrastructure work valued at \$150,000 is due. An invoice has yet to be raised to recognise this income.
 - Fees and Charges variance are slightly under budget by \$12,006 which is within the reporting threshold.
 - Interest earnings are over budget by \$33,882 which is a good reflection of cashflow management in light of reducing yields on short term investments available in the market.
 - Other Revenue is slightly under budget by \$3,848, which mainly relates to infringements based on successful prosecutions for dog attacks. Most "Other Revenues" comprise of various fines and penalties which are difficult to predict.

Expenditure

8. Total expenses are under budget with a variance of \$3,474,520. The significant variances within the individual categories are as follows:
- Employment Costs are under budget by \$545,321 due to some vacant positions in various business units and back pay yet to be paid as a result of the enactment of new Enterprise Bargaining Agreement (EBA).

-
- Materials and Contracts is under budget by \$2,193,422 largely due to:
 - Contractor Waste and Verge Collection is under budget by \$343,497 emanating principally from two operational areas of recycling and house refuse.
 - Programme expenditure for Community Care services is under budget by approximately \$331,778. This is due to the lower volume of services being requested. A marketing strategy is being developed to raise community awareness of the services available.
 - The Building Maintenance area is running below budget by \$246,340. This is partially due to a timing issue with most funds to be expended by the end of the financial year.
 - Utilities were under budget by \$92,352. The main variance is coming from the Street Lighting component with an amount of \$201,049 below budget.
 - Insurance expense is under budget by \$14,036 principally relating to lower worker's compensation insurance costs.
 - Other expenditure is under budget by \$561,916 with the bulk of the variance made up of the \$500,000 contribution the Shire has to make to Western Power in relation of the undergrounding of power on Haynes Street, Kalamunda.
 - The interest expense is slightly under budget by \$17,463, which is the result of a timing difference between amounts accrued and the budget which is based on the debenture payment schedule.
 - Depreciation, although a non-cash cost, is tracking slightly under budget, reporting a variance of \$50,010 or 0.5% of the total depreciation budget which is \$8.6m.

Non-Operating Grants

9. Non-Operating Grants are under budget by \$936,646 which is principally a timing issue. This component is made up of various infrastructure projects which are planned to commence in the coming months. The majority relate to road grants with claims commencing shortly as Main Roads Regional Grants claims are due to be lodged in June 2014.

Profit / (Loss) on Asset Disposals

10. The variance of \$1,075,491 relates mainly to property sales. This is primarily due to the delay on the sale of the Lewis Road property. A new buyer has made an offer to purchase subject to change in use which is currently holding up the sale process.

Draft Statement of Comprehensive Income by Program for the eleven months to 31 May 2014

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

Draft Statement of Financial Activity for the eleven months to 31 May 2014

12. The results to 31 May 2014 2014 discloses a closing surplus of \$7,980,325 made up of:
- Overall income, excluding rates, is under budget by \$1,137,720 with the bulk of the variance being Profit on Land Asset Disposal as previously explained in Point 10 of this report.
 - Expenditure is \$3,463,396 under budget forecast with the main variance in Employment Costs, Materials and Contracts and Other Expenditure. These have been commented on in Point 8 of this report.
 - Infrastructure projects made up of roads, drainage, footpaths, car parks and parks and ovals has incurred \$5,939,605 against the budget of \$ 7,803,264. This variance is due to the deferral of several projects particularly in the categories of roads renewal and parks and ovals new.
 - \$279,796 unspent on land and building renewal budget. This is due to a timing difference with most projects on track for completion by year end.
 - Rates generation is under budget and the variance of \$222,195 relates to the recognition of prepaid rates which will be done as a year-end exercise as explained previously in Point 7.
13. The closing current position of \$7,980,325 is still above year to date budget of \$1,799,077. This is due to project based activities reflected above still in progress.

Draft Investments Schedule as at 31 May 2014

14. A total of \$25.89 million is in term deposits or online savings accounts which is comparable to previous month's balance of \$29.15m. The reduction in the cash holdings is attributed to the reduction of the rates collection following the final instalment due date in February 2014.

15. The above is made of:

Municipal Funds	Reserve Funds	Trust Monies
\$10,506,257	\$2,605,820	\$12,781,612 (includes amounts for Public Open Space of \$2,425,490)

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

Draft Statement of Financial Position as at 31 May 2014

18. The commentary on the Financial Position is based on comparison of May 2014 year to date actuals with May 2013 year to date actuals.
19. Net Current Assets (Current Assets less Current Liabilities) show a positive result of \$8.3 million. The un-restricted cash position has a positive position of \$10.5 million which is comparable to the previous year's balance of \$6.5 million. This is principally due to the delayed/deferral of capital expenditure.
20. Trade and other receivables comprise of rates and sundry debtors totalling \$3.24 million outstanding.
- The rates balance has reduced by \$412,614 in the month. This represents a collection rate of 97.4% to date. Debt collection strategies are being rigorously enforced to assist in collections.
21. Sundry debtors have increased significantly to \$1.38 million outstanding. Of the outstanding, \$1.2 million relates to developer contributions for the Forrestfield/High Wycombe Industrial Area. The other main overdue sundry debtors are:
- Western Power \$2,791 for repairs on damaged storm water pipes. Additional details have been provided to the debtor to ascertain the validity of the liability. It is understood that the damage has been acknowledged and is awaiting payment authorisation; and
 - Lesmurdie Tennis Club \$24,000 being an overdue contribution for the clubhouse re-fit and extension. Recovery is contingent upon legal advice which is expected very shortly.
22. Fixed Assets additions are below last year's actuals to date by \$1.3 million in the asset category of Property, Plant and Equipment. Strategies are being put in place to improve the delivery of infrastructure projects.

