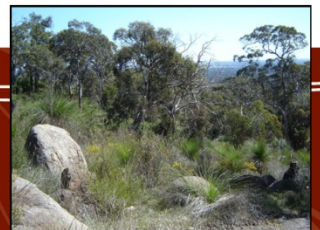


Ordinary Council Meeting

Agenda for Monday 24 August 2015



**shire of
kalamunda**

NOTICE OF MEETING ORDINARY COUNCIL MEETING

Dear Councillors

Notice is hereby given that the next meeting of the Ordinary Council Meeting will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Monday 24 August 2015 at 6.30pm.**

Dinner will be served prior to the meeting at 5.30pm.



Rhonda Hardy
Chief Executive Officer
20 August 2015

Our Vision and Our Values

Our Vision

The Shire will have a diversity of lifestyle and people. It will take pride in caring for the natural, social, cultural and built environments and provide opportunities for people of all ages.

Our Core Values

Service – We deliver excellent service by actively engaging and listening to each other.

Respect – We trust and respect each other by valuing our difference, communicating openly and showing integrity in all we do.

Diversity – We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.

Ethics – We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behavior.

Our Aspirational Values

Prosperity – We will ensure our Shire has a robust economy through a mixture of industrial and commercial development.

Harmony – We will retain our natural assets in balance with our built environment.

Courage – We take risks that are calculated to lead us to a bold new future.

Creativity – We create and innovate to improve all we do.

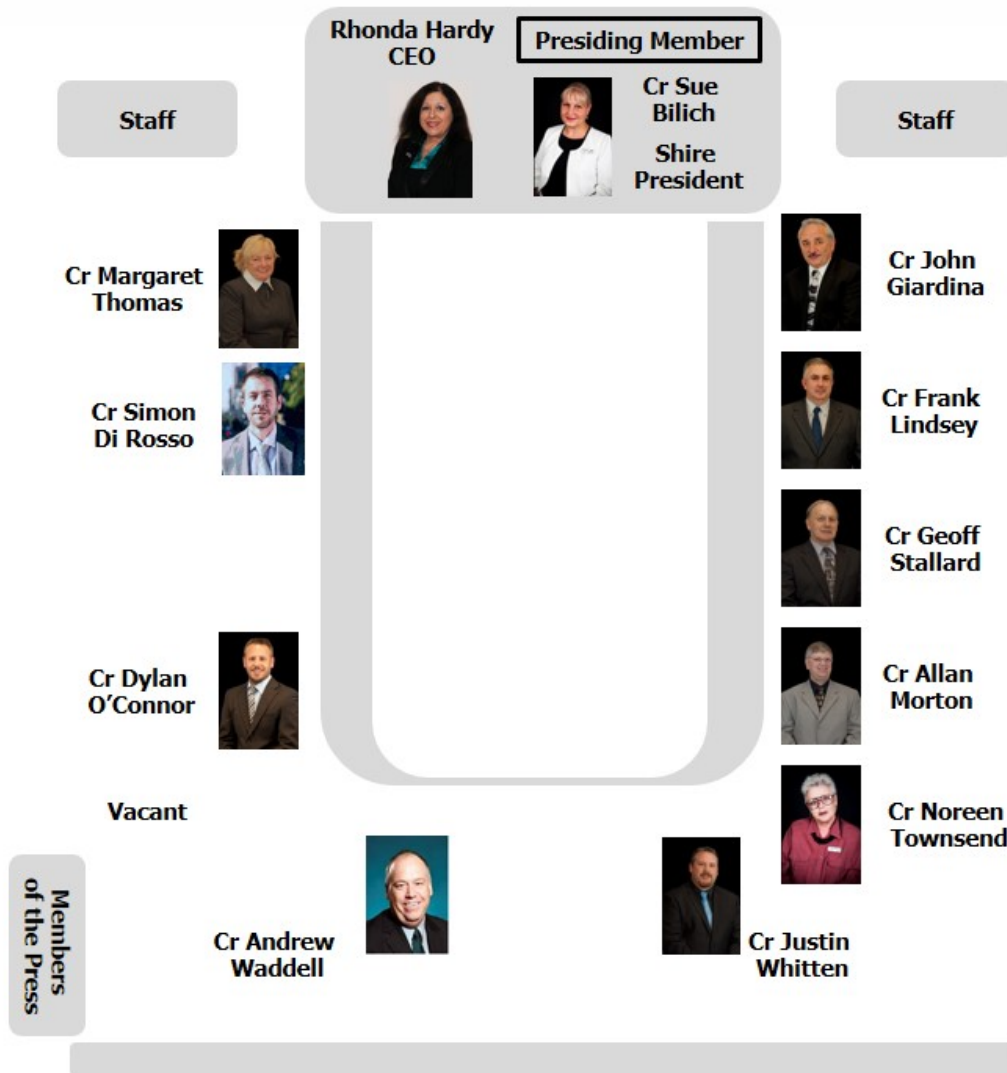


INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

Welcome to this evening's meeting. The following information is provided on the meeting and matters which may affect members of the public.

