

Ordinary Council Meeting

Minutes for Monday 21 December 2015

UNCONFIRMED



**shire of
kalamunda**

INDEX

1.0	OFFICIAL OPENING.....	4
2.0	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	4
3.0	PUBLIC QUESTION TIME	4
4.0	PETITIONS/DEPUTATIONS	6
5.0	APPLICATIONS FOR LEAVE OF ABSENCE.....	6
6.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	6
7.0	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION.....	7
8.0	MATTERS FOR WHICH MEETING MAY BE CLOSED	8
9.0	DISCLOSURE OF INTERESTS.....	8
10.0	REPORTS TO COUNCIL	8
10.1	DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE REPORT.....	9
10.1.1	ADOPTION OF DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE REPORT	9
10.1.2	D&I 48. DRAFT PLANNING POLICY – PLANNING AND DEVELOPMENT COMPLIANCE	9
10.1.3	D&I 49 LOT 426 (1) PIPE LILY DRIVE, HIGH WYCOMBE – MODIFICATION TO KARINGAL GREEN STRUCTURE PLAN.....	9
10.1.4	D&I 50 CONSIDERATION OF AMENDMENT 74 TO LOCAL PLANNING SCHEME NO. 3	10
10.1.5	D&I 51 AMENDMENT TO CELL 9 WATTLE GROVE STRUCTURE PLAN LOT 8 (302) HALE ROAD WATTLE GROVE.....	10
10.1.6	D&I 52 LOT 6 (11) THORNTON PLACE, GOOSEBERRY HILL – PARKING OF ONE COMMERCIAL VEHICLE	10
10.1.7	D&I 53 SUBMISSION ON DRAFT STATE PLANNING POLICY 2.5: RURAL PLANNING POLICY.....	11
10.1.8	D&I 54 RETENTION AND REMOVAL OF VEGETATION WITHIN BUILDING PROTECTION ZONES	11
10.1.9	D&I 55 NOISE MANAGEMENT PLAN FOR CLASS 2 SPECIFIED WORKS.....	12
10.1.10	D&I 56 ALAN ANDERSON PARK RESTORATION	13
10.2	CORPORATE & COMMUNITY SERVICES COMMITTEE REPORT.....	14
10.2.1	ADOPTION OF CORPORATE & COMMUNITY SERVICES COMMITTEE REPORT	14
10.2.2	C&C 48 DEBTORS AND CREDITORS REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2015.....	14
10.2.3	C&C 49 RATES DEBTORS REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2015.....	15
10.2.4	C&C 50 COMMUNITY CARE QUARTERLY REPORT JULY TO SEPTEMBER 2015	15
10.2.5	C&C 52 KALAMUNDA AGED CARE ADVISORY COMMITTEE – ESTABLISHMENT AND ENDORSEMENT OF TERMS OF REFERENCE	15
10.2.6	C&C 53 TELEPHONE VOICE RECORDING POLICY AND MANAGEMENT PROCEDURE.....	15
10.2.7	C&C 54 SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS 2016	15
10.2.8	C&C 55 DRAFT RAY OWEN SPORTS CENTRE LICENCE AGREEMENT	16
10.2.9	C&C 56 APPLICATION FOR LEAVE – CHIEF EXECUTIVE OFFICER.....	16
10.2.10	C&C 58 PICKERING BROOK HERITAGE GROUP REQUEST FOR LAND VESTING APPROVAL FOR SECTION OF RESERVE R6583.....	16
10.2.11	C&C 59 REVIEW OF KALAMUNDA ADVANCING – STRATEGIC COMMUNITY PLAN TO 2027.....	16
10.2.12	C&C 61 CONSIDERATION OF TENDERS – MORRISON OVAL RE-DEVELOPMENT PROJECT (RFT 1513).....	17
10.2.13	C&C 62 CONFIDENTIAL REPORT - REVIEW AND RENEWAL OF CHIEF EXECUTIVE OFFICER'S CONTRACT	17

10.2.14	C&C 51 DISABILITY AND CARERS ADVISORY COMMITTEE – FORMERLY DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE	18
10.2.15	C&C 57 SHIRE OF KALAMUNDA STANDING ORDERS LOCAL LAW	18
10.2.16	C&C 60 KALAMUNDA ENVIRONMENTAL ADVISORY COMMITTEE – KEAC (FORMERLY COMMUNITY SUSTAINABILITY ADVISORY COMMITTEE – CSAC)	19
10.3	CHIEF EXECUTIVE OFFICER REPORTS	20
10.3.1	DRAFT MONTHLY FINANCIAL STATEMENTS TO 30 NOVEMBER 2015	20
10.3.2	2014/15 ANNUAL GENERAL MEETING OF ELECTORS REPORT	31
10.3.3.	PICKERING BROOK HERITAGE GROUP REQUEST FOR LAND VESTING APPROVAL FOR SECTION OF RESERVES R6583 AND R6637	35
10.3.4	KALAMUNDA AGED CARE ADVISORY COMMITTEE – ESTABLISHMENT AND ENDORSEMENT OF TERMS OF REFERENCE	41
10.3.5	SHIRE OF KALAMUNDA ADVISORY COMMITTEES – PERFORMANCE MEASURES	52
11.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	56
	CR DYLAN O’CONNOR – FORRESTFIELD STAGE 1 INDUSTRIAL AREA DEVELOPER CONTRIBUTION SCHEME.....	56
	CR BROOKE O’DONNELL – FORRESTFIELD BOWLING CLUB – REPLACEMENT OF TOILET CISTERNS	57
	CR ANDREW WADDELL - SHIRE OF KALAMUNDA – OPPOSITION TO FORCED BOUNDARY CHANGE – CITY OF SUBIACO.....	59
	CR SUE BILICH - NEW OVERARCHING NAME FOR KOSTERA OVAL AND HEDLEY JORGENSEN OVAL	60
12.0	QUESTIONS BY MEMBERS WITHOUT NOTICE	63
13.0	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	63
14.0	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION.....	63
15.0	MEETING CLOSED TO THE PUBLIC	63
16.0	CLOSURE	63

MINUTES

1.0 OFFICIAL OPENING

- 1.1 The Presiding Member opened the meeting at 6.00pm and welcomed Councillors, Staff and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Andrew Waddell JP	(Shire President) (Presiding Member)	North West Ward
Sara Lohmeyer		North West Ward
Dylan O'Connor		North West Ward
Sue Bilich		North Ward
Tracy Destree		North Ward
Simon Di Rosso	(Arrived 6.06pm)	North Ward
Michael Fernie		South East Ward
John Giardina		South East Ward
Geoff Stallard		South East Ward
Allan Morton		South West Ward
Brooke O'Donnell		South West Ward
Noreen Townsend		South West Ward

Members of Staff

Rhonda Hardy		Chief Executive Officer
Warwick Carter		Director Development Services
Dennis Blair		Director Infrastructure Services
Gary Ticehurst		Director Corporate Services
Darrell Forrest		Manager Governance & PR
Donna McPherson	Executive Research Officer to	Chief Executive Officer
Nicole O'Neill		Public Relations Coordinator
Meri Comber		Governance Officer

Members of the Public 12

Members of the Press Nil

2.2 Apologies

Councillors

Simon Di Rosso (*Sent apology - would be late due to traffic*) North Ward

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 Questions from Ordinary Council Meeting Held 23 November 2015

Neta Parker – Paulls Valley

Q1. I understand the Council employed, within the last twelve months, an environmental scientist to identify and map where the non-indigenous plant species are. What proposed outcome is expected from this study?

A1. The Shire arranged over the spring seasons of 2013 and 2014 the survey of roadsides for weed species by volunteers and managed by the Roadside Conservation Committee. The Shire now has a "roadside conservation" mapping layer which shows High, Medium-High, Medium-Low and Low conservation value roadsides. This criteria is based on weed and/or native plant coverage, vegetation layers and linkage to other vegetated areas. It also indicates where certain weeds are present, such as eastern states wattles, Victorian Tea Tree, Broom and African Lovegrass.

The Shire is aware that some of these roadsides also contain significant flora and the Shire has engaged the Wildflower Society on a volunteer basis to look for these species to determine if they are still present or not.

The information can be used in multiple ways:

- For targeted weed control in the future, especially when other Shire departments are working in the areas, such as road maintenance, and importantly traffic management will be in place to undertake treatment safely. A strategic approach also needs to be determined to manage the highest valued roadsides first.
- The highest valued roadsides will also be communicated to the Shire's verge crew to ensure understanding of the significance of the verge and undertake works in a manner that is sensitive to the environment.
- To assess queries from neighbouring residents who wish to remove, prune or burn vegetation on these verges.

Q2. What is the balance of the 2015/2016 budget for the control of weeds in the Shire?

A2. The Shire has a weed control strategy budget of \$20,000 which is an increase of \$3,000. Other budgets specific to reserves are also used for weed control.

Q3. What proportion of this will be spent on rural areas of the Shire – that is Walliston, Carmel, Bickley, Pickering Brook, Hacketts Gully Paulls Valley and Piesse Brook?

A3. This budget is used to tackle weeds in bushland reserves and outbreaks on verges. As most of under threat reserves are in Kalamunda, Lesmurdie, Forrestfield, and Maida Vale most of the funds are spent in these locations. Most of the Shires weed control in the above areas is on verges. These are tackled in two ways:

- The weeds are either removed or treated by the Bush Care Team or are treated by a herbicide contractor.

Examples of weed control in these areas include:

- The treatment of Arum Lily on Walnut Rd
- Removal of Cotton Bush on Aldersyde Rd

Approximately 10% of the budget would be spent in these areas.

3.2 **Questions Ordinary Council Meeting 21 December 2015**

Jeff Tillemans, Forrestfield

Q. With regard to the Forrestfield Bowling Club, is it normal practise for the Shire to maintain club buildings?

A. Director Corporate Services indicated lease agreements with clubs make it quite clear whose responsibility maintenance items are. The toilet cisterns at the Bowling Club will be discussed at item 11.2 and the Motion is for replacement of the toilet cisterns at the Shire's expense.

4.0 **PETITIONS/DEPUTATIONS**

4.1 Nil.

5.0 **APPLICATIONS FOR LEAVE OF ABSENCE**

5.1 Nil.

6.0 **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

6.1 RESOLVED OCM 163/2015

That the Minutes of the Ordinary Council Meeting held on 23 November 2015, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (12/0)**

6.2 RESOLVED OCM 164/2015

That the Minutes of the Special Council Meeting held on 30 November 2015 are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Tracy Destree**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (12/0)**

7.0 **ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

7.1.1 Bushfire

The Presiding Member noted that a bushfire is currently burning in parts of the Shire of Kalamunda and our thoughts are with the affected property owners and those currently fighting the fire.