-
23. Provisions for annual and long service leave are currently stable at \$2.2 million. It is expected this will reduce further in the coming months as the Shire aggressively pursues a leave management plan, this will not adversely affect service delivery. The long term goal is to bring this liability down to a more manageable level.
24. Long term borrowings are at \$7 million. The Shire has no plans to extend its loan portfolio in 2013/2014.

STATUTORY AND LEGAL CONSIDERATIONS

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

POLICY CONSIDERATIONS

26. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

27. Nil.

FINANCIAL CONSIDERATIONS

28. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

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

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

SUSTAINABILITY

Social Implications

30. Nil.

Economic Implications

31. Nil.

Environmental Implications

32. Nil.

RISK MANAGEMENT CONSIDERATIONS

33. The following risks have been considered:

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

OFFICER COMMENT

34. The Shire's draft financial statements as at 31 May 2014 demonstrate the Shire has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RESOLVED OCM 91/2014

That Council:

- Receives the draft monthly financial statements for the eleven months to 31 May 2014, which comprises:
 - Statement of Comprehensive Income by Nature and Type.
 - Statement of Comprehensive Income by Program.
 - Statement of Cash Flow.
 - Statement of Financial Position.
 - Statement of Financial Activity (Nature or Type).
 - Statement of Financial Activity (Statutory Reporting Program).
 - Net Current Funding Position, note to financial statement.
 - Statement of Changes in Equity.
 - Reserves – Cash / Investment Backed - note to financial statement.
 - Investment Schedule – note to financial statement.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Bob Emery**

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

Attachment 1

Draft Statements of Financial Activity for the eleven months to 31 May 2014 incorporating the following:

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

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

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

10.3.3 Kalamunda Accountable: Long Term Financial Plan to 2024

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Finance
File Reference	FI-BUD-014
Applicant	N/A
Owner	N/A
Attachment 1	Kalamunda Accountable - Long Term Financial Plan to 2024

PURPOSE

1. To adopt the Shire's amended ten-year Long Term Financial Plan (LTFP) (Attachment 1).

BACKGROUND

2. The Shire of Kalamunda developed a number of plans in June 2013 which set out it's the long-term strategic priorities and goals, based on the community's aspirations for the future. A long term financial plan is required to ensure these priorities can be funded in a sustainable manner.
3. *Kalamunda Accountable* is a rolling ten year financial plan. As the Annual Budget is adopted each year, a new year will be added to the plan. The intention of the Plan is to indicate the Shire's long term financial sustainability and to allow early identification of financial issues. This will be the second year that the Shire re-states its LTFP taking into account issues such as changing priorities, assumptions, funding, etc.
4. The LTFP is a required element of the Department of Local Government and Communities Integrated Planning Framework. Its place within the Framework is as an informing document of the Corporate Business Plan. The priority actions and projects that are set out in the Corporate Business Plan are dependent on the resources allocated within the Financial Plan.
5. The LTFP has itself been informed by the Shire's Local Planning Strategy, which includes projections for development and population growth and:
 - The Asset Management Strategy and Plans, which sets out the resource requirements for maintenance of existing assets at expected service levels and;
 - The Workforce Plan, which identifies the human resources required to deliver the Shire's normal operations and proposed future actions and projects.

DETAILS

6. The LTFP includes eleven Key Financial Indicators. These indicators provide a measure of the Shire's sustainability and performance over the ten year span of the Plan. Targets have been included to allow the projected ratios to be compared against a benchmark figure.
7. The Plan also contains a Rate Setting Statement for the ten years. This sets out the projected revenues and expenditure, the estimated surplus or deficit at the end of each year and the amount that will be required to be raised from rates.
8. The Plan has been developed on the basis of a number of key assumptions, which are set out in the Plan. For example, assumptions have been made about the interest rate for investments, inflation rate, and future population growth. The Plan will be reviewed annually to ensure that the projections are as accurate as possible, and that the assumptions are reasonable.
9. The Integrated Planning Framework requires that the Plan be reviewed in conjunction with reviews to the Strategic Community Plan. In addition, a desktop review is required at least every two years, and a full review required every four years. A priority action has been included in the Corporate Business Plan for the Shire's LTFP to be reviewed annually.

STATUTORY AND LEGAL CONSIDERATIONS

10. All local governments are required to produce a Plan for the Future under s5.56 (1) of the *Local Government Act 1995*. It is intended regulations will be made under s5.56(2) of the Act to outline the minimum requirements to achieve this.

POLICY CONSIDERATIONS

11. Council Policy FIN1 – Accounting Policies sets out accounting definitions and parameters.

COMMUNITY ENGAGEMENT REQUIREMENTS

12. Public consultation was undertaken to formulate the various strategies which inform this Plan (for example, the Strategic Community Plan). No specific public consultation was carried out in relation to the LTFP given the nature of the document.
13. There is no requirement under the Department of Local Government and Communities requirements for the Shire to advertise or consult on the LTFP.