If you have any queries related to procedural matters, please contact a member of staff.

Council Chambers – Seating Layout



Public Gallery



shire of
kalamunda

Ordinary Council Meetings – Procedures

1. Council Meetings are open to the public, except for Confidential Items listed on the Agenda.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a Shire Staff Member.
3. Members of the public are able to ask questions at an Ordinary Council Meeting during Public Question Time.
4. To facilitate the smooth running of the meeting, silence is to be observed in the public gallery at all times except for Public Question Time.
5. All other arrangements are in general accordance with Council's Standing Orders, the Policies and decision of the Shire or Council.

Emergency Procedures

Please view the position of the Exits, Fire Extinguishers and Outdoor Assembly Area as displayed on the wall of Council Chambers.

In case of an emergency follow the instructions given by Council Personnel.

We ask that you do not move your vehicle as this could potentially block access for emergency services vehicles.

Please remain at the assembly point until advised it is safe to leave.

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AGENDA

1.0 OFFICIAL OPENING

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

3.0 PUBLIC QUESTION TIME

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

4.0 PETITIONS/DEPUTATIONS

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 That the Minutes of the Ordinary Council Meeting held on 27 July 2015, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 27 July 2015".

6.2 That the Minutes of the Special Council Meeting held on 3 August 2015, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 3 August 2015".

7.0 ANNOUNCEMENTS BY THE MEMBER PRESIDING WITHOUT DISCUSSION

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

- 8.1 **10.3.4 CONFIDENTIAL REPORT – Consideration of Tenders – Provision of Blue and White Collar Contract Labour (T1506)**
Reason for Confidentiality Local Government Act 1995 S5.23 (d) (c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

9.0 DISCLOSURE OF INTERESTS

9.1 Disclosure of Financial and Proximity Interests

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

9.2 Disclosure of Interest Affecting Impartiality

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

10.0 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

Voting Requirements: Simple Majority

That recommendations D&I 33 to D&I 37 inclusive, contained in the Development & Infrastructure Services Committee Report of 10 August 2015 be adopted by Council en bloc.

Moved:

Seconded:

Vote:

10.1.2 D&I 33 Proposed Single Storey Addition and Child Care Premises - Lot 43 (189) Kalamunda Road, Kalamunda

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 33/2015)

That Council:

1. Does not approve this application due to the unsuitability of the site.

10.1.3 D&I 34 Amendment No. 70 to Local Planning Scheme No. 3 – Additional Use (Consulting Rooms) - Lot 108 (18) Collins Road, Kalamunda

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 34/2015)

That Council:

1. Notes the submission received in response to Amendment No. 70 to Local Planning Scheme No. 3.
2. Adopts the amendment to Local Planning Scheme No. 3 without modification, 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. 70

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

1. Amending Schedule 2 (Additional Uses) by including the following provision:

NO.	Description of Land	Additional Use	Conditions
51	Lot 108 (18) Collins Road, Kalamunda	Consulting Rooms	The uses are not permitted unless approval is granted by the Local Government. ("A")

3. Duly executes the Amendment documents and forwards them to the Minister for Planning requesting final approval be granted.

10.1.4 D&I 35 Local Planning Scheme No. 3 Amendment - Lot 59 (40) Wilkins Road, Kalamunda – Rezone from Regional Reserve – Parks and Recreation to Special Use (Residential Aged Care)

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 35/2015)

That Council:

1. Notes the submissions received in response to Amendment No. 55 to Local Planning Scheme No. 3;
2. Adopts the amendment to Local Planning Scheme No. 3 without modification, 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. 55

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

1. Rezoning Lot 59 (40) Wilkins Road, Kalamunda from “Regional Reserve – Parks and Recreation” to ‘Special Use (Aged Residential Care)’ zone; and
2. Including the ‘Special Use’ site in Schedule 4, ‘Special Use Zones’ as follows:

No.	Description of Land	Special Use	Conditions
	Lot 59 (40) Wilkins Road, Kalamunda	<p>Aged Residential Care</p> <p>a) Within this zone, the following uses are permitted (P):</p> <ul style="list-style-type: none"> • Aged Residential Care; • Caretaker’s Dwelling; • Consulting Rooms; • Grouped Dwelling; and • Single House. <p>b) Council may approve other ancillary or incidental uses on this site, provided that they form part of the operational business of the facility and which uses might complement or enhance the usual living standards and requirements if residents living in and staff serving a facility of this nature.</p> <p>c) All other uses not mentioned under Sub Clauses (b) and (c) of this Clause are not permitted (X).</p>	<p>At least one occupant of any dwelling within this facility must generally have reached the age of 55 years.</p> <p>Development must be connected to a reticulated sewer system.</p>

3. Amends the Scheme Zoning Map accordingly.
4. Duly executes the Amendment documents and forwards them to the Minister for Planning requesting final approval be granted.
5. Direct the Chief Executive Officer to write to the state government to request that the land to the east of Reserve 30314, being Reserve 32700 and Reserve 40367, are included as part of the Darling Range Regional Park.