7.1.2 Passing of Barrie Oldfield

The Presiding Member reported that as many would be aware, the District farewelled Mr Barrie Oldfield, OAM on Thursday 17 December 2015. He officially acknowledged the significant contribution that Barry Oldfield made to our community – as an:

- Honorary Freeman of the Municipality;
- Founding member and Past President of Men of the Trees;
- Past President of the Lesmurdie Progress Association;
- Environmentalist;
- Shire of Kalamunda Councillor;
- Community Builder,
- Film Maker; and
- Author.

Barry is recognised for his active citizenship in our community, and for the ongoing preservation and rehabilitation of our natural environment.

7.1.3 Awards to the Shire

The Presiding Member announced the Shire had received a

- Certificate of Commendation and a Certificate of Achievement with respect to the Children's Environment and Health Local Government Report Card Project 2015.
- A Gold Award from the Department of Fire & Emergency Services for the 2015 Volunteer Employer Recognition Awards.

7.1.4 Australia Day Citizenship

Please could Councillors let Meri Comber know if they will be attending the Australia Day Citizenship Ceremony and if they will be bringing additional family members in order that seating and parking arrangements can be finalised.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 **10.2.13 C&C 62. CONFIDENTIAL REPORT Review and Renewal of Chief Executive Officer's Contract**

Reason for Confidentiality – Local Government Act 1995: Section 5.23 (2)
(a) "A matter affecting an employee or employees".

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. (Section 5.70 of the *Local Government Act 1995*.)

9.1.1 The Chief Executive Officer has declared a Direct Financial Interest with regard to 10.2.13, C&C 62. CONFIDENTIAL REPORT Review and Renewal of Chief Executive Officer's Contract

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 Cr Geoff Stallard declared an interest affecting impartiality with regard to the motion at Item 11.2 for replacement toilet cisterns at Forrestfield Bowling Club as he is a member.

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

RESOLVED OCM 165/2015

That recommendations D&I 48 to D&I 56 inclusive, contained in the Development & Infrastructure Services Committee Report of 7 December 2015 be adopted by Council en bloc.

Moved: **Cr Simon Di Rosso**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (12/0)**

10.1.2 D&I 48. Draft Planning Policy – Planning and Development Compliance

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. Pursuant to clause 2.2 and 2.4.1 of Local Planning Scheme No.3, adopt the following Policy:
 - Planning Policy – Planning and Development Compliance (Revised Attachment 1).

10.1.3 D&I 49 Lot 426 (1) Pipe Lily Drive, High Wycombe – Modification to Karingal Green Structure Plan

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommends:-
 - (a) Refusal of the proposed modification to the Karingal Green Structure Plan to increase the density coding of Lot 426 (1) Pipe Lily Drive, High Wycombe from R30 to R60.
 - (b) The proposal be forwarded to the Western Australian Planning Commission for its determination.

2. That the submitters are advised of the Council Recommendation.

10.1.4 D&I 50 Consideration of Amendment 74 to Local Planning Scheme No. 3

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. Pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, supports Amendment 74 to Local Planning Scheme No. 3 (Attachment 1).
2. Pursuant to Regulation 53(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, forwards to the Western Australian Planning Commission:
 - (i) The Amendment documentation as at Attachment 1;
 - (ii) The mapping modifications as at Attachment 2; and
 - (iii) The summary of submissions as at Attachment 3.

10.1.5 D&I 51 Amendment to Cell 9 Wattle Grove Structure Plan Lot 8 (302) Hale Road Wattle Grove

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommends:
 - a) Approval of the Cell 9 Wattle Grove Structure Plan to include a change of density code of Lot 8 (302) Hale Road, Wattle Grove from R20 to R30.
 - b) The proposed amendment be forwarded to the Western Australian Planning Commission by 13 January 2016 for approval.

10.1.6 D&I 52 Lot 6 (11) Thornton Place, Gooseberry Hill – Parking of One Commercial Vehicle

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. Approves the retrospective planning application dated 14 October 2015 for Aileen and Paul Guimelli to continue to park one commercial vehicle, a prime mover (registration number 1CRA 141), at Lot 6 (11) Thornton Place, Gooseberry Hill, subject to the following conditions:
 - a. The vehicle must, at all times, be parked in the location shown on the site plan.
 - b. Maintenance and cleaning of the commercial vehicle is only permitted between 8.00am and 6.00pm Monday to Saturday.
 - 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 2. 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 7.00am and 7.00pm Monday to Friday and 9.00am to 5.00pm Saturday and Sunday.

10.1.7 D&I 53 Submission on Draft State Planning Policy 2.5: Rural Planning Policy

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. Notes the submission on the draft State Planning Policy 2.5: Rural Planning Policy as at (Attachment 2) and
2. Forwards the submission to the Western Australian Planning Commission.

10.1.8 D&I 54 Retention and Removal of Vegetation within Building Protection Zones

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. Approve a variation to the requirements of the Building Protection Zones to retain specific vegetation at the following locations: Kalamunda History Village, Kalamunda Bowling Club, Falls Farm, Zig Zag Cultural Centre and the Lapidary Club at Kostera Oval.
2. Endorses the proposal to remove vegetation around the facilities at Jorgensen Park and Falls Farm to meet the Building Protection Zone criteria.
3. Notes the communication strategy outlined in the *Community Engagement Requirements* of this Report.

10.1.9 D&I 55 Noise Management Plan for Class 2 Specified Works

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. Endorses the public consultation process for advertising the Noise Management Plan for Class 2 Specified Works for road and footpath sweeping and litter bin servicing, to commence in December 2015, with a public notice to appear in a newspaper generally circulating within the municipal district.
2. Endorses the direct mail out to residents on street sweeping routes and in the streets surrounding the reserves impacted by Class 2 Specified Works.
3. Notes that the Chief Executive Officer will endorse and sign the Noise Management Plan for Class 2 Specified Works once submissions are received and collated, except if there are significant objections that cannot be resolved. In this situation a further report will be provided to Council for consideration.

10.1.10 D&I 56 Alan Anderson Park Restoration

EN BLOC RESOLUTION OCM 165/2015

That Council:

1. Note this report regarding the future of Alan Anderson Park in Walliston.
2. Endorse the proposal to return Alan Anderson Park to a bushland reserve, using the site for future offsets as a means to provide the required plantings. The site will be fully fenced to minimise future public access.
3. Undertake a community engagement program with residents using onsite advertising, direct mail-out and media releases. Following consultation a report will be presented in March 2016.

The Chief Executive Officer declared a Direct Financial Interest with regard to Item C&C 62.

10.2 Corporate & Community Services Committee Report

10.2.1 Adoption of Corporate & Community Services Committee Report

Voting Requirements: Simple Majority

RESOLVED OCM 166/2015

That the recommendations C&C 48 to C&C 62 inclusive, contained in the Corporate & Community Services Committee Report of 14 December 2015 except withdrawn items C&C 51, C&C 57 and C&C 60, be adopted by Council en bloc.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Simon Di Rosso**

Vote: **For**
Cr Michael Fernie
Cr John Giardina
Cr Geoff Stallard
Cr Allan Morton
Cr Brooke O'Donnell
Cr Noreen Townsend
Cr Andrew Waddell
Cr Dylan O'Connor
Cr Sara Lohmeyer
Cr Simon Di Rosso
Cr Sue Bilich

Against
Cr Tracy Destree

CARRIED (11/1)

The Chief Executive Officer left the Chambers at 6.15pm and returned at 6.16pm, she was not present for the vote.

10.2.2 C&C 48 Debtors and Creditors Report for the Period Ended 30 November 2015

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Receives the list of payments made from the Municipal Accounts in November 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 November 2015 as noted in point 14 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 November 2015.

10.2.3 C&C 49 Rates Debtors Report for the Period Ended 30 November 2015

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Receives the rates debtors report for the period ended 30 November 2015 (Attachment 1).

10.2.4 C&C 50 Community Care Quarterly Report July to September 2015

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Receives the Community Care Quarterly Report – July to September 2015.

10.2.5 C&C 52 Kalamunda Aged Care Advisory Committee – Establishment and Endorsement of Terms of Reference

EN BLOC RESOLUTION OCM 166/2015

1. This item be deferred to the Ordinary Council Meeting on 21 December 2015.

10.2.6 C&C 53 Telephone Voice Recording Policy and Management Procedure

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Notes the Shire Telephone Voice Recording Policy and the accompanying Management Procedures (Attachments 1 and 2).

10.2.7 C&C 54 Schedule of Council and Committee Meetings 2016

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Adopts the Schedule of Committee and Council Meetings (Attachment 1) for the period February 2016 to December 2016.
2. Approves the Strategic Briefing Sessions to be scheduled on the first Monday of each month.

10.2.8 C&C 55 Draft Ray Owen Sports Centre Licence Agreement

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Approves the finalisation of the Draft Licence Agreement for a term of 10 + 10 years between the Kalamunda & Districts Netball Association, Kalamunda & Districts Basketball Association and the Shire of Kalamunda for access to the Ray Owen Sports Centre.
2. Advises the Kalamunda & Districts Netball Association and the Kalamunda & Districts Basketball Association that the request for the inclusion of the old netball courts in the Licence area is not supported at this time. This will be reconsidered when the outcomes of the Parking Study are known.

10.2.9 C&C 56 Application for Leave – Chief Executive Officer

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Approves Chief Executive Officer, Rhonda Hardy, to have annual leave for the period Tuesday 9 February 2016 to Wednesday 17 February 2016.
2. Pursuant to section 5.36 of the *Local Government Act 1995* appoints the Director Corporate Services, Mr Gary Ticehurst, as Acting Chief Executive Officer for the period Tuesday 9 February 2016 to Sunday 21 February 2016.

10.2.10 C&C 58 Pickering Brook Heritage Group request for Land Vesting Approval for Section of Reserve R6583

EN BLOC RESOLUTION OCM 166/2015

1. This item be deferred to the Ordinary Council Meeting 21 December 2015.

10.2.11 C&C 59 Review of Kalamunda Advancing – Strategic Community Plan to 2027

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Endorses the process to review the Kalamunda Advancing - Strategic Community Plan to 2027 as shown at Attachment 1.

2. Consider engaging a qualified and experience external consultant to facilitate the strategic planning process once costings have been provided to Council.