FINANCIAL CONSIDERATIONS

14. *Kalamunda Accountable* sets a financial framework for the Shire's operations and projects. It includes indicators to measure and monitor the Shire's financial sustainability.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

15. *Kalamunda Advancing: Strategic Community Plan to 2024*

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

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

OBJECTIVE 6.3 – To lead, motivate and advance the Shire of Kalamunda.

Strategy 6.3.1 Develop and implement a wide variety of informing strategies and plans which benefit the community socially, economically and environmentally.

SUSTAINABILITY

Social Implications

16. The Community Facilities Plan was considered in the development of the LTFP. This means that resources for the maintenance and development of community facilities, as prioritised in the Facilities Plan, have been taken into account.

Economic Implications

17. The Plan enables the Shire to model different levels of service and program delivery to set priorities and determine what can be afforded in the short and long term.
18. The Financial Sensitivity analyses models the potential effect of that change within the economy will have on the LTFP.

Environmental Implications

19. The LTFP maintains an environmental Reserve Fund and a direct annual operational Budget over \$1.2 million throughout the length of the Plan.

RISK MANAGEMENT CONSIDERATIONS

20. A LTFP should allow the early identification of financial issues, so that they may be dealt with promptly. The Key Financial Indicators that have been included will identify any potential sustainability issues (for example, over-reliance on grants or loans).

Risk	Likelihood	Consequence	Rating	Action / Strategy
Funding budgeted for from State and Federal Government does not eventuate	Possible	Major	High	Grant funded projects will only commence once written commitments are received.
Costings for capital works projects have been under-stated	Possible	Major	High	Improved Asset Management procedures to ensure that project designs are well costed prior to implementation; If revised costings are higher than budgeted, the project budget could either be varied at budget review from internal savings to allow for project to progress if determined critical to the community, differed to the following year or cancelled
Non-compliance with Financial Regulations	Unlikely	Major	Medium	The budget report is scrutinized by the Shire to ensure that all statutory requirements are met.

OFFICER COMMENT

21. The LTFP is formulated on the basis that the Shire of Kalamunda is operating in its original form. Consideration of the merged entity with City of Belmont and a different boundary is not possible due to lack of direction from State Government and information from City of Belmont at the time of writing this report.

Voting Requirements: Simple Majority

RESOLVED OCM 92/2014

That Council:

1. Adopts the amended *Kalamunda Accountable: Long Term Financial Plan to 2024*. (Attachment 1)

Moved: **Cr Margaret Thomas**

Seconded: **Cr Geoff Stallard**

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

Attachment 1

Kalamunda Accountable: Long Term Financial Plan to 2024

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

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

10.3.4 Adoption of 2014/2015 Budget

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Finance
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Schedule of Fees and Charges – Community Facilities – 2014/2015
Attachment 2	Schedule of Fees and Charges – Statutory and Regulatory Charges – 2014/2015
Attachment 3	2014/2015 Statutory Budget

PURPOSE

1. To adopt the Municipal Fund Budget for the year ended 30 June 2015, representing the Financial Year 2014/2015, together with supporting schedules including striking of the Municipal Fund Rates, adoption of fees and charges and other consequential items arising from the budget papers.

BACKGROUND

2. The draft Budget has been compiled based on the principles and assumptions contained in the Kalamunda Accountable: Long Term Financial Plan (LTFP) to 2024.

These principles and assumptions included:

- Balanced Operating Budget with Reserve Funds being set aside annually.
- Operating and Capital expenditure funded by rates, grants, reserve funds and loan borrowings.
- The net profit or proceeds from land sales are transferred to reserve funds.
- Freehold land for future sale and development accounted for and disclosed separately and shall include all costs of land development.
- Reserves used primarily to fund future capital expenditure or specifically for the purpose for which it was created.
- Operating costs are set either by zero based budgeting principles or in line with CPI.
- Domestic Rubbish Charges set at cost recovery plus overheads and contributions to reserves.
- Interest on Investment calculated at 3.5%.
- Operating Grants based on prior period experiences and available information from funding agencies.
- Fees and Charges based upon statutory requirements or cost recovery indexed by CPI.
- Insurance calculated based on quotation received from the Shire's insurers.
- Salaries and Wages increases set in accordance with Enterprise Bargaining Agreements or contract market rates.