10.1.5 D&I 36 Cell 9 Wattle Grove Urban Area- Review of Developer Contribution

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 36/2015)

That Council:

1. Adopt the revised Cell 9 Developer Contribution Rate of \$27,816 per lot or dwelling effective from 25 August 2015.
2. Advise landowners on the new rate.

10.1.6 D&I 37 Adelaide Street, High Wycombe – Traffic Treatments

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 37/2015)

That Council:

1. Approves the commencement of a community engagement process for residents and property owners in Adelaide Street, High Wycombe to determine the type and location of appropriate traffic treatments in this street to reduce the speed of traffic, particularly commercial vehicles.
2. Notes that the costs of this community engagement process will be funded from the 2015/16 operating budget.
3. Notes that a further report will be provided to Council regarding the detailed design and cost estimates for traffic treatments in Adelaide Street following the outcomes of the community engagement process.

10.2 Corporate & Community Services Committee Report

10.2.1 Adoption of Corporate & Community Services Committee Report

Voting Requirements: Simple Majority

That the recommendations C&C 27 to C&C 32 inclusive, contained in the Corporate & Community Services Committee Report of 17 August 2015, be adopted by Council en bloc.

Moved:

Seconded:

Vote:

10.2.2 C&C 27 Debtors and Creditors Report for the Period Ended 31 July 2015

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 27/2015)

That Council:

1. Receives the list of payments made from the Municipal Accounts in July 2015 (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 July 2015 as noted in point 13 above in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.
3. Receives the list of payments made from the Trust Accounts in July 2015 as noted in point 13 above in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

10.2.3 C&C 28 Rates Debtors Report for the Period Ended 31 July 2015

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 28/2015)

That Council:

1. Receives the rates debtors report for the period ended 31 July 2015 (Attachment 1).

10.2.4 C&C 29 Quarterly Progress Report – April - June 2015

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 29/2015)

That Council:

1. Receives the Quarterly Progress Report for April – June 2015 (Attachment 1).

10.2.5 C&C 30 Shire of Kalamunda Standing Orders Local Law

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 30/2015)

That Council:

1. Gives state-wide and local public notice that it proposes to make a new local law, the Shire of Kalamunda Standing Orders Local Law 2015 as per (Attachment 1).
2. Notes that the purpose and effect of the proposed local law is:-
 - (1) The purpose of the local law is to provide for the conduct of meetings of the Council, Committees and electors.
 - (2) This local law is intended to result in:
 - (a) better decision-making at meetings;
 - (b) the orderly and efficient conduct of meetings;
 - (c) greater community participation and understanding of the business of the Council; and
 - (d) more open and accountable local government.

10.2.6 C&C 31 Naming of the New Forrestfield Skate Park

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 31/2015)

That Council:

1. That Council endorse the name of the Forrestfield Skate Park to be "605SK8".
2. Requests the CEO write to all those who participated in the Forrestfield Skate park naming process and advise of the new name being "605SK8"

10.2.7 C&C 32 Kalamunda Performing Arts Centre – Licence Agreement

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 32/2015)

That Council:

1. Endorses the new Agreement between the Minister for Education and the Shire of Kalamunda relative to the shared usage of the Kalamunda Performing Arts Centre.

10.3 CHIEF EXECUTIVE OFFICER REPORTS

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

10.3.1 Draft Monthly Financial Statements to 31 July 2015

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 year ended 31 July 2015 incorporating the following:
- Statement of Financial Activity (Nature or Type)
 - Statement of Financial Activity (Statutory Reporting Program)
 - Net Current Funding Position, note to financial statement

PURPOSE

1. To provide Council with statutory financial reports on the activity of the Shire of Kalamunda with comparison of the year's performance against adopted budget. This Statement compares the actual results for the year with the budget.

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 2014/2015 financial position is yet to be audited and finalised. As such, the opening funding position in the Statement of Financial Activity statement reflects the un-audited position.
4. The budget column reflected matches to the adopted budget approved by Council at its meeting on 29 June 2015.

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 Financial Activity by Nature and Type for year ended 31 July 2015

6. This Statement reveals a net result surplus of \$47,581,826 against budget for the same period of \$46,329,924. The variance of \$1,251,902 represents

2.7% of the budgeted surplus for the month to date. Most of the variance relates to the material and contracts and capital grants, subsidies and contributions which are due to timing issues being the first month of the financial year.

The Financial Statements presented are in a draft stage and are subject to the final audit. The closing surplus position may be affected with an amended opening surplus once the 2014/15 audit is finalised.