10.2.12 C&C 61 Consideration of Tenders – Morrison Oval Re-Development Project (RFT 1513)

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Pursuant to Regulation 18(5) of the *Local Government (Functions and General) Regulations 1996* declines to accept any tender for the Morrison Oval Re-Development Project (RFT 1513).
2. Notes that the tender specification, drawings and associated documentation will be reviewed and the Morrison Oval Re-Development Project re-tendered early in 2016.
3. Notes that pursuant to Regulation 19 of the *Local Government (Functions and General) Regulations 1996* all tenderers will be advised of the Council decision and the proposed schedule for readvertising the tender.

10.2.13 C&C 62 CONFIDENTIAL REPORT - Review and Renewal of Chief Executive Officer's Contract

EN BLOC RESOLUTION OCM 166/2015

That Council:

1. Advises the Chief Executive Officer that it will renew her contract, subject to agreement of a review of the terms of the contract.
2. Endorses the establishment of a Working Group consisting of the Shire President, Deputy President and Chairs of the Development & Infrastructure Services Committee, Corporate & Community Services Committee and Audit & Risk Services Committee to review the terms of the Chief Executive Officer's contract.
3. Endorses the Working Group negotiating the renewal of the Chief Executive Officer's contract for endorsement by Council prior to July 2016.

For separate consideration

The following items are for separate consideration as an Absolute Majority vote is required for each.

10.2.14 C&C 51 Disability and Carers Advisory Committee – Formerly Disability Access and Inclusion Advisory Committee

Voting Requirements: Absolute Majority

RESOLVED OCM 167/2015

That Council:

1. Approves:
 - The renaming the Disability Access and Inclusion Advisory Committee to Disability and Carers Advisory Committee
 - The proposed Terms of Reference (Attachment 1)
2. Appoints to the Disability and Carers Advisory Committee;
 - a) Community Members:
 - Daniel Baines (living with disability)
 - Peter Thorpe (living with disability)
 - Mandy Corkill* (carers of people with disability)
 - Justin O'Meara-Smith Divisional Manager – Rise Network (local organisation)
 - Elizabeth Small* Project Officer – Crosslinks Inc. (local organisation).
 - b) Shire of Kalamunda Representative:
 - Kerry Fryers (Member)
 - Eileen Moore (Deputy Member)

Moved: **Cr Tracy Destree**

Seconded: **Cr Simon Di Rosso**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (12/0)**

Asterisk denotes previous Committee Member.

10.2.15 C&C 57 Shire of Kalamunda Standing Orders Local Law

Voting Requirements: Absolute Majority

RESOLVED OCM 168/2015

That Council:

1. Resolves to make the Shire of Kalamunda Standing Orders Local Law 2015, as proposed (Attachment 1).

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Sara Lohmeyer**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (12/0)**

**10.2.16 C&C 60 Kalamunda Environmental Advisory Committee – KEAC
(formerly Community Sustainability Advisory Committee – CSAC)**

Voting Requirements: Absolute Majority

RESOLVED OCM 169/2015

That Council:

1. Approves:
 - The Community Sustainability Advisory Committee (CSAC) being renamed The Kalamunda Environmental Advisory Committee; and
 - Terms of Reference for the Kalamunda Environmental Advisory Committee – KEAC (Attachment 3).
2. Endorses that advertising for community representatives on the Kalamunda Environmental Advisory Committee to commence in January 2016.
3. Notes that a report will be provided to Council early in 2016 with the recommendations for the community positions on the Kalamunda Environmental Advisory Committee.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Tracy Destree**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (12/0)**

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 30 November 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 period ended 30 November 2015 incorporating the following: <ul style="list-style-type: none">• 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 the revised budget adopted on 23 November 2015. This Statement compares the actual results for the period with the revised 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 opening funding position in the Statement of Financial Activity reflects the audited surplus carried forward from 2014/2015.
4. The budget column reflects the budget adopted subsequent to the mid-year budget review approved by Council at its meeting on 23 November 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 the five months ended 30 November 2015

6. This Statement reveals a net result surplus of \$34,954,789 against budget for the same period of \$32,777,677. The variance of \$2,177,269 represents 6.2% of the current surplus for the month to date. The majority of the

variance is in operating expenditure categories which is due to timing issues.

Revenue

7. Total Revenue excluding rates is over budget by \$206,530. This is made up as follows:

- Operating Grants, Subsidies and Contributions are over budget by \$126,377. The variances, primarily due to timing matters, was made up of the following:
 - Federal Government Financial Assistance grant received for general bridges \$52,500.
- Profit on Asset disposal is under budget by \$175,526. The variances, primarily due to timing matters, was made up of the following:
 - Disposal of no. 2 Cabarita Road, Kalamunda.
- Fees and Charges variance is over budget by \$233,399. This is mainly attributable to:
 - Refuse collection being over budget by \$111,031 as a consequence of the retention of secondary bins by some ratepayers.
 - \$64,431 related to dog registration fees. The number of licenses issued during the year was higher than the expected numbers.
- Interest earnings are over budget by \$41,088. This is largely due to a timing matter and to the delays in the capital works programme, resulting in higher cash holdings and subsequent investment on short term deposits.
- Other Revenue is slightly under budget by \$5,104. These are within the reporting threshold.

Expenditure

8. Total expenses are under budget with a variance of \$1,347,664. The significant variances within the individual categories are as follows:

- Employment Costs are under budget by \$218,582 arising from a number of vacant positions not being filled and currently under review.
- Materials and Contracts is under budget by \$775,211 which is comprised of:
 - Expenditure on consultancy costs of \$305,984. This relates to various non-recurrent projects which are yet to commence, such as the Forrestfield North project which was approved by Council in late November therefore deemed as a timing issue;

- Election expenses are under budget by \$124,392. This relates to the budget allocated for the Council Election held in October 2015. Some invoices are yet to be received from various suppliers for the services provided; and
 - Maintenance related to roads is approximately \$223,709 under expenditure which is deemed a timing issue.
- Utilities are under budget by \$39,560 which is within the reporting threshold.
 - Depreciation, although a non-cash cost, is tracking under budget reporting a variance of \$206,998. The infrastructure revaluation has now been completed and the audited assets position as of 30 June 2015 is finalised. It is expected that the depreciation for infrastructure assets will need to be significantly modified to reflect the outcomes of the valuation results.
 - The interest expense is slightly under budget by \$5,488. This is the result of a timing difference between amounts accrued and the budget, which is based on the debenture payment schedule.
 - Insurance expense is under budget by \$48,269 which is principally due to building insurance costs being lower than the amount budgeted. This is attributed to lower revaluation amounts for the building components.
 - Other expenditure is under budget by \$57,573. These are mainly related to non-recurrent projects caused by a timing variance. This is within the reporting threshold.

Capital Revenues

Non-operating Grants and Contributions

9. The non-operating grant income is lower than the budget by \$246,039. The variance was mainly due to the timing of claims from the Roads to Recovery project, National Black Spot Funding and contributions from public open space.
10. The capital contributions variance of \$229,027 relates to Forrestfield Industrial Area Stage 1 which is now managed by the Shire and funds are backed via a fully cash backed reserve. The variance reflects the contributions received after the mid-year review in September 2015.

Proceeds from the disposal of assets

11. The variance is nil.
Properties identified for sale in 2015/2016 are:
 - 514 Kalamunda Rd
 - Cabarita RdThe sale of 514 Kalamunda Road was completed during the month of September 2015.

Capital Expenditures

12. Infrastructure projects; comprising roads, drainage, footpaths, car parks and parks and ovals, are underspent by \$169,322. The operations delivery team have been busy scheduling the various projects that are due in 2015/2016 with on ground works commenced in November 2015.

Rates revenues

13. Rates generation is under budget with a variance of \$112,622. The variance is due to a timing issue. Interim rates have commenced and should start to show progress in the new year.

Draft Statement of Financial Activity by Program for the five months to 30 November 2015

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

Draft Statement of Net Current Funding Position as at 30 November 2015

15. The commentary on the net current funding position is based on comparison of the draft November 2015 year to date actuals with November 2014 year to date actuals.

16. Net Current Assets (Current Assets less Current Liabilities) show a positive result of \$40.9 million. The un-restricted cash position has a positive balance of \$30.55 million which is higher than the previous year's balance of \$25.65 million. This can mainly be attributed to the rates collection and transfers from reserves in anticipation of infrastructure works projects.

17. Trade and other receivables comprise rates and sundry debtors totalling \$12.1 million outstanding.

The rates balance fell by \$1.6 million to \$9.5 million, representing a collection rate of 70.76% for the year to date. This is an improvement of 2% from last year, partially reflecting the successful launch of "A Smarter Way to Pay" and BPoint Enterprise which allows charging of direct debits via credit cards.

Receivables Other represents \$1.9 million with the bulk made up of:

- Emergency Services Levy (ESL) - \$1,308,617;
- Waste services due - \$392,078; and
- Pensioner ESL rebates - \$159,097.

18. Sundry debtors have increased by \$269,569 to \$671,182, of which \$357,662 is made up of current debt due within 30 days. A total of \$274,360 remains outstanding over 90 days, of which \$258,930 relates to amounts due from developers from the Forrestfield Industrial Area Stage 1. Legal proceedings are underway to recover the amounts due.

19. Provisions for annual and long service leave are generally stable having increased by \$317,163 to \$2.7 million when compared to the previous year. The main reason for the increase is due to more officers being above 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 there are adequate reserves in place to support it.
20. Restricted Reserves have increased significantly from \$2.6 million to \$8.6 million when compared to the same period in 2014. The increase is mainly due to the following:
- Transfer of Forrestfield Industrial Area Scheme Stage 1 from Trust accounts to reserves, amounting to \$2.9 million.
 - Land and Property Enhancement and Maintenance Reserve has increased by \$0.5 million.
 - Long Service Leave reserve has increased by \$0.8 million.
 - HACC reserve has increased by \$0.6 million.
 - Nominated employee leave reserve has increased by \$0.5 million.

STATUTORY AND LEGAL CONSIDERATIONS

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

POLICY CONSIDERATIONS

22. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

23. Nil.

FINANCIAL CONSIDERATIONS

24. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

25. *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

26. Nil.

Economic Implications

27. Nil.

Environmental Implications

28. Nil.

RISK MANAGEMENT CONSIDERATIONS

29.

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.
Non-compliance with Financial Regulations.	Unlikely	Major	Medium	The financial report is scrutinised by the Shire to ensure that all statutory requirements are met.