-
- Workforce growth has been limited to three new Full Time Equivalent positions – one Asset Engineer, one Resource Recovery Plant Operator and one Emergency Management Officer. These positions have been approved to allow for increased demand in their respective areas of services and will be partly offset by additional revenues generated.
 - Future population growth projections for calculating interim rates and planning approval revenues is based on 2-4% projected annual growth rate as detailed in the Kalamunda Accountable: Long Term Financial Plan to 2024.
3. The proposed differential rate basis within the Budget was presented to Council at its Budget workshop held on 15 May 2014.
 4. Council, at its meeting on the 26 May 2014, resolved to advertise the proposed differential rates in line with the level of Rate increase to be at 5% across all categories (except Vacant which is at 7 cents in the \$) advertised by public notice for the 2014/2015.
 5. In accordance with section 6.36 of the *Local Government Act 1995* the Shire advertised its intention to raise differential rates stating the purpose for each rate. This notice was advertised in local newspapers for 21 days from the 31 May 2014. No submissions were received.
 6. The 2014/2015 draft Budget has been prepared in accordance with the presentations made to Councillors at a series of Budget Workshops.
 7. Interest earnings will be slightly higher than the previous years estimate due to the introduction of instalment interest on rates and increased cash holding due to the issuance of rates notices in July.
 8. The Budget includes increases in utility charges and insurance costs. Utility costs have been partially absorbed by better negotiation of contracts on contestable sites and retrofitting of some key buildings, such as the Ray Owen Sports Centre with more efficient lighting systems.
 9. The 2014/2015 estimated operating result stands at a surplus of \$2,114,559 compared to the 2013/2014 Budget cash surplus of \$2,875,530. The return to a budget operating surplus has been achieved through the leadership taken by the Council in deciding to develop and sell freehold land and property and maintain strong control over growth in operating expenditure.
 10. Notwithstanding the forecast proceeds from land sales, it is still necessary, in the interim, that operating costs be funded from rate income. After further deliberations, Council have approved a 4.75% rate increase across all rate categories (except Vacant category). S6.36(4) of the *Local Government Act (1995)* provides that a rate different to that advertised, may be adopted.
 11. In stating that, it should be noted that the Shire's rate in the \$ is still very competitive as noted by the table below:
-

12. Rates comparison table:

	Rate in \$							
	Kalamunda Proposed 2014/2015		Swan Advertised 2014/2015		Belmont Proposed 2014/2015		Mundaring Actual 2013/2014	
	Cts	Min (\$)	Cts	Min (\$)	Cts	Min (\$)	Cts	Min (\$)
GRV General/ Residential	5.2858	800	6.355	845	4.4600	775	9.059	905
GRV Commercial	4.9969	950	7.770	1340	5.1736	910	9.059	905
GRV Industrial	5.5983	950	11.851	1620	5.1959	930	9.059	905
GRV Vacant	7.0000	800	N/A	N/A	N/A		N/A	

DETAILS

13. This Budget has been set in accord with the Shire's Ten Year Financial Plan 2014/2024 which forms a component of the Integrated Planning Framework as prescribed by the State Government under legislation introduced in 2013/14. It is the second Budget drawn from the rolling ten year programme designed to lift the level of service at the Shire of Kalamunda.

14. The Rate Setting Statement for the period ending 30 June 2014 shows the Shire's expenses have increased by 11.1% or \$5,756,450 on last year's budget estimates and when comparing the June 2014 estimated year end result with the 2013/2014 proposed Budget.

Budget 2014/2015	\$56,280,237
Estimate 2013/2014	\$50,523,787
Budget 2013/2014	\$53,360,735

15. Increases for all rates will generate rate revenue of \$30.80 million. This represents the Shire's largest single source of funds and is essential for the Shire to deliver services, undertake capital works and to maintain the current level of maintenance of community facilities and reserves.

16. Given this will be a year where new property valuations have been established by the Valuer General, properties will need to take into account changes in their own valuation determined by Landgate. It should be noted that the Commercial and Industrial category saw the biggest change in valuation of approximately 24% and residential properties which is covered under the General category saw an increase of 12-14%. The administration has taken into account these upswings in valuation by lowering the rate in the dollar to neutralise the effect as much as possible.

17. A new rates category which had been introduced in the 2013/2014 year for Vacant land continues with a rate in the dollar of 7 cents. This was introduced to encourage development on vacant land within the Shire and the effects were noted with a 13% reduction in the number of properties in this category.

18. The threshold for capitalisation of assets has been maintained at \$3,000 to better reflect the redundancy that occurs in technology and also the cost of assets in the current market.
19. Specific comments on some elements of the draft 2014/2015 Budget are as follows:
- i. Adoption of Percentage for Reporting Material Variances – each financial year, a local government is to adopt a percentage or value, calculated in accordance with Australian Accounting Standards, to be used in statements of financial activity for reporting material variances. The level proposed for 2014/2015 is 10% or \$50,000 whichever is the greater.
 - ii. The Budget makes provision for the change of purpose of the use of overdraft funds to include operational expenditure in addition to land development costs.
 - iii. The Capital Works Program has some key projects which are listed below:
 - Hartfield Park – Stage 1 Various Buildings and Parks \$2,759,048
 - Kostera Oval – Stage 1 Redevelopment of playing fields \$2,111,400
 - Major road construction projects including \$1,493,063
 - Baden Road
 - Dawson Avenue – Stage 1
 - Abernethy Road
 - Mundaring Weir Road – Stage 1
 - iv. Sanitation and Household Refuse - Rubbish Rate. Details of the costs of this service are shown separately in the attached Budget. Both the standard and the pensioner charges have increased by 15% to \$460 and \$230 respectively. These increases are primarily necessitated by the significant increase by the State Government landfill levy on putrescible waste to \$55/Tonne from \$28/Tonne, inert waste to \$40/Tonne from \$8/Tonne effective from 1 January 2015.