Revenue

7. Total Revenue excluding rates is over budget by \$405,371. This is made up as follows:

- Operating Grants, Subsidies and Contributions are over budget by \$133,294 which is made up of mainly:
 - \$90,000 received in advance for Kidsport programme for the 2015/16 financial year;
- Fees and Charges variance is over budget by \$393,145. This is mainly attributable to:
 - \$158,805 for refuse collection being higher than the amount modelled. This may be due to higher charges for secondary bins which are still being retained by some ratepayers. Credits are being applied for those residents who are returning the secondary waste bin and switching for a recycling bin instead;
 - Pool inspection fees of \$92,917 which are recognised in July along with the rates issued. This is a phasing issue which will be corrected in the next month;
 - \$164,949 relates to the WARR (Waste Avoidance and Resource Recovery) levy raised with the issuing of rates which made up \$116,245 and \$52,253 relates to health inspections of food premises in the Shire. These are timing issues which will be resolved in the next month.
- Interest earnings are slightly over by \$55,174. This is largely a timing matter however with the depressed overnight RBA (Reserve Bank of Australia) cash rate, the budget may need to be further trimmed to reflect the long term trends impacting the economy. The outlook for commodities is weak and manufacturing is being affected by a reduction in demand across various industries.

Stricter cash holding requirements by the banks due to changes required by APRA (Australian Prudential Regulatory Authority) has forced the banks to reduce deposit rates.

- Other Revenue is slightly under budget by \$1,054. These are within the reporting threshold.

Expenditure

8. Total expenses are under budget with a variance of \$597,475. The significant variances within the individual categories are as follows:
- Employment Costs are just under budget by \$23,058 which is within the reporting threshold.
 - Materials and Contracts is under budget by \$516,508 which is comprised of:
 - Expenditure on consultancy costs, \$151,654. This relates to various non-recurrent projects which are yet to commence and therefore deemed as a timing matter; and
 - Maintenance costs related to the building asset class, approximately \$111,153 under expenditure which is deemed as a timing issue.
 - Utilities are under budget by \$7,943 which is within the reporting threshold.
 - Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$50,568. The depreciation of individual assets cannot be run in the Synergy Soft system as we are yet to finalise the reconciliation of the infrastructure valuation. This is envisaged to be completed in August/September in line with the final audit after which the fixed asset module will be run to reflect the movements for July and August 2015. Therefore the current variance is a timing issue however it is expected that the depreciation for infrastructure assets will need to be heavily modified to reflect the outcomes of the valuation results.
 - The interest expense is slightly over budget by \$647, which is the result of a timing difference between amounts accrued and the budget which is based on the debenture payment schedule.
 - Insurance expense is slightly over budget by \$18,155 and is due to a small number of insurance claims which are being assessed by the insurers.
 - Other expenditure is under budget by \$16,534 which is within the reporting threshold.

Capital Revenues

Non-operating Grants and Contributions

9. The non-operating grant income is lower than the budget by \$270,894 as no claims have been made in the month of July. This was mainly due to the finalisation of the draft 2014/15 accounts not completed until the first week of August 2015. As such, the claims could not be finalised in the month.

Proceeds from the disposal of assets

10. The variance is nil.

Properties identified for sale in 2015/16 are:

- 514 Kalamunda Rd
- Cabarita Rd

The sale of 514 Kalamunda is imminent with a 5% deposit to be received in August 2015.

Capital Expenditures

11. Infrastructure projects made up of roads, drainage, footpaths, car parks and parks and ovals is underspent by \$108,604. The operations delivery team have been busy scheduling the various projects that are due in 2015/16 with on ground works on some starting from August 2015 onwards.

The contract for Kostera Oval irrigation and turf works is to be signed off in August 2015.

To allow for these projects to reach completion, an amount of \$3,633,838 has been transferred from Unexpended Capital Works and Specific Purpose Grants Reserve.

Rates revenues

12. Rates generation is over budget with a variance of \$501,980. The rates revenue prepayment entry for \$490,000 related to prepaid rates for 2016/17 has not yet been recognised and will be posted in September after the audit is finalised.

Draft Statement of Financial Activity by Program for the year ended 31 July 2015

13. The overall result comments are as above and generally each Program is within accepted budget except for Community Amenities and Education and Welfare. Major variances have been reported by Nature and Type under points 7 to 12 above.

Draft Statement of Net Current Funding Position as at 31 July 2015

14. The commentary on the net current funding position is based on comparison of the draft July 2015 year to date actuals with July 2014 year to date actuals.
15. Net Current Assets (Current Assets less Current Liabilities) show a positive result of \$53.6 million. The un-restricted cash position has a positive balance of \$15.8 million which is higher than the previous year's balance of \$10.9 million. This can mainly be attributed to the transfers from reserves in anticipation of infrastructure works projects.

16. Trade and other receivables comprise of rates and sundry debtors totalling \$42.24 million outstanding.

The rates balance increased to \$27.3 million with the raising of the 2015/16 rates.