OFFICER COMMENT

30. The Shire's draft financial statements as at 30 November 2015 demonstrate the Shire has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RESOLVED OCM 170/2015

That Council:

1. Receives the draft Monthly Statutory Financial Statements for the month to 30 November 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: **Cr Dylan O'Connor**

Seconded: **Cr Simon Di Rosso**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Attachment 1

**SHIRE OF KALAMUNDA
STATEMENT OF FINANCIAL ACTIVITY BY NATURE OR TYPE
FOR THE 5 MONTHS TO 30 NOVEMBER 2015**

	30/11/2015	30/11/2015			
	YTD	YTD	Annual	Var. \$	Var. %
	Actual	Budget	Budget	(b)-(a)	(b)-
	(b)	(a)		\$	(a)/(b)
	\$	\$	\$	\$	%
Operating Revenues					
Operating Grants and Subsidies	2,543,630	2,469,209	5,728,243	74,421	2.9%
Contributions, Reimbursements and Donations	422,050	370,094	4,398,075	51,956	12.3%
Profit on Asset Disposal	188,194	363,720	471,640	(175,526)	(93.3%)
Fees and Charges	12,099,390	11,865,991	14,027,334	233,399	1.9%
Interest Earnings	407,703	366,615	896,545	41,088	10.1%
Other Revenue	21,816	26,920	64,641	(5,104)	(23.4%)
Ex Gratia Rates Revenue	51,136	64,840	129,680	(13,704)	(26.8%)
Total (Excluding Rates)	15,733,919	15,527,389	25,716,158	206,530	
Operating Expense					
Employee Costs	(9,337,512)	(9,556,094)	(24,014,369)	218,582	2.3%
Materials and Contracts	(7,903,327)	(8,678,538)	(19,891,100)	775,211	9.8%
Utilities Charges	(942,690)	(982,250)	(2,358,938)	39,560	4.2%
Depreciation (Non-Current Assets)	(3,194,442)	(3,401,440)	(8,163,761)	206,998	6.5%
Interest Expenses	(168,957)	(174,445)	(418,674)	5,488	3.2%
Insurance Expenses	(568,196)	(616,465)	(617,249)	48,269	8.5%
Loss on Asset Disposal	(12,347)	(8,330)	(20,000)	(4,017)	(32.5%)
Other Expenditure	(122,432)	(180,005)	(491,703)	57,573	47.0%
Total	(22,249,903)	(23,597,567)	(55,975,794)	1,347,664	
Funding Balance Adjustment					
Add Back Depreciation	3,194,442	3,401,440	8,163,761	(206,998)	(6.5%)
Adjust (Profit)/Loss on Asset Disposal	(175,847)	(355,390)	(451,640)	179,543	(102.1%)
EMRC Contribution (Non-cash)	0	0	(3,600,407)	0	
Movement in Provisions	106,216	0	749,271	106,216	100.0%
Pensioners Deferred Rates Movement	0	0	(30,000)	0	
Total	3,124,653	3,046,050	4,830,985	78,761	
Net Operating (Ex. Rates)	(3,391,331)	(5,024,128)	(25,428,651)	1,632,955	
Capital Revenues					
Proceeds from Disposal of Assets	535,610	535,610	1,032,000	0	0.0%
Grants, Subsidies and Contributions	812,784	1,058,823	3,855,218	(246,039)	(30.3%)
Self-Supporting Loan Principal	29,610	32,894	67,870	(3,284)	(11.1%)
Debenture Funding	0	0	500,000	0	
Capital (Developer) - Contributions	1,300,614	1,071,587	1,071,587	229,027	17.6%
Transfer from Reserves	3,727,759	3,919,618	5,203,728	(191,859)	(5.1%)
Total	6,406,377	6,618,532	11,730,403	(212,155)	
Capital Expenses					
Land Development Costs	(2,000)	(18,277)	(28,782)	16,277	813.9%
Land and Buildings New	(66,586)	(101,109)	(322,763)	34,523	51.8%
Land and Buildings Replacement	(99,518)	(110,677)	(1,391,617)	11,159	11.2%
Plant and Equipment New	0	(47,400)	(54,520)	47,400	100.0%
Plant and Equipment Replacement	(25,347)	(25,347)	(25,347)	0	0.0%
Furniture and Equipment	(4,637)	(31,250)	(98,700)	26,613	574.0%

**SHIRE OF KALAMUNDA
STATEMENT OF FINANCIAL ACTIVITY BY NATURE OR TYPE
FOR THE 5 MONTHS TO 30 NOVEMBER 2015**

	30/11/2015 YTD Actual (b) \$	30/11/2015 YTD Budget (a) \$	Annual Budget \$	Var. \$ (b)-(a) \$	Var. % (b)- (a)/(b) %
Infrastructure Assets - Roads New	(70,878)	(95,790)	(675,856)	24,912	35.1%
Infrastructure Assets - Roads Renewal	(163,974)	(235,706)	(3,619,667)	71,732	43.7%
Infrastructure Assets - Drainage New	(133,179)	(115,303)	(222,390)	(17,876)	(13.4%)
Infrastructure Assets - Drainage Renewal	0	0	(174,291)	0	
Infrastructure Assets - Footpaths New	(5,044)	(5,040)	(71,339)	(4)	(0.1%)
Infrastructure Assets - Footpaths Renewal	(56,084)	(55,597)	(118,098)	(487)	(0.9%)
Infrastructure Assets - Car Parks New	0	0	(396,040)	0	
Infrastructure Assets - Car Parks Renewal	0	0	(75,162)	0	
Infrastructure Assets - Parks and Ovals New	(216,853)	(213,478)	(1,782,229)	(3,375)	(1.6%)
Infrastructure Assets - Parks and Ovals Renewal	(2,124,925)	(2,083,372)	(4,540,447)	(41,553)	(2.0%)
Repayment of Debentures	(261,803)	(247,435)	(593,851)	(14,368)	(5.5%)
Transfer to Reserves	(1,186,136)	(1,900,274)	(5,931,679)	714,138	60.2%
Total	(4,416,963)	(5,286,055)	(20,122,778)	869,092	
Net Capital	1,989,415	1,332,477	(8,392,375)	656,937	
Total Net Operating + Capital	(1,401,917)	(3,691,651)	(33,821,026)	2,289,891	
Rate Revenue	31,388,591	31,501,213	31,884,831	(112,622)	(0.4%)
Opening Funding Surplus(Deficit)	4,968,115	4,968,115	4,968,115	0	0.0%
Closing Funding Surplus(Deficit)	34,954,789	32,777,677	3,031,920	2,177,269	6.2%

SHIRE OF KALAMUNDA
STATEMENT OF FINANCIAL ACTIVITY (STATUTORY REPORTING PROGRAM)
FOR THE 5 MONTHS TO 30 NOVEMBER 2015

	30/11/2015	30/11/2015			
	YTD Actual (b)	YTD Budget (a)	Annual Budget	Var. \$ (b)-(a)	Var. % (b)- (a)/(b)
	\$	\$	\$	\$	%
Operating Revenues					
Governance	85,711	100,645	112,755	(14,934)	(17.4%)
General Purpose Funding	1,314,667	1,148,830	7,085,777	165,837	12.6%
Law, Order and Public Safety	258,791	177,570	367,836	81,221	31.4%
Health	199,978	191,687	221,066	8,291	4.1%
Education and Welfare	1,958,619	1,944,911	3,759,595	13,708	0.7%
Community Amenities	10,734,411	10,881,724	11,613,174	(147,313)	(1.4%)
Recreation and Culture	742,589	699,312	1,657,534	43,277	5.8%
Transport	19,230	0	0	19,230	100.0%
Economic Services	248,501	224,355	538,527	24,146	9.7%
Other Property and Services	171,422	158,355	359,894	13,067	7.6%
Total (Excluding Rates)	15,733,919	15,527,389	25,716,158	206,530	
Operating Expense					
Governance	(1,396,003)	(1,491,347)	(3,250,382)	95,344	6.8%
General Purpose Funding	(387,632)	(314,600)	(773,316)	(73,032)	(18.8%)
Law, Order and Public Safety	(714,553)	(783,703)	(1,871,914)	69,150	9.7%
Health	(446,244)	(489,748)	(1,189,841)	43,504	9.7%
Education and Welfare	(1,692,062)	(1,708,766)	(4,282,665)	16,704	1.0%
Community Amenities	(5,153,636)	(5,583,780)	(13,793,759)	430,144	8.3%
Recreation and Culture	(7,561,960)	(8,109,655)	(19,197,803)	547,695	7.2%
Transport	(3,929,454)	(3,821,073)	(9,230,029)	(108,381)	(2.8%)
Economic Services	(444,869)	(474,640)	(1,096,746)	29,771	6.7%
Other Property and Services	(523,490)	(820,255)	(1,289,339)	296,765	56.7%
Total	(22,249,903)	(23,597,567)	(55,975,794)	1,347,664	
Funding Balance Adjustment					
Add back Depreciation	3,194,442	3,401,440	8,163,761	(206,998)	(6.5%)
Adjust (Profit)/Loss on Asset Disposal	(175,847)	(355,390)	(451,640)	179,543	(102.1%)
EMRC Contribution (Non-cash)	0	0	(3,600,407)	0	
Movement in Provisions	106,216	0	749,271	106,216	100.0%
Pensioners Deferred Rates Movement	0	0	(30,000)	0	
Total	3,124,653	3,046,050	4,830,985	78,603	
Net Operating (Ex. Rates)	(3,391,331)	(5,024,128)	(25,428,651)	1,632,955	
Capital Revenues					
Proceeds from Disposal of Assets	535,610	535,610	1,032,000	0	0.0%
Capital Contributions and Grants	812,784	1,058,823	3,855,218	(246,039)	(30.3%)
Self-Supporting Loan Principal Income	29,610	32,894	67,870	(3,284)	(11.1%)
Debenture Funding	0	0	500,000	0	
Capital (Developer) - Contributions	1,300,614	1,071,587	1,071,587	229,027	17.6%
Transfer from Reserves	3,727,759	3,919,618	5,203,728	(191,859)	(5.1%)
Total	6,406,377	6,618,532	11,730,403	(212,155)	
Capital Expenses					
Land Development Costs	(2,000)	(18,277)	(28,782)	16,277	813.9%
Land and Buildings New	(66,586)	(101,109)	(322,763)	34,523	51.8%

**SHIRE OF KALAMUNDA
STATEMENT OF FINANCIAL ACTIVITY (STATUTORY REPORTING PROGRAM)
FOR THE 5 MONTHS TO 30 NOVEMBER 2015**