The 50% pensioner discount is funded through an increase in the waste charge to all non-pensioner properties. This ensures the waste budget is cost neutral and not funded from the rates levied. It is proposed to introduce unlimited free tip passes for residential properties. The vouchers allow for waste to be taken to the Walliston Transfer Station or Red Hill Landfill Site in trailers (6x4), utilities or vans.

The Shire is also investing in new equipment to bring about:

- more efficiencies in the separation, movement and compaction of materials collected at the transfer station;
- Improve recycling at community groups, clubs and reserves.

- v. Reserve Accounts – No new Reserve Accounts have been added in this Budget.

Significant reserve fund movements back to Municipal Funds are for:

- Funding the various Building and maintenance projects \$2,050,000

Significant reserve fund movements from Municipal Funds are for:

- Long Service Leave provisions to cash back leave provisions at year end by \$1,100,000
- Nominate Annual Leave provision to cash back leave provisions at year end by \$600,000

Estimated Year End Position – 30 June 2014 - The estimated unaudited year end (2013/2014) position is a cash surplus of \$2,875,530 against an opening position of a surplus of \$5,077,852 which shows the Shire is operating on a sustainable basis.

STATUTORY AND LEGAL CONSIDERATIONS

20. Section 6.2 of the *Local Government Act 1995* requires a local government to adopt its budget prior to 31 August each year.
21. Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refers to the setting of budgets and the raising of rates and fees and charges. The 2014/2015 Budget as presented is considered to meet these statutory obligations.

POLICY CONSIDERATIONS

22. The Budget has been developed based on the principles contained in the Kalamunda Accountable: Long Term Financial Plan to 2024.

COMMUNITY ENGAGEMENT REQUIREMENTS

23. The Shire has met its statutory obligations with respect to community consultation whereby a Notice of Intention to Levy Differential Rates was advertised in Hills Gazette on the 31 May 2014 and the Kalamunda Reporter on the 3 June 2014.
24. A period of 21 days was provided for public comment concluding on 23 June 2014. At the date of publishing the agenda for the Adoption of the Budget no comments were received.
25. Specific financial implications are as outlined in the Detail section of this report and in the attached 2014/2015 Budget document.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

26. *Kalamunda Advancing: Strategic Community Plan to 2024*
OBJECTIVE 6.8 To ensure financial sustainability through the implementation of effective financial management, systems and plans

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

SUSTAINABILITY

Social Implications

27. The Budget has been developed to align with the prioritised needs of community infrastructure and services. Long term plans such as the Strategic Asset Management Plan and the Community Facilities Plan will be the strategic documents that identify and prioritise community infrastructure. Ongoing service reviews will continue to ensure community services are relevant and efficient.

Economic Implications

28. The Budget has been developed to align with the economic implications occurring in the Shire. The Budget addresses the ongoing development of future industrial land in Forrestfield, as well as land development opportunities throughout the Shire and also provides support to the Kalamunda Chamber of Commerce and the tourism industry.
29. The draft Local Planning Strategy will guide development within the Shire over the next 20 years.

Environmental Implications

30. The Budget has been developed to align with the environmental priorities outlined in the Shire's Strategic Plan. Funding has been allocated for a range of environmental initiatives within the operating program. An Environmental Reserve was established and additional funds from proceeds of land sales have been set aside to fund a greater level of environmental initiatives.

RISK MANAGEMENT CONSIDERATIONS

31. The following risks have been considered:

Risk	Likelihood	Consequence	Rating	Action / Strategy
Declining economy adversely impacts capacity of Ratepayers to pay rates.	Possible	Major	High	Monthly management reports are reviewed by the Shire. Debt collection strategies are in place to assist ratepayers manage their debts to the Shire.

Risk	Likelihood	Consequence	Rating	Action / Strategy
Understatement of capital works program.	Possible	Major	High	Improved Asset Management procedures to ensure that project designs are well costed prior to implementation; If revised costings are higher than budgeted, the project budget could either be varied at budget review from internal savings to allow for project to progress if determined critical to the community, differed to the following year or cancelled.
Non-compliance with Financial Regulations	Unlikely	Major	Medium	The budget report is scrutinized by the Shire to ensure that all statutory requirements are met.

OFFICER COMMENT

32. The 2014/2015 Budget continues to reflect the decision taken by the Council in 2009 to address the issue of the historic under funding of asset maintenance and renewal. It continues the objective of delivering a responsible budget that enables further improvements to the Shire's financial ratios.
33. The 2014/2015 Budget has been guided by the LTFP. The Plan provides a blueprint for effective long term financial planning which is in alignment with the Department of Local Government and Communities Integrated Planning Framework.
34. Following three years of significant growth in capital works projects which resulted in a depletion of the Shire's Reserves, the Shire implemented its alternative funding strategy to develop and sell land assets. The Shire was able to transfer significant proceeds to the Land and Property Reserve through the course of the past twelve months. The Shire is ensuring this work continues and has budgeted to transfer \$400,000 expected from land sales in 2014/2015.

35. Continued cash flow management will be crucial in 2014/2015 to ensure the Shire's Reserves are maintained. The Shire will ensure its operating income growth continues to exceed operating expenditure by closely monitoring and managing activities and programs.
36. The Shire has allocated \$150,000 in expenditure to assist in meeting the cost of the Local Government Authority Reform initiative.