Receivables Other represents \$14.43 million comprising mainly of:

- Emergency Services Levy - \$4,851,379;
- Waste services due - \$7,970,135;
- Pensioner Rates rebates - \$618,284; and
- Prepayments various - \$544,685.

17. Sundry debtors have reduced to \$526,421 of which \$232,999 is made up of current debt due within 31 days.

18. Provisions for annual and long service leave have increased by \$300,000 to \$2.6 million. The main reason for the increase is due to a number of officers reaching the seven year threshold at which point long service leave entitlements begin to accrue. The Shire aggressively pursues a leave management plan that will not adversely affect service delivery. The long term goal is to bring this liability down to a more manageable level and also ensure that there are adequate reserves in place to support it.

19. Restricted Reserves have increased significantly to \$8.6 million. This is higher than the amount of 2014 which was at \$2.6 million.

A transfer of \$3.6 million was made to the municipal account in July to fund infrastructure works.

STATUTORY AND LEGAL CONSIDERATIONS

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

POLICY CONSIDERATIONS

21. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

22. Nil.

FINANCIAL CONSIDERATIONS

23. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

24. *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

25. Nil.

Economic Implications

26. Nil.

Environmental Implications

27. Nil.

RISK MANAGEMENT CONSIDERATIONS

28.

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	The financial report is scrutinized by the Shire to ensure that all statutory requirements are met.

OFFICER COMMENT

29. The Shire's draft financial statements as at 31 July 2015 demonstrate the Shire has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. Receives the draft monthly statutory financial statements for the month to 31 July 2015, which comprises:
 - Statement of Financial Activity (Nature or Type).
 - Statement of Financial Activity (Statutory Reporting Program).
 - Net Current Funding Position, note to financial statement.

Moved:

Seconded:

Vote:

Attachment 1

Draft Statements of Financial Activity for the months to 31 July 2015 incorporating the following:

- Statement of Financial Activity (Nature or Type)
- Statement of Financial Activity (Statutory Reporting Program)
- Net Current Funding Position, note to financial statement

[Click here to go directly to the attachment](#)

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

10.3.2 Sponsorship Agreement with Kalamunda Chamber of Commerce

Previous Items	OCM 174/2014; OCM 185/2014
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	CO-LOS-007
Applicant	N/A
Owner	N/A
Attachment 1	Sponsorship Agreement – Kalamunda Chamber of Commerce

PURPOSE

1. To consider approving the proposed Sponsorship Agreement between the Shire of Kalamunda and the Kalamunda Chamber of Commerce which identifies and agrees reciprocal financial arrangements of mutual benefit to both parties.

BACKGROUND

2. In 2014, the Shire took part in a workshop with members of the Kalamunda Chamber of Commerce Executive which provided agreed principles for a sustainable relationship between the two organisations.
3. Following the workshop, the Shire and the Chamber negotiated a draft Memorandum of Understanding and also a draft Sponsorship Agreement.
4. Reports were put before the Ordinary Council Meeting on 15 December 2014 when both the Memorandum Of Understanding and the Sponsorship Agreement were approved for execution by the Shire President.
5. The Sponsorship Agreement was approved subject to a late amendment moved at the Ordinary Council Meeting without the opportunity for ratification by the Kalamunda Chamber of Commerce.
6. The Memorandum of Understanding was executed by the Parties but the Sponsorship Agreement has remained unsigned. Further negotiations have taken place between the organisations and some further amendments proposed.

DETAILS

7. The Sponsorship Agreement would require a commitment from each party as follows.

The Shire:

- Waiving rental charges ordinarily due pursuant the lease dated 1 October 2011 for office space at the Zig Zag Cultural Centre.

- Waiving fees ordinarily due pursuant to the Shire 'Schedule of Fees and Charges' for the 'trading in thoroughfares and public spaces licence' for the weekly Kalamunda Farmers Market.

The Chamber:

- Awarding the Shire Platinum Sponsorship status of the Kalamunda Chamber of Commerce including a range of specific financial and promotional benefits.
- Awarding the Shire Platinum Sponsorship status of the Kalamunda Farmers Market including a range of specific financial and promotional benefits.

STATUTORY AND LEGAL CONSIDERATIONS

8. The Sponsorship Agreement includes provisions for variation and termination.

POLICY CONSIDERATIONS

9. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

10. The Kalamunda Chamber of Commerce has been consulted and has collaborated in the drafting of the Sponsorship Agreement. The Kalamunda Chamber of Commerce is supportive of the content of the final draft.

FINANCIAL CONSIDERATIONS

11. Rental charges pursuant to the lease dated 1 October 2011 for office space at the Zig Zag Cultural Centre amount to \$3,880 plus CPI per annum.
12. Annual fees pursuant to the Shire 'Schedule of Fees and Charges' for the 'trading in thoroughfares and public spaces licence' for the Kalamunda Farmers Market amounts to \$6,490. The total of revenue waived amounts to \$10,370 per annum for two years.
13. The value attributed to the benefits that the Shire would receive is in excess of the revenue which would be waived under the Agreement.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

OBJECTIVE 5.3 – To facilitate increased economic activity within the Shire.