	30/11/2015 YTD Actual (b) \$	30/11/2015 YTD Budget (a) \$	Annual Budget \$	Var. \$ (b)-(a) \$	Var. % (b)- (a)/(b) %
Land and Buildings Replacement	(99,518)	(110,677)	(1,391,617)	11,159	11.2%
Plant and Equipment New	0	(47,400)	(54,520)	47,400	100.0%
Plant and Equipment Replacement	(25,347)	(25,347)	(25,347)	0	0.0%
Furniture and Equipment	(4,637)	(31,250)	(98,700)	26,613	574.0%
Infrastructure Assets - Roads New	(70,878)	(95,790)	(675,856)	24,912	35.1%
Infrastructure Assets - Roads Renewal	(163,974)	(235,706)	(3,619,667)	71,732	43.7%
Infrastructure Assets - Drainage New	(133,179)	(115,303)	(222,390)	(17,876)	(13.4%)
Infrastructure Assets - Drainage Renewal	0	0	(174,291)	0	
Infrastructure Assets - Footpaths New	(5,044)	(5,040)	(71,339)	(4)	(0.1%)
Infrastructure Assets - Footpaths Renewal	(56,084)	(55,597)	(118,098)	(487)	(0.9%)
Infrastructure Assets - Car Parks New	0	0	(396,040)	0	
Infrastructure Assets - Car Parks Renewal	0	0	(75,162)	0	
Infrastructure Assets - Parks and Ovals New	(216,853)	(213,478)	(1,782,229)	(3,375)	(1.6%)
Infrastructure Assets - Parks and Ovals Renewal	(2,124,925)	(2,083,372)	(4,540,447)	(41,553)	(2.0%)
Repayment of Debentures	(261,803)	(247,435)	(593,851)	(14,368)	(5.5%)
Transfer to Reserves	(1,186,136)	(1,900,274)	(5,931,679)	714,138	60.2%
Total	(4,416,963)	(5,286,055)	(20,122,778)	869,092	
Net Capital	1,989,414	1,332,477	(8,392,375)	656,937	
Total Net Operating + Capital	(1,401,917)	(3,691,651)	(33,821,026)	2,289,891	
Rate Revenue	31,388,591	31,501,213	31,884,831	(112,622)	(0.4%)
Opening Funding Surplus(Deficit)	4,968,115	4,968,115	4,968,115	0	0.0%
Closing Funding Surplus(Deficit)	34,954,789	32,777,677	3,031,920	2,177,269	6.2%

**SHIRE OF KALAMUNDA
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE 5 MONTHS TO 30 NOVEMBER 2015**

NET CURRENT FUNDING POSITION

Positive=Surplus (Negative=Deficit)

	30/11/2015	30/11/2014
	\$	\$
Current Assets		
Cash and Cash Equivalents Unrestricted	30,552,854	25,648,885
Cash and Cash Equivalents - Reserves (Restricted)	8,666,475	2,636,706
Receivables - Rates	9,508,653	9,680,554
Receivables - Sundry	671,182	983,459
Receivables -Other	1,883,928	1,344,676
Inventories	96,913	109,751
(*exclude loan receivable)	51,380,006	40,404,033
 Less: Current Liabilities		
Payables	(7,758,742)	(7,745,180)
Provisions	(2,725,906)	(2,408,743)
(*exclude loan payable)	(10,484,648)	(10,153,923)
 Net Current Asset Position	40,895,358	30,250,110
 Add:		
Provision for Long Service Leave	1,186,634	798,615
Provision for Annual Leave	1,539,272	1,610,128
 Less:		
Cash and Cash Equivalents - Reserves (Restricted)	(8,666,475)	(2,636,706)
Cash Restricted		
Net Current Funding Position	34,954,789	30,022,147

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

10.3.2 2014/15 Annual General Meeting of Electors Report

Previous Items	Nil
Responsible Officer	Chief Executive Officer
Service Area	Governance
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Minutes of the Annual General Meeting of Electors

PURPOSE

1. To consider the outcomes of the 2014/15 Annual General Meeting of Electors (AGM).

BACKGROUND

2. As required by section 5.27 of the *Local Government Act 1995* (the Act), the 2014/15 AGM was held on Monday 14 December 2015 in the Council Chambers, Shire of Kalamunda, 2 Railway Road Kalamunda.

DETAILS

3. Section 5.33 of the Act requires all decisions made at the AGM to be considered at the next available Ordinary Council Meeting. In addition, the reasons for a decision made at a Council Meeting in response to a decision made at an AGM are to be recorded in the minutes of the Council Meeting.
4. Two decisions were made at the AGM:
 - (1) That the 2014/15 Annual Report of the Shire of Kalamunda be received.
 - (2) In addition to the planned consultative works the Council commits to engaging with the community through the advisory committees to ensure consultation is ongoing and goes beyond one round of interaction.

STATUTORY AND LEGAL CONSIDERATIONS

5. Section 5.27 of the Act requires that an AGM be held not more than 56 days after the local government accepts the Annual Report. The Annual Report was accepted at the Ordinary Council meeting of 23 November 2015.
6. Section 5.33 of the Act requires consideration of decisions made at the AGM.

POLICY CONSIDERATIONS

7. Nil

COMMUNITY ENGAGEMENT REQUIREMENTS

8. Community engagement and consultation occurred as part of the AGM. There will be additional community engagement as part of the implementation of the resolution passed at the AGM.

FINANCIAL CONSIDERATIONS

9. Some expense will be incurred in undertaking community engagement. Specific details of these costs will be presented to Council when known.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

OBJECTIVE 6.1 To ensure a highly effective and strategic thinking Council sets direction and works for the greater good of the community at all times.

SUSTAINABILITY

Social Implications

11. Nil.

Economic Implications

12. Nil.

Environmental Implications

13. Nil.

RISK MANAGEMENT CONSIDERATIONS

- 14.
- | Risk | Likelihood | Consequence | Rating | Action/Strategy |
|---|------------|-------------|--------|---|
| That Council does not consider the resolutions passed at the AGM. | Unlikely | Major | Medium | Sufficient information is provided to Council to ensure there is compliance with the requirements of the legislation with respect to resolutions passed at the AGM. |

OFFICER COMMENT

15. Nil

Voting Requirements: Simple Majority

RESOLVED OCM 171/2015

That Council:

1. Endorses Resolutions AGM 02/2015 and AGM 03/2015, passed at the Annual General Meeting of Electors held on 14 December 2015 as contained in the Minutes of the Meeting at Attachment 1

Moved: **Cr Michael Fernie**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Reasons for this decision of Council in accordance with section 5.33 (2) of the *Local Government Act 1995*:

1. AGM 02/2015 – Receiving of the 2014/15 Annual Report – As the Annual Report was received without question no further action required.
2. AGM 03/2015 – The Council supports this proposal and is committed to improving all of the community engagement undertaken across the whole Shire.

Attachment 1

Minutes Annual General Meeting of Electors

[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. Pickering Brook Heritage Group request for Land Vesting Approval for Section of Reserves R6583 and R6637

Previous Items	
Responsible Officer	Director Corporate Services
Service Area	Leases and Licences
File Reference	PC-01/251
Applicant	Pickering Brook Heritage Group
Owner	N/A
Attachment 1	Canning Mills Road Reserves

PURPOSE

1. To approve the Pickering Brook Heritage Group's (PBHG) request that the Shire seek vesting approval from the Department of Lands (DOL) for a section of the reserves R6583 and R6637 to accommodate a roadside stop with a memorial to the Pioneers of Canning Mills.
2. To authorise the Shire to commence negotiations with the DOL to acquire the land required for the road widening project.

BACKGROUND

3. The item was deferred from the Corporate & Community Services Committee meeting held on 14 December 2015 in order to provide further clarity around the land vesting issues.
4. The vesting of the land is required in order to enable the PBHG to provide a roadside stop with a memorial to the pioneers of Canning Mills. This will ensure the retention of this historic site and provide a presence for the public to understand the significant contribution made by the early settlers and pioneers.
5. The memorial would be commissioned by the PBHG in conjunction with the Shire support and it would represent an ideal project to engage local artists to assist with the design concept.
6. It is not intended for any infrastructure to be included at the site such as picnic areas, seating or toilets; as this would raise the issue of ongoing maintenance, littering and antisocial behaviour. Neither the Shire nor the PBHG has set aside funds to provide for any functionality beyond the memorial.
7. In considering the request from PBHG, a series of site visits were undertaken to look at the suitability of the site and to assess any current traffic safety concerns.

8. The Shire has undertaken enquiries with DOL to determine whether the vesting of the reserve requested could be achieved. In addition the Shire has undertaken a review to determine whether other reserves in the area could be considered for vesting.

DETAILS

9. The Shire understands that prior to formalising the vesting of the land, it is likely that the DOL will need to ensure that there are no native title issues related to the site. Current advice is that a period of up to eighteen months can be required to complete the native title approval process.
10. During a recent visit to the site a serious traffic safety issue was identified that would require rectification before implementing a roadside memorial stop. The traffic safety issues related to the proximity of the reserve to the road, the current width of Canning Mills Road and its impact on vehicle access to the site, and the steep turn offs to the site.
11. The Shire has established a strategy, timeframe and preliminary costing that would enable the traffic safety issues to be satisfactorily addressed.
12. The traffic safety issue solution is based on the widening of Canning Mills Road from the intersection of Canning Mills Road and Canning Road to the position at which the existing pavement width provides for two way traffic, a length of approximately 290 metres.
13. The cost estimates for the road works is expected to be within the range of \$260,000 to \$320,000 dependent upon the extent of asphalt overlay.
14. The road works project involves survey design and documentation, application for clearing permits and negotiation with the DOL to acquire the land necessary to acquire additional road reserve to accommodate the road widening. These processes are expected to take up to 18 months.
15. Whilst there is no funding allocated for this project in the current year's budget, the traffic safety issues identified during the recent site visit warrants attention. The Shire anticipates applying for the Roads to Recovery funding which should enable approximately \$250,000 of the total project estimates to be sourced from grant funding.
16. The schedule of works will commence with the land and environmental approval process scheduled for 2016/17 followed by construction in 2017/18.
17. If Council decides to approve the request from PBHG, the Shire will immediately begin negotiations with the DOL to negotiate a vesting agreement that will vest the identified portion of the reserve to the Shire who will then lease the area to PBHG.

STATUTORY AND LEGAL CONSIDERATIONS

18. The Minister for Lands consent is required in order to lease the land to PBHG.

POLICY CONSIDERATIONS

19. C-PP02 – Community Groups Leases.

COMMUNITY ENGAGEMENT REQUIREMENTS

20. At this stage there has not been broad community consultation however if it becomes necessary this will be done in conjunction with the PBHS.

FINANCIAL CONSIDERATIONS

21. The costs of the road project to address the road safety issues are estimated to be in the range of \$260,000 to \$320,000. There is no funding provision in the current budget, however, it is expected that approximately \$250,000 could be sourced through the Roads to Recovery program.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

22. *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.