2014/2015 BUDGET RECOMMENDATIONS

PART 1 – Councillor Fees and Allowances for 2014/2015

Voting Requirements: Absolute Majority

RESOLVED OCM 93/2014

That Council:

1. Pursuant to Section 5.99 of the *Local Government Act 1995* and Regulation 34 of the *Local Government [Administration] Regulations 1996* adopts the following annual fees for the payment of Councillors in lieu of individual meeting attendance fees:-
- | | |
|-----------------|----------|
| Shire President | \$30,385 |
| Councillors | \$22,660 |
2. Pursuant to Section 5.99A (b) of the *Local Government Act 1995* and Regulations 34A and 34AA of the *Local Government [Administration] Regulations 1996*, adopts the following annual allowances:-
- | | |
|--|---------|
| Telecommunications, Communication and Technology Allowance | \$3,500 |
| Travel Allowance | \$50 |
3. Pursuant to Section 5.98 (5) (b) of the *Local Government Act 1995* and Regulation 33 of the *Local Government [Administration] Regulations 1996*, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:-
- | | |
|-----------------|----------|
| Shire President | \$61,800 |
|-----------------|----------|
4. Pursuant to Section 5.98 (A) of the *Local Government Act 1995* and Regulation 33A of the *Local Government [Administration] Regulations 1996*, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:-
- | | |
|------------------------|----------|
| Deputy Shire President | \$15,450 |
|------------------------|----------|

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Bob Emery**

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

PART 2 – Schedule of Fees and Charges for 2014/2015

Voting Requirements: Absolute Majority

RESOLVED OCM 94/2014

That Council:

1. Pursuant to Section 6.16 of the *Local Government Act 1995*, adopts the Hall Hire, Community Recreation Facilities Charges and Reserve Hire – Outdoor Activities Charges as per (*Attachment 1*).
2. Adopt the fees and charges for Regulatory and Other Services as per (*Attachment 2*).
3. Pursuant to *Regulation 53 of the Building Regulations 2012*, adopts a swimming pool inspection fee of \$20.50.
4. Pursuant to Section 6.51 of the *Local Government Act 1995* and Regulation 70 of the *Local Government [Financial Management] Regulations 1996*, impose an interest charge of 11.0% on all rates and service charges including the refuse charge, Waste Avoidance and Resource Recovery Levy and swimming pool inspection fee that are not paid by the due date.
5. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government [Financial Management] Regulations 1996*, adopt an instalment administration charge where the owner has elected to the payment of rates and service charges through an instalment option by charging:
 - (a) a \$6 administration charge where a property owner elects to payment of rates and service charges on a two instalment option: or
 - (b) a \$18 administration charge where a property owner elects to payment of rates and service charges on a four quarterly instalment option.
6. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government [Financial Management] Regulations 1996*, adopt an instalment interest charge where the owner has elected to the payment of rates and service charges through an instalment option by charging 5.5% as prescribed:

Moved: **Cr Margaret Thomas**

Seconded: **Cr Noreen Townsend**

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

PART 3 – Waste and Rubbish Charges for 2014/2015

Voting Requirements: Absolute Majority

RESOLVED OCM 95/2014

That Council:

1. Pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, adopt the following charges for the removal and deposit of domestic and commercial waste:-

- i. Domestic / Commercial Service

- a. Ordinary domestic collection/disposal service including kerbside recycling service to be set at \$460 and any additional general waste bin at \$450 or recycling bin at \$160
 - b. Eligible pensioners – a concession rate for the domestic collection/disposal service including kerbside recycling service of \$230. Additional services will be as specified above in (a).
 - c. Residential multi-unit domestic collection/disposal service including kerbside recycling service to be set at \$440.
 - d. Residential multi-unit eligible pensioners – a concession rate for the domestic collection/disposal service including kerbside recycling service of \$220.
 - e. Credit for residential properties who cannot access the skip bin service \$(35)
 - f. Commercial and Industrial – collection and disposal of both general and recyclable waste service of \$930 and additional service for both general and recycling bin at \$790
 - g. Community and sporting clubs – collection and disposal of general waste will be \$120 for a 120 Litre bin or \$240 for a 240 Litre Bin and recyclable waste service of \$60.

- ii. Walliston Transfer Station

The deposit of rubbish at Walliston Transfer Station and Collection of specific items will be charged as follows:-

Description – Resident charges only	\$
Collection of Whitegoods or Mattresses (up to 2 items) (non-pensioner)	18.50
Collection of Whitegoods or Mattresses (up to 2 items) (pensioner)	5.50
Standard Car & Motor Cycle Tyre, each (maximum of 5/entry)	9.90
Four Wheel Drive Tyre, each (maximum of 5/entry)	18.15
Truck Tyres, each (maximum of 2/entry)	27.50

Description – Non-Resident charges only	\$
Clean Greenwaste per tonne (minimum charge 0.5t = \$20.35)	40.70
Mixed Waste - Car/Station Wagon/Utes or Trailer only	52.80
Mixed Waste - Vehicle & Trailer combination - up to 7 x 5, no trucks	92.40
Mattress disposal fee (max 5/entry)	18.70
Standard Car & Motor Cycle Tyre, each (maximum of 5/entry)	11.00
Four Wheel Drive Tyre, each (maximum of 5/entry)	22.00
Truck Tyres, each (maximum of 2/entry)	33.00