Strategy 5.3.2 - Proactively engage and partner with local and regional businesses to support further economic development.

SUSTAINABILITY

Social Implications

15. Collaboration between the organisations should result in a stronger regional advocacy for the community. The proposal brings opportunities to further promote the tourism profile of the region.

Economic Implications

16. The Chamber currently employs about 1.6 FTEs. The Agreement supports the valuable work undertaken by the Chamber on behalf of the business community, which would not be performed by other organisations.

Environmental Implications

17. Nil.

RISK MANAGEMENT CONSIDERATIONS

18.

Risk	Likelihood	Consequence	Rating	Action/Strategy
The sponsorship agreement is not endorsed	Possible	Minor	Medium	Ensure Councillors are aware that the sponsorship agreement is of benefit to the Shire.

OFFICER COMMENT

19. The signing of the Sponsorship Agreement between the parties progresses the Shire of Kalamunda's commitment to a collaborative working relationship.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. Approves the execution by the Shire President of the proposed Sponsorship Agreement between the Shire of Kalamunda and the Kalamunda Chamber of Commerce.

Moved:

Seconded:

Vote:

Attachment 1

SPONSORSHIP AGREEMENT

SHIRE OF KALAMUNDA

and

KALAMUNDA CHAMBER OF COMMERCE



**KALAMUNDA CHAMBER
OF COMMERCE**



**shire of
kalamunda**

Sponsorship Agreement

1. Parties

Shire of Kalamunda of 2 Railway Road, KALAMUNDA WA 6076 **ABN 60 741 095 678**
'The Shire'

And

Kalamunda Chamber of Commerce Incorporated ABN 31 934 906 155 'The Chamber'

Purpose

The purpose of this Agreement is to identify and agree reciprocal financial arrangements between the Chamber and the Shire.

3. Term

This Agreement will commence on the date of signing and continue for a period of two years unless otherwise terminated under paragraph 6.

4. Objectives

- To increase the number of visitors to the region
- To act as advocates on behalf of local businesses
- To increase opportunities for local businesses and producers
- To promote an authentic Farmers Market experience
- To encourage residents to shop locally
- To recognise business achievement and excellence

5. Reciprocal Arrangements

5.1 The Shire will:

- Waive rental charges ordinarily due pursuant the lease dated 1 October 2011 for office space at the Zig Zag Cultural Centre but not including the waiver of charges for cleaning or utility charges
- Allow access to Wi-Fi connection during normal office hours
- Waive fees ordinarily due pursuant to the Shire 'Schedule of Fees and Charges' for the 'trading in thoroughfares and public spaces licence' for the weekly Kalamunda Farmers Market

5.2 The Chamber will confer on the Shire, Platinum Sponsorship status of both the Chamber and the Kalamunda Farmers Market including but not limited to the following benefits free of charge:

- Complimentary Membership of the Chamber
- Naming rights of the 'New Business of the Year' category at the annual Business Awards and presentation of the award to the winner
- Opportunity to address the attendees at the Business Awards Gala Dinner
- Complimentary table for 10 guests at the annual Business Awards Dinner
- Shire logo displayed prominently on the Chamber and Farmers Market website on all new promotional material
- Free advertising in new Chamber publications
- When required, a prominent stall for the display of information at the Kalamunda Farmers Market
- Acknowledgement of Platinum Sponsorship status on the Chamber website and in all Chamber media releases
- Hosting and attendance at Chamber business networking functions
- Shire logo prominent on Chamber and Kalamunda Farmers Market e-newsletter

6. Termination and Variation

- 6.1 The Parties may vary this Agreement in writing by mutual exchange of letters signed by the authorised signatory.
- 6.2 This Agreement may be terminated by:
- 6.2.1 mutual written agreement of the Parties at any time; or
 - 6.2.2 either of the Parties giving six months written notice to the other; or
 - 6.2.3 the Shire on passing of a Council resolution that the Chamber has, during the currency of this Agreement, wilfully engaged in action intended to directly or indirectly support a local, State, or Federal political party.
- 6.3 Termination by the Shire shall not be made pursuant to paragraph 6.2.3 without prior written notice requiring the Chamber to immediately explain, rectify or cease an action. Termination shall not then be made if the Chamber satisfactorily explains, rectifies or ceases the action as required.
- 6.4 In the event of termination under paragraph 6.2.3, the Shire may require the Chamber pay to the Shire an amount equal to or less than the total value of sponsorship, funding or waived fees provided by the Shire pursuant to this Agreement during the financial year when the action occurred.

7 Terms of Agreement

The rights of either party under this Agreement shall not be transferrable or assignable in whole or part unless agreed in writing and signed by the Parties.
The Parties shall indemnify each other against any claims arising from any breach of this Agreement.