SUSTAINABILITY

Social Implications

23. The memorial will ensure that the heritage of the shire is retained.

Economic Implications

24. The memorial will encourage visitors to stop and other promotional opportunities may arise that diverts visitors to local eateries and businesses in the Pickering Brook area.

Environmental Implications

25. The Shire will be required to lodge an application for a clearing permit. Furthermore, dependent upon advice from the Department of Lands it may be necessary to address native title issues.

RISK MANAGEMENT CONSIDERATIONS

Risk	Likelihood	Consequence	Rating	Action/Strategy
The application for vestment and creation of additional road reserve may be rejected.	Possible	Minor	Medium	Ensure that Council support is received prior to application to Department of Lands
That funding is not available through the Roads to Recovery program.	Unlikely	Major	Medium	Lodge application through grants program.

OFFICER COMMENT

27. The PBHG request for the Shire to seek vesting approval from the DOL for a section of Reserves 6583 and 6637 for the purpose of providing a roadside stop with a memorial to the pioneers of Canning Mills is supported.
28. In supporting the PBHG request, the Shire will lodge applications with the DOL for additional road reserve to accommodate the road widening.
29. The Shire will lodge clearing permit applications with the Department of Environment and Conservation as required for the site.
30. The traffic safety issues identified at the site require rectification, irrespective of the request from PBHG. The funding for the rectification of the identified traffic safety issues, can be programmed in two stages being:
- 2016/2017 approvals and design and documentation stages
 - 2017/2018 clearing and road construction.

Voting Requirements: Simple Majority

RESOLVED OCM 172/2015

That Council:

1. Supports the application from Pickering Brook Heritage Group to seek vesting approval from the Department of Lands for a section of the Reserves number R6583 and R6637
2. Authorises the Shire to commence negotiations with the Department of Lands to acquire land necessary for the road widening project.

3. Considers allocating funds in the ten year capital works budget to satisfy the traffic safety issues identified at the site on the basis of funding in 2016/17 for the approvals and design/documentation stages and in 2017/18 for the clearing and construction stages, noting that an amount of \$250,000 will be sourced through the Roads to Recovery program for the construction works.

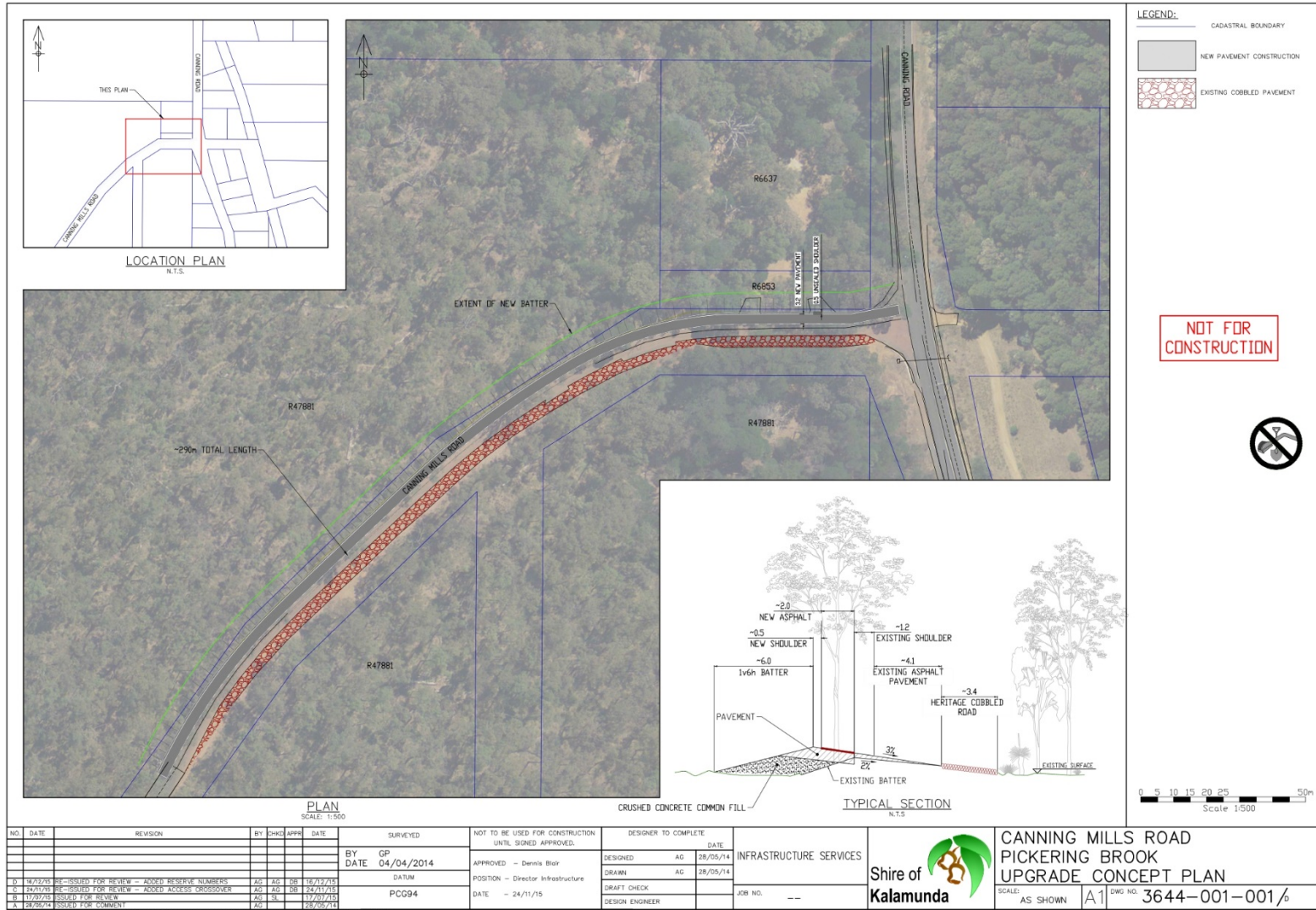
Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Attachment 1

Attachment 1



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

10.3.4 Kalamunda Aged Care Advisory Committee – Establishment and Endorsement of Terms of Reference

Previous Items	OCM 161/2015
Responsible Officer	Director Corporate Services
Service Area	Community Care
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Proposed Terms of Reference

PURPOSE

1. To consider the establishment of the Kalamunda Aged Care Advisory Committee (KACAC) and endorse its Terms of Reference.

BACKGROUND

2. At the Ordinary Council Meeting held 23 November 2015, Council requested that the Chief Executive Officer undertake a review of the existing Council's Management and Advisory Committees, and provide a report recommending the Committees that would meet the Council strategy and priorities, and improve Shire efficiencies.
3. It was recommended that an Aged Care Advisory Committee be established to provide strategic leadership on Aged Care development across the Shire.

DETAILS

4. The establishment of an Aged Care Advisory Committee will provide the framework and forum for the Shire to focus on achieving its strategic objectives and goals with respect to the provision of services and facilities for its ageing population, their families and carers living in and visiting the Shire.
5. The comments in paragraph 4 have formed the basis for the development of the proposed Terms of Reference and contain the following key elements:-

Purpose

To advise and make recommendations to Council, on a range of strategic issues which affect the quality of life of the ageing population, their families and carers living in and visiting the Shire of Kalamunda.

Objectives

To develop and promote the Shire Positive Ageing Plan.

To ensure any Shire development and activities considers the Age Friendly Communities framework.

To achieve greater access to Aged Care Accommodation in the Shire of Kalamunda.

To monitor trends, issues and developments occurring at the local, state and national levels for the aged care sector.

To undertake ongoing research and analysis of the aged care sector to ensure the Shire is at the forefront of any development opportunities that may emerge.

To advocate and develop relationships with the aged care sector and identify opportunities for partnership ventures.

To consider and promote greater access to community based aged care facilities and support services.

To investigate and promote regional approaches to aged care issues.

Membership

A total membership of up to 9 members, all of whom shall be appointed by Council, comprising:

- The Shire President.
- Two Councillors.
- The Chief Executive Officer.
- Up to two members from Aged Care Community Representation organisations.
- Two community member who are carers of seniors or people with senior's interests.
- One representative from a local organisation providing services to seniors (community or residential) within the Shire of Kalamunda.
- All members shall have an appointed Deputy who is to attend meetings in the absence of a member.
- Appointment is for up to two years and members are eligible for re-appointment following the Council Ordinary Election.

In addition, it is proposed that two Local Members of parliaments, one each from Federal and State government, be appointed as Ex-Officio members to the committee.

The KACAC will meet quarterly throughout the year with agenda and minutes being administered by the Chief Executive Officer or their delegate.

All recommendations made by KACAC will be reported to Council through the Corporate & Community Services Committee.

STATUTORY AND LEGAL CONSIDERATIONS

6. Section 5.8 of the *Local Government Act 1995* – Establishment of Committees.
- Section 5.9 (2) (c) of the *Local Government Act 1995* – Types of Committees.
- Section 5.11 (2) (d) of the *Local Government Act 1995* – Tenure of Committee Membership.

POLICY CONSIDERATIONS

7. The Shire currently does not have an Aging Population Policy and this may need to be a consideration undertaken by the KACAC.

COMMUNITY ENGAGEMENT REQUIREMENTS

8. Once Council has approved the establishment of the Committee, nominations from appropriate community representatives for appointment to the Committee will be sought.

FINANCIAL CONSIDERATIONS

9. Following the review of all advisory committees the Shire may need to consider increasing resources to administer any significant overall increase in the number or frequency of advisory committees. Should it become necessary this will become a budget consideration for 2016/2017.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

10. *Kalamunda Advancing: Strategic Community Plan to 2023*
- OBJECTIVE 1.1 – To be a community that cares for its aged and frail and those less fortunate.
- OBJECTIVE 1.2 – To ensure the ageing population has housing choice.

SUSTAINABILITY

Social Implications

11. Community representation on Shire Management and Advisory Committees is integral to ensuring a link is maintained between Shire operations and community aspirations.

Economic Implications

12. Nil.

Environmental Implications

13. Nil.

RISK MANAGEMENT CONSIDERATIONS

14.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Committee goals do not align with Shire's objectives and strategies.	Possible	Minor	Medium	Provide guidance to the Chair and at the first meeting communicate the Shire's strategic plan and objectives.
Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may not approve the establishment of the committee.	Unlikely	Major	Medium	Without Advisory Committees Council will lack the framework to advance strategic direction within the Shire.