- iii. Waste Avoidance and Resources Recovery Levy
Adopt a levy of \$0.0020 against the Property's GRV valuation as provided by Landgate.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Geoff Stallard**

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

PART 4– Municipal Fund Budget For 2014/2015

Voting Requirements: Absolute Majority

RESOLVED OCM 96/2014

That Council:

1. Pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and the Part 3 *Local Government [Financial Management] Regulations 1996*, adopt the Municipal Fund Budget as contained in (*Attachment 3*), Statutory Statements and Notes (including supplementary information) for the year ending 30 June 2015.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Noreen Townsend**

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

PART 5 – General and Minimum Rates, Instalment Payment Arrangements and Incentives for Early Payments for 2014/2015

Voting Requirements: Absolute Majority

RESOLVED OCM 97/2014

That Council:

1. Pursuant to Sections 6.32, 6.33 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general and minimum rates on Gross Rental and Unimproved Values adopted for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget at Item 13.

1.1 General Rates

- | | |
|--------------------------------------|----------------------------|
| • General - Gross Rental Values(GRV) | 5.2858 cents in the dollar |
| • Commercial – GRV | 4.9969 cents in the dollar |
| • Industrial – GRV | 5.5983 cents in the dollar |
| • Vacant Land – GRV | 7.0000 cents in the dollar |
| • General - Unimproved Values (UV) | 0.2914 cents in the dollar |
| • Commercial – UV | 0.3232 cents in the dollar |

-
- 1.2 Minimum Rates
- General - Gross Rental Values(GRV) \$800
 - Commercial – GRV \$950
 - Industrial – GRV \$950
 - Vacant Land – GRV \$800
 - General - Unimproved Values (UV) \$800
 - Commercial – UV \$950
- 1.3 Instalment Arrangements
- Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, nominate the following due dates for the payment of rates in full and by instalments:-
- | | |
|----------------------------|------------------|
| Full payment | 14 August 2014 |
| <u>Two Payment Option</u> | |
| First Payment | 14 August 2014 |
| Second Payment | 18 December 2014 |
| <u>Four Payment Option</u> | |
| First Payment | 14 August 2014 |
| Second Payment | 16 October 2014 |
| Third Payment | 18 December 2014 |
| Fourth (Final) Payment | 12 February 2015 |
- 1.4 Incentives for Early Payment of Rates
- Pursuant to Section 6.46 of the *Local Government Act 1995*, offers the following incentive prizes to ratepayers who have paid their rates in full.
- 10 cash prizes of \$1,000 donated by the Shire of Kalamunda.
 - 1 cash prize of \$1,000 donated by the Commonwealth Bank of Australia.
 - 1 \$500 passbook account donated by the Bendigo Bank - Forrestfield & High Wycombe Community Bank.
 - 2 double passes to concert preformed and donated by the Western Australian Symphony Orchestra.
 - 1 \$500 account with Nightingales Pharmacy & Newsagency
- 1.5 Eligibility for inclusion in the rates incentive prize draw.
- That ratepayers who make rates payment in full by a week before the due date, being 7 August 2014, will be eligible for inclusion in the rates incentive prize draw.
- 1.6 Eligibility of Elected Members and Staff to participate in rates incentive prize.
- That all Elected Members, staff of the Shire of Kalamunda and government bodies and their agencies be ineligible to be chosen as a winner of the early rate payment incentive prizes either as a sole or part owner of any property.

Moved: **Cr Andrew Waddell**

Seconded: **Cr Bob Emery**

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

PART 6 – Material Variance Reporting for 2014/2015

Voting Requirements: Absolute Majority

RESOLVED OCM 98/2014

That Council:

1. In accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, and AAS 5 set the material variance level to be used in statements of financial activity in the year 2014/2015 for reporting variances at 10% or \$50,000, whichever is the greater.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Dylan O'Connor**

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

PART 7 – Capitalisation Threshold 2014/2015

Voting Requirements: Absolute Majority

RESOLVED OCM 99/2014

That Council:

1. Adopt a capitalisation threshold of \$30,000 for Information Technology Software and \$3,000 for all other assets.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Margaret Thomas**

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

PART 8 – Amendment to Purpose of Overdraft

Voting Requirements: Absolute Majority

RESOLVED OCM 100/2014

That Council:

1. Pursuant to S6.20(3) of the *Local Government Act 1995*, amend the Purpose of the Shire of Kalamunda's overdraft to include both Operational and Capital Expenditure to the original purpose, Property Development expenditure.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Dylan O'Connor**

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

Attachment 1

Schedule of Fees and Charges – Community Facilities - 2014/2015

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

Attachment 2

Schedule of Fees and Charges – Statutory and Regulatory Charges – 2014/2015

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

Attachment 3

2014/2015 Statutory Budget

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

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Nil.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Cr Andrew Waddell – Public Access Way, Ridgehill Road/Hawkevalley Cres

Q. The fence along the Public Access Way at Ridgehill Road/Hawkevalley Crescent is a Cyclone Mesh Fencing, is this sufficient for the definition of a fence in this area and if not, does the Shire have an obligation to upgrade and maintain this to ensure it meets the standards?