8. Signatories

Shire of Kalamunda

Signature _____ Date _____

President - Shire of Kalamunda

Witness Signature _____

Kalamunda Chamber of Commerce

Signature _____ Date _____

President - Kalamunda Chamber of Commerce

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

**10.3.3 Community Sport and Recreation Facilities Fund Small Grants
2015/16**

Previous Items	Nil
Responsible Officer	Office of Chief Executive Officer
Service Area	Community Development
File Reference	
Applicant	N/A
Owner	

PURPOSE

1. To consider supporting one application for funding through the Department of Sport and Recreation's (DSR) Community Sport and Recreation Facilities Small Grant fund (CSRFF).

BACKGROUND

2. Through the CSRFF program, the State Government provides financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation with an emphasis on increasing physical activity through the provision of well-planned facilities.
3. The Shire's role in the provision of the funding is to call for applications, assess them in priority order and rate each application.
4. The maximum grant approved will be no greater than one third of the total estimated project cost.
5. There is no obligation on the local government authority to make any contribution to a project.
6. All applications for this Small Grants Round are to be received by the Department of Sport and Recreation by 4pm on the last working day of August 2015 for assessment.
7. Successful applicants will be advised in October/November 2015, with funds to be acquitted by 15 June 2016.

DETAILS

8. The Shire of Kalamunda has one external application for the Department of Sport and Recreation's CSRFF 2015/16 Small Grants funding round.
9. The Kalamunda & Districts Rugby Union Club have submitted an application for a feasibility study into a proposed new Rugby Union Clubrooms at Hartfield Park in Forrestfield.

10. The study will aim to provide strategic guidance together with a detailed design and costing of such a facility.
11. The study will seek to outline the current status of the Clubrooms at Hartfield Park, alongside the Kalamunda & Districts Rugby Union Club's requirements for future growth and long term sustainability. In particular, the study will identify projected membership of the Kalamunda & Districts Rugby Union Club.
12. If a feasibility study specific to a proposed new Rugby Union Clubrooms at Hartfield Park, Forrestfield is supported, the proposed cost contribution would be as follows:

Organisation	Contributions ex GST
CSRFF	\$15,000
Shire of Kalamunda	\$15,000
Kalamunda & Districts Rugby Union Club	\$15,000
Total Project Cost	\$45,000

STATUTORY AND LEGAL CONSIDERATIONS

13. Nil.

POLICY CONSIDERATIONS

14. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

15. Should the CSRFF funding be successful with the Department of Sport and Recreation, and the Shire agree to contribute funds toward the study costs, a consultant would be engaged to consult with relevant stakeholders.

FINANCIAL CONSIDERATION

16. There is currently no budget allocation within the 2015/16 budget for the proposed feasibility study. A Shire of Kalamunda contribution towards the proposed project will be dependent on the outcome of the CSRFF application and if successful and will be considered as part of the next 2015/16 budget review process.
17. There is also no budget allocation within the Long Term Financial Plan for the development of a new Rugby Union facility. Any decision to consider support of a new facility would be subject to Council consideration of competing priority projects as part of the Long Term Financial Plan in addition to availability of external funding sources.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

OBJECTIVE 1.9 To provide high quality facilities to meet the needs of our current and our future community.

SUSTAINABILITY

Social Implications

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

Economic Implications

20. Nil.

Environmental Implications

21. Nil.

RISK MANAGEMENT CONSIDERATIONS

22.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Commencing study may increase user group expectation to build facility	Likely	Major	High	Confirm to user groups that project is outside of current priorities within the LTFP. Any future facility decision will be subject to funding availability and consideration against competing priority projects
That the needs of other potential facility user groups are not considered	Likely	Major	High	Consider supporting a shared use feasibility study

OFFICER COMMENT

23. The Kalamunda & Districts Rugby Union Club has noted its current club rooms at Morrison Road, Hartfield Park are ageing and not to the standard expected by the State Sporting Body (Rugby WA) for a club with a team within the Premier grade.