OFFICER COMMENT

15. The establishment and endorsement of the KACAC will provide a formal mechanism for consultation and promotion of aged care related issues and concerns in line with the strategic direction provided within the Strategic Community Plan to 2023.
16. Based on Western Australian Local Government Authorities, Estimated Residential Population, 30 June 2014, the Shire of Kalamunda is in the top 20 Councils ranked with the highest 60 plus years' population count, with 20.6% of the population being over 60 years of age. This is higher than the total state average.
17. Membership requires significant involvement from key stakeholders in our community and in the aged sector.
18. Advertisements seeking nominations from the various community groups for appointment to the Committee will be placed in the local newspapers. Following this a report will be bought to Council in February 2016, to formalise the appointments.
19. The Corporate & Community Services Committee at its meeting on 14 December 2015 deferred this report for consideration by Council. The report is now represented with an amended Terms of Reference and an addition to the Officer Recommendation to facilitate appointment of the Councillor Delegates.

A mover and seconder for the substantive motion were found. The mover was invited to speak to the motion.

An amendment had been circulated to Councillors from Cr Noreen Townsend the Presiding Member invited the Councillor to speak to this. A Councillor asked if it was possible for any Councillor who wished to nominate for this Committee to give an explanation as to why they wished to do so; the Presiding Member indicated he would request this when nominations were accepted.

The mover of the substantive motion did not accept the amendment; this was then debated; a Councillor pointed out that the amendment took away the option to have deputies, therefore, at Point 2, the words "subject to replacing Items 5.1-5.6 (and renumbering accordingly)" were added and a vote taken for the amendment.

AMENDMENT CR NOREEN TOWNSEND

RESOLVED OCM 173/2015

That Council:

1. Approves the establishment of the Kalamunda Aged Care Advisory Committee.
2. Endorse the Terms of Reference (Attachment 1) for the Kalamunda Aged Care Advisory Committee ***subject to replacing Items 5.1 – 5.6 (and renumber accordingly) membership with the following membership.***

The Shire President

The CEO

One Councillor

One members from aged care community representation organisations

Two community members who are carers of seniors; or a person with senior's interests

Two representatives of a local organisation providing services to seniors (community services or residential services) within the Shire of Kalamunda.

One representative from the medical fraternity

3. Appoints Cr _____ to the Kalamunda Aged Care Advisory Committee.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Dylan O'Connor**

Vote:

For

Cr Michael Fernie

Cr Allan Morton

Cr Brooke O'Donnell

Cr Noreen Townsend

Cr Dylan O'Connor

Against

Cr John Giardina

Cr Geoff Stallard

Cr Sara Lohmeyer

Cr Simon Di Rosso

Cr Tracy Destree

Cr Sue Bilich

Cr Andrew Waddell

LOST (5/7)

The proposed amendment was lost; Cr Simon Di Rosso suggested an amendment to include "one representative from the medical fraternity", this was accepted by the mover and seconder of the substantive motion.

Cr Simon Di Rosso put forward a further amendment to nominate Cr Noreen Townsend and Cr Sue Bilich to the Kalamunda Aged Care Advisory Committee.

A Councillor suggested Point 4. be deleted from the motion and an election could then take place for Councillor Delegates. Both mover and seconder were in agreement and this became part of the substantive motion.

The Presiding Person asked Cr Simon Di Rosso he wished his amendment to reinstate Point 4. and put forward Councillors Townsend and Bilich as delegates for the Kalamunda Aged Care Advisory Committee; he confirmed he would. A seconder was found, the amendment was not acceptable to the mover of the substantive motion. The amendment was then debated, during the debate the Presiding Member asked for a show of hands as to whether other Councillors would like to be part of this Committee, Cr Tracey Destree and Cr John Giardina indicated their interest. The motion put and lost.

Voting Requirements: Simple Majority

AMENDMENT CR SIMON DI ROSSO

RESOLVED OCM 174/2015

That Council:

1. Appoints **Cr Townsend** and **Cr Bilich** to the Kalamunda Aged Care Advisory Committee.

Moved: **Cr Simon Di Rosso**

Seconded: **Cr Sue Bilich**

Vote:

For
Cr Noreen Townsend
Cr Dylan O'Connor
Cr Simon Di Rosso
Cr Sue Bilich

Against
Cr Michael Fernie
Cr John Giardina
Cr Geoff Stallard
Cr Allan Morton
Cr Brooke O'Donnell
Cr Sara Lohmeyer
Cr Tracy Destree
Cr Andrew Waddell

LOST (4/8)

The Presiding Member returned to the substantive motion and called for any questions or debate. A Councillor asked what would happen regarding the determining which Councillors would represent the Committee, the Presiding Member indicated he would be happy to take a motion to make this decision immediately after the vote was taken on the substantive motion.

A vote was then taken for the substantive motion and was successful.

Voting Requirements: Absolute Majority

RESOLVED OCM 175/2015

That Council:

1. Approves the establishment of the Kalamunda Aged Care Advisory Committee.
2. Endorse the Terms of Reference (Attachment 1) for the Kalamunda Aged Care Advisory Committee.
3. **At 5.7 add: One representative from the medical fraternity.**
4. ~~Appoints Cr _____ and Cr _____ to the Kalamunda Aged Care Advisory Committee.~~

Moved: **Cr Tracy Destree**

Seconded: **Cr John Giardina**

Vote:	For Cr Michael Fernie Cr John Giardina Cr Geoff Stallard Cr Allan Morton Cr Brooke O'Donnell Cr Andrew Waddell Cr Dylan O'Connor Cr Sara Lohmeyer Cr Simon Di Rosso Cr Tracy Destree Cr Sue Bilich	Against Cr Noreen Townsend
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CARRIED / ABSOLUTE MAJORITY (11/1)

The Presiding Member asked for a mover and seconder to have an immediate election to appoint the two Councillors; following this a secret ballot took place.

Voting Requirements: Simple Majority

RESOLVED OCM 176/2015

That Council:

1. Have an immediate vote for the committee members.

Moved: **Cr Sara Lohmeyer**

Seconded: **Cr Simon Di Rosso**

Vote: **CARRIED UNANIMOUSLY (12/0)**

The Presiding Member asked for nominations for the positions of Councillor Delegates on the Kalamunda Aged Care Advisory Committee; four were received.

Each of the four nominees Councillor Sue Bilich, Councillor Tracy Destree, Councillor Noreen Townsend and Councillor John Giardina then explained why they wished to be on the Committee.

A ballot took place, Councillor Tracy Destree gained sufficient votes but as there was a draw between Councillor Noreen Townsend and Councillor John Giardina a further ballot took place. Following the second ballot Councillor John Giardina was confirmed to join the Committee as well as Councillor Tracy Destree..

**(Revised following C&C Committee Meeting 14 December)
Including Revision at Ordinary Council Meeting 21 December 2015
Attached 1**



**AGED CARE ADVISORY COMMITTEE
TERMS OF REFERENCE**

1. Name

The name of the Committee shall be the Kalamunda Aged Care Advisory Committee.

2. Purpose

To advise and make recommendations to Council on a range of strategic issues which affect the quality of life of the ageing population, their families and carers living-in and visiting the Shire of Kalamunda.

3. Objectives

- 3.1 To develop and promote the Shire Positive Ageing Plan.
- 3.2 To ensure any Shire development and activities considers the Age Friendly Communities framework.
- 3.3 To achieve greater access to Aged Care Accommodation in the Shire of Kalamunda.
- 3.4 To monitor trends, issues and developments occurring at the local, state and national levels for the aged care sector.
- 3.5 To undertake ongoing research and analysis of the aged care sector to ensure the Shire is at the forefront of any development opportunities that may emerge.
- 3.6 To advocate and develop relationships with the aged care sector and identify opportunities for partnership ventures.
- 3.7 To consider and promote greater access to community based aged care facilities and support services.
- 3.8 To investigate and promote regional approaches to aged care issues.

4. **Council's Strategic Alignment**

Kalamunda Advancing - Strategic Community Plan to 2023

Strategy 1.1 To be a community who cares for its aged and frail and those less fortunate

Strategy 1.2 To ensure the ageing population has housing choice.

5. **Membership**

A total membership of up to 9 full members comprising:

5.1 The Shire President.

5.2 Two Councillors.

5.3 The Chief Executive Officer

5.4 Up to two members from Aged Care Community Representation organisations.

5.5 Two community members who are carers of seniors or people with senior's interests.

5.6 One representative for a local organisations providing services to seniors (community or residential) within the Shire of Kalamunda.

5.7 One representative from the medical fraternity.

5.8 All members shall have an appointed Deputy who is to attend meetings in the absence of a member

5.9 Appointment is for up to two years and members are eligible for re-appointment following the Council Ordinary Election.

5.10 Membership will be reviewed should a member miss three consecutive meetings without approved leave of absence.

In addition it is proposed that two Local Members of parliaments, one each from Federal and State government, be appointed as Ex-Officio members to the committee.

6. **Election of Presiding Member and Deputy Presiding Member**

The election of the Presiding Member and Deputy presiding Member will be conducted in accordance with the provisions of the *Local Government Act 1995*.

7. Meetings

- 7.1 The Committee shall meet quarterly and may have the ability to increase the frequency of meetings if required. Meetings should be held on a regular date and time to be determined by the group.
- 7.2 A quorum shall consist of at least one half of the appointed members.

8. Minutes

- 8.1 Agendas and Minutes will be administered by the Chief Executive Officer or their delegate.
- 8.2 An Agenda and notice of meeting will be distributed electronically by the Secretary at least 3 days prior to each meeting.
- 8.3 It is important that Agenda Items along with any supporting papers are sent to the Secretary no later than 5 days prior to meeting. This allows time for members to consider the item and make an informed decision.
- 8.4 If there are no Agenda Items the Secretary in consultation with the Presiding Member, will advise all members that the scheduled meeting is cancelled.
- 8.5 Late agenda/business items may be accepted for consideration by the Committee.
- 8.6 A Shire of Kalamunda staff member will act as a Secretary for the Committee.
- 8.7 The Secretary shall keep minutes of all business transacted at all meetings and a copy shall be forwarded to members within 7 days of each meeting.
- 8.8 All recommendations made by KACAC will be reported to Council through the Corporate & Community Services Committee.

9. Voting

Each appointed member present shall have one (1) vote, with the Presiding Member having a casting vote if required.

10. Key Performance Indicators

- 10.1 To be added when agreed upon.

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

10.3.5 Shire of Kalamunda Advisory Committees – Performance Measures

Previous Items	
Responsible Officer	Chief Executive Officer
Service Area	Governance
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachment 1	Proposed Performance Measures

PURPOSE

1. To consider an amendment to the Terms of Reference for all Shire of Kalamunda Advisory and Management Committees to include Performance Measures.