A. This question was taken on notice.

12.2 Cr John Giardina – Tree on Canning Road

Q1. What has happened regarding the tree issue on Canning Road previously viewed by Cr John Giardina and the Chief Executive Officer?

A1. The Director Infrastructure services reported that an independent qualified Arborist carried out a site inspection, there had been a delay in the Arborist being able to gain access to private property as the owners were away in the Eastern States and permission was required.

The Arborist has made recommendations for the tree to be pruned, a copy of the report was provided to the property owner and adjacent neighbour. The property owner is currently obtaining quotes to carry out the pruning.

Q2. May I have a copy of the Arborist's Report?

A2. The Shire President confirmed that Cr John Giardina should receive a copy of this report.

12.3 Cr Bob Emery – Sparrow Court Public Access Way

Q. Everyone seems to be in agreement that this Public Access Way should be closed apart from the State Planning Commission whose response has been erroneous. What has the Shire done regarding Police Reports and has a response been received from the Police?

A. The Director Development Services noted that he had made an enquiry to the Forrestfield Police Station regarding statistics but no response has been received to date, the Shire will follow this up.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Traffic Control (Cr Justin Whitten)

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

-
- A. The Shire has reviewed the traffic management treatment recently installed adjacent to the intersection of Berkshire Road, Hale Road and Hawtin Road. This was installed with consideration for the control of vehicle speed approaching the roundabout, designed in accordance with current road design standards. Whilst the civil works have been completed for this project, Main Roads WA will install the line markings that will complete the project in the next few weeks.
- 13.2 Item 10.4.3 OCM 26 May '14 – Zig Zag Scenic Drive Community Action Group
- Q1. Can the car park noted in Point 1.b. of the Recommendation be brought forward?
- A1. The Long Term Financial Plan has been amended to allow the car park improvements along the Zig Zag Scenic Drive to be brought forward to financial years 2015/16, 2016/17 and 2017/18. The works include curbing, speed control devices and additional lighting.
- Q2. Is data available indicating how many times the police have been contacted and the number of times they have attended incidents? Also is there data indicating the traffic numbers and speed?
- A2. Shire Officers have requested this information on several occasions from the Police, to date this information is unavailable. The Shire President has also requested this information from Snr Sgt Wal Brierley, Officer in Charge of Forrestfield Police Station.
- Q3. Has surveillance of this area ever taken place, or is planned to take place with regard to drug use and drug dealing?
- A3. Sgt Drage, Acting Officer in Charge of Forrestfield Police Station advised at the Community Safety and Crime Prevention Advisory Committee Meeting on 27 May 2014 that there had been increased police resources in the district and that some of these resources had been used to target hot spot areas, including the Zig Zag Scenic Drive. To Officers knowledge however, no surveillance has been carried out at this point.
- Q4. Have the police been contacted to see if any action can be taken to have a greater presence at night in view of the reported firearm and drug use?
- A4. Shire Officers have informed the police of recent reports received regarding anti-social behaviour and allegations of fire arm and drug use on the Zig Zag Scenic Drive. This issue was also raised at the Community Safety and Crime Prevention Advisory Committee meeting held on 27 May 2014. The police suggest that residents continue to call the police as continued or increased calls will provide data/evidence towards a need to target resources to the area.
- Q5. Could police be invited to any future Council Meetings when the Zig Zag Scenic Drive is on the Agenda?
- A5. At the Community Safety and Crime Prevention Meeting held on 27 May 2014 Sgt Drage and the Shire President agreed that this would be arranged.
-

Q6. Could all those who took the time to make a Submission be invited to the next Ordinary Council Meeting and be advised of the Report on the Agenda.

A6. This will be arranged by Shire Officers.

14.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 **Meeting Closed to the Public**

Voting Requirements: Simple Majority

RESOLVED OCM 101/2014

That the meeting go behind closed doors to discuss Confidential Report Metropolitan Local Government Reform – Consideration of Legal Advice. Reason for Confidentiality – *Local Government Act 1995*: Section 5.23 (2) (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Allan Morton**

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

The meeting closed to the public at 7.33pm. All members of the public left the gallery. All Councillors and staff remained in the Chambers.

A Councillor clarified his concerns regarding the Special Meeting held on 12 June 2014, the Chief Executive Officer indicated she would give a further up-date to Councillors with regard to this matter at the conclusion of the meeting.

The motion to confirm the Minutes of the Special Meeting held on 12 June 2014 was moved, seconded and carried.

Voting Requirements: Simple Majority

RESOLVED OCM 102/2014

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

Moved: **Cr Noreen Townsend**

Seconded: **Cr John Giardina**

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

15.2 **Meeting Reopen to the Public**

Voting Requirements: Simple Majority

RESOLVED OCM 103/2014

That the meeting reopen to the public following consideration of Confidential Report Metropolitan Local Government Reform – Consideration of Legal Advice and the acceptance of the Minutes.

Reason for Confidentiality – *Local Government Act 1995*: Section 5.23 (2) (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

Moved: **Cr Allan Morton**

Seconded: **Cr Geoff Stallard**

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

The meeting reopened to the public at 7.39pm. Nine members of the public gallery returned.

16.0 CLOSURE

16.1 There being no further business, the Presiding Member declared the meeting closed at 7.40pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2014