-
24. In particular, the Club have suggested their future needs include:
- Increased storage
 - Additional change-rooms
 - Gym area
 - Larger building footprint and improved access
25. In 2010, Council endorsed the Hartfield Park Master Plan within which included an independent asset condition assessment (Airey Taylor Report) that detailed the rugby club had in excess of 20yrs life remaining. The Master Plan concluded there were benefits to a shared facility (involving rugby/cricket) at such time both facilities reach the end of their useful life.
26. Through the CSRFF program, the State Government provides financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation with an emphasis on increasing physical activity through the provision of well-planned facilities.
27. In the context of a competitive process for a limited CSRFF funding pool (reduced from \$21M to \$7M for 2015/16) priority is given to joint provision and shared use of facilities. Specifically, the premise that multi-purpose facilities reduce long term infrastructure costs and therefore increase sustainability.
28. As part of the key principles of facility provision, DSR also stipulate the funding program is not a scheme to ensure separate facilities of equal standard to all clubs, nor is it designed to provide facilities to meet a clubs ambitions to compete in a higher grade.
29. Given this, an alternative option for consideration by Council is to support a CSRFF application for a shared use feasibility study could consider accommodating a number of other sporting clubs at the Hartfield Park site.
30. With respect to this application and CSRFF funding round, the following options are available for the consideration of Council:
1. Do not support a CSRFF application in its current form toward a feasibility study for a stand-alone Rugby Union facility.
 2. Support a CSRFF application in its current form toward a feasibility study for a stand-alone Rugby Union facility (Shire contribution 1/3rd).
 3. Support a CSRFF application variation toward a feasibility study for a shared use facility that would consider the needs of a number of sporting groups (Shire contribution 2/3^{ds}).
31. Given there are a number of community sporting groups with immediate and longer term facility needs, coupled with the CSRFF key priority of facility sharing and rationalisation, there is an obligation to consider Option 3.

32. A shared use feasibility study, inclusive of a comprehensive consultation process with stakeholders, shall consider opportunities and benefits plus provide costed concept design options and recommendations that will enable Council to be better informed in terms of future facility decision making at the Hartfield Park site.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. Do not support the Community Sport and Recreation Facilities Fund application from the Kalamunda and Districts Rugby Union Club for a feasibility study for a stand-alone clubroom facility.
2. Endorses a Community Sport and Recreation Facilities Fund application from the Shire of Kalamunda toward a feasibility study for a shared use facility that will consider the needs of a number of sporting groups.
3. Notes that in the event of a successful Community Sport and Recreation Facilities Fund application, an amount of \$30,000 will need to be considered as part of the 2015/16 budget review process.

Moved:

Seconded:

Vote:

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

10.3.4 CONFIDENTIAL REPORT Tender for the Provision of Blue and White Collar Contract Labour

Reason for Confidentiality

Local Government Act 1995 S5.23 (d) (c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting”

Previous Items	N/A
Responsible Officer	Manager Strategy and People Services
Service Area	Office of Chief Executive Officer
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachment 1	Evaluation of Tender – Attachment 1

This report has been circulated to Councillors under separate cover.

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Cr Justin Whitten – Forrestfield Skate Park

Rationale:

Youth Program

It has been reported by many residents that while the facility is not officially open, the local youth - and even some adults - are utilising the facility prematurely. They are not using the bins provided, discarding rubbish and leaving the facility looking like a dump which is unsightly. As it adjoins one of Forrestfield's main arterial roads this is damaging to the Shire. There have also been reports of under-age drinking and smoking in the darkness.

Road Crossing

Children are crossing Hale road in peak traffic to access the skate park with no crossing facilities.

Toilets

The closest available toilets are not within a distance suitable for use.

Officer Comment

Youth Program

At Fleming Reserve we have implemented monthly skate clinics whereby staff attend and encourage participants to take ownership of the space and sometimes provide giveaways to help clean up the park.

We regularly consult with the youth at these sessions to learn about what they want/need with the intent of building positive relationships with them that will see them take more ownership and responsibility over the long term.

Our intention is to run the same sessions at Forrestfield Skate Park later this year with the hope of further fostering our relationship with the local youth.

CCTV

In consideration for the requirement for CCTV surveillance, an existing system is in place at the Hartfield Park Recreation Centre, the range of outdoor cameras does not currently extend to the site where the skate park is located so some commercial works in relation to running underground cable and erecting mounting points will be required, lighting is also a key requirement so the cameras and lighting poles can be combined.

IT is also embarking on cloud based CCTV with the Woodlupine Centre through our WAPOL grant and if successful this will be another option for camera deployment, the same physical infrastructure will be required as described but the system is more easily and economically expanded once the infrastructure is in place.

Road Crossing

The installation of a pedestrian crossing of Hale Road is currently under investigation to enable early implementation.

Other Infrastructure

A detailed investigation is required on the proposed infrastructure upgrades to the Skate Park's facilities with a report to be presented to enable any funding consideration as part of the mid-year budget review.

Voting Requirements: Simple Majority

MOTION

That Council:

1. Request the Chief Executive Officer to:
 - (a) Investigate implementation of a youth program at the Forrestfield Skate Park, similar to that at Fleming Reserve whereby users of the skate park are encouraged to take on some ownership of the facility that fosters a sense of pride and respect for the skate park and the general area.
 - (b) Provide a report for consideration by Council on the options and costs for the following works at the skate park:
 - (i) Installation of lighting to enable passive surveillance.
 - (ii) CCTV to be monitored by the Shire and public.
 - (iii) Installation of a pedestrian crossing on Hale Road adjacent to the roundabout
 - (iv) Construction of a toilet block.

Moved: **Cr Justin Whitten**

Seconded:

Vote:

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

14.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

15.0 MEETING CLOSED TO THE PUBLIC

16.0 CLOSURE