BACKGROUND

2. The Council has approved the establishment pursuant to the provisions of section 5.8 of the *Local Government Act 1995* (the Act) of a number of Management and Advisory Committees.
3. Periodic reviews of these committees are undertaken to ensure they are operating efficiently and fulfilling the role expected when established, particularly the strategic objectives.
4. At the November 2015 Ordinary Council Meeting Council resolved to request a review of the Shire's Management Advisory Committees, including aspects with respect to efficiencies and strategic priorities.
5. As part of the rationale for calling for the review of the Advisory and Management Committees, it was noted that:-
 - While the Committees are established under the *Local Government Act 1995* to advise the Council, there have been very few issues referred to Council.
 - The participation in some Committees has been low and content is operational. In some cases Committees are not meeting or have been disbanded.

DETAILS

6. A Report (C&C 63) was presented to the Corporate & Community Services Committee meeting on 14 December 2015 with proposed Performance Measures based on the following:-
 - Strategic Alignment of Agenda Items – measuring strategic vs operational items and the numbers of items referred to Council for consideration.

-
- Meeting attendance – measuring both total and councillor delegate attendance.
 - Administration – measuring the amount of support provided to the committees

An Annual report on the actual outcome of these performance measures will be prepared and submitted to Council.

7. The Officer's Recommendation presented in Report C&C 63, 14 December 2015 :-

That Council adopt the performance measures (Attachment 1) for inclusion in the Terms of Reference for all Shire of Kalamunda Advisory and Management Committees

was defeated.

STATUTORY AND LEGAL CONSIDERATIONS

8. Sections 5.8, 5.9 and 5.10 of the *Local Government Act 1995*.

POLICY CONSIDERATIONS

9. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

10. Community engagement has not been undertaken with respect to this Report.

FINANCIAL CONSIDERATIONS

11. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

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

Strategy 6.3.3 Regularly review the organisation's structure, policies and procedures in response to changing circumstances.

SUSTAINABILITY

Social Implications

13. Nil.

Economic Implications

14. Nil.

Environmental Implications

15. Nil

RISK MANAGEMENT CONSIDERATIONS

16.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Performance Measures are not introduced.	Unlikely	Minor	Low	Ensure that the advantages of performance measures are fully explained.

17. There are arguments for and against the merits of introducing performance measures for Advisory and Management Committees. However, the benefits and disadvantages need to be fully explored and debated to ensure an informed decision is made.

18. It is considered that this could be achieved through a workshop with councillors to fully explore and discuss the matter.

A Councillor commented that he had not been happy with this report as presented to the Corporate & Community Services Committee but felt this was a much more appropriate way to move forward given the vast differences in the various groups.

Voting Requirements: Simple Majority

RESOLVED OCM 177/2015

That Council:

1. Request the Chief Executive Officer to facilitate a workshop to discuss the advantages and disadvantages of Performance Measures for all Shire of Kalamunda Advisory and Management Committees

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Simon Di Rosso**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Attachment 1

Revised Following Corporate & Community Services Committee Meeting 14 December 2015

Performance Measures

Strategic Alignment

Outcome	Description	Measure
Strategic alignment of Agenda Items	1. Agenda Items are aligned to strategic plans as set by Council. This should include but not limited to the Strategic Community Plan, relevant Master Plans or development proposals.	Ratio of Strategic versus Operational items discussed at each Committee Agenda.
	2. Recommendations requiring consideration and decision by Council.	Number of recommendations presented to Council from each Committee.

Committee Objectives

Outcome	Description	Measure
Each Committee to decide its outcomes and measures.		

Attendance

Outcome	Description	Measure
Meeting attendance	1. Level of attendance to Committee meetings by all members.	Number of meetings attended over the term of appointment.
	2. Level of attendance to Committee meetings by Council Delegates.	Number of meetings attended over the term of appointment.

Reporting Format

At the end of each year a report is compiled and presented to Council that includes actual results of the above KPI's for all Advisory Committees.

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Cr Dylan O'Connor – Forrestfield Stage 1 Industrial Area Developer Contribution Scheme

Rationale

The Forrestfield Stage 1 Industrial Area Developer Contribution Scheme (DCS) has been in place since 2012. Since that time, there have been some questions and concerns raised regarding the management of the DCS. The shire is the administrator of the DCS. The Shire have held many meetings with concerned landowners as these questions and concerns have been raised. These ongoing concerns also facilitated the Shire undertaking an independent review of the DCS, it was found that the scheme is being administered and managed according to State Planning Policies.

Notwithstanding the review, questions and concerns continue to be raised by some of the landowners. It is because of the ongoing concerns being raised that I feel it necessary, and, in the interest of transparency for all stakeholders including landowners, developers, the council and the Shire of Kalamunda, that, under the direction of Council, the Shire should consider transferring the administration function of the DCS from the current in house model to an external suitably qualified third party agent who will undertake the day to day administration, collect and account for all scheme contributions, undertake annual reviews and be the reporting and liaison point for the Shire and the landowners for the duration of the scheme's lifecycle.

I would expect that the communication flow plan would include an outline of the regularity and means by which the agent appointed will keep landowners and developers informed, be available to answer queries and conduct meetings if and when they are required and also provide strategies to further improve the communication of information to all stakeholders.

This motion will provide more confidence to landowners and will also provide the technical and professional support from agents who deal with contribution schemes as their core business.

It is important that the Shire retain its overarching responsibility for the scheme, however using an external provider will give greater assurances to stakeholders and endeavour to build confidence in the use and application of such schemes now and into the future.

I have investigated and found that is not unusual for Local Government to outsource this particular function given the technical and specialised nature of administration of a scheme and therefore I believe that the Shire should also investigate this approach.

Officer comment

The Shire is aware of some local authorities who outsource the day to day running of the Scheme. The Shire has no objection to the intent of the recommendation. It is noted that there will still need to be Shire staff

involvement in the running of the arrangements, albeit at a reduced role. The Developer Contribution Arrangements are the responsibility of the Shire to administer, by virtue of the arrangements being made under Local Planning Scheme No.3 and the Shire being the responsible authority. The Council may delegate functions to the Chief Executive Officer (CEO) under S.11.3.1, however the CEO is unable to on-delegate these powers to a third party. As such, whilst an agent may be able to run the Scheme, Council and Staff will remain involved where decision making under the scheme is required.

The Presiding Member invited Cr Dylan O'Connor to speak to his motion.

A Councillor asked how the position would be funded and the Chief Executive Officer confirmed that it would be through the contribution monies.

Voting Requirements: Simple Majority

RESOLVED OCM 178/2015

That Council:

1. Request the CEO,
 - i) Investigate the appointment of a suitably qualified agent to manage the Forrestfield Stage 1 Industrial Area Developer Contribution Scheme.
 - ii) Create a 'Terms of Reference' that includes but is not limited to a dispute resolution framework, a communication plan and a reporting procedure as required under State Planning Policy.
 - iii) Give authority to the agent to contact and liaise with all landowners on all aspects of the scheme for which such authority can be given.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (12/0)**

11.2 **Cr Brooke O'Donnell – Forrestfield Bowling Club – Replacement of Toilet Cisterns**

Rationale:

The Forrestfield Bowling Club (FBC) has identified the replacement of the toilet cisterns as a priority for that group.

The FBC has obtained a quote including three options:

Option 1	Replace 6 single flush (11L) cisterns and replace with Caroma dual flush (9L) cisterns	\$5,180 ex GST
Option 2	As above but remove 6 pans and install new 3L/6L pan	\$8,260 plus GST
Option 3a	Remove 5 pans and cisterns and install wall faced toilet suite	\$8,976 plus GST
Option 3b	Remove disable toilet pan and cistern and install induct toilet suite	\$3,560 plus GST

Options 2 and 3 have not been supported by the Shire as they reduce flow to a level where problems may occur in the piping due to the long distance between pans and sewer.

Option 1 being the replacement of the cisterns to include water saving devices (upgrading to 9L flush instead of 11L – 18% reduction in use) is the preferred option by the Shire.

As this expenditure is in excess of the \$1,000 specified as the maintenance responsibility of the Club in accordance with the Lease Agreement, it is considered that the full cost should be borne by the Shire.

Officer Comments:

The full funding of the cistern replacement is not supported for the following reasons:

1. The cisterns are operational, however, due to the seasonal use, some components require replacement at the start of every season. This is normal and the replacement of washers and other consumable components should be programmed on an annual basis. Parts cost in order of \$10 per cistern annually (excluding labour) and would normally fall to the FBC as a minor maintenance item.
2. The cisterns are still in working condition but aged, therefore not an immediate maintenance priority.
3. The Shire would however support the replacement of the toilet cisterns with dual flush systems due to the long term water saving benefits with funding on the basis of the Shire funding 50% of the cost of the works and FBC the remaining 50%.

The Presiding Member invited Cr Brooke O'Donnell to speak to her motion.

A Councillor asked for clarification that the motion is to accept Option 1. Councillor Brooke O'Donnell confirmed this was the case for the dual flush cisterns that allowed for considerable water saving.

Cr Geoff Stallard declared an interest affecting impartiality as he is a member of the Forrestfield Bowls Club; he will vote on this matter.

Voting Requirements: Simple Majority

RESOLVED OCM 179/2015

That Council:

1. Approves the funding of the replacement of the toilet cisterns at the Forrestfield Bowling Club with dual flush (9L) cisterns at a cost of \$5,180 ex GST to be funded from the Building Maintenance – Forrestfield Bowling Club Account.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr John Giardina**

Moved: **CARRIED UNANIMOUSLY (12/0)**

11.3 **Cr Andrew Waddell - Shire of Kalamunda – Opposition to Forced Boundary Change – City of Subiaco**

Rationale:

I believe it is important for the Council and Shire of Kalamunda to continue to oppose in principle any forced changes to any local government district boundary.

Forced boundary changes deny affected residents natural justice and the opportunity to exercise their democratic rights to decide their own destiny.

The City of Subiaco is a member of the Councils for Democracy Group and has been a strong advocate against forced local government boundary changes and I consider it is important that the Council and Shire expresses its support to the City.

Staff Comment

Nil.

The Presiding Member spoke to his motion. A Councillor asked what form the support would take. Cr Andrew Waddell responded that letters would be sent to the City of Subiaco and the Minister for Local Government indicating the Shire of Kalamunda's position.

A Councillor requested more information with regard to what stage the forced change was currently at; the Presiding Member indicated these changes were part of the City of Perth legislation which is before parliament it is not being assented to yet and therefore has no affect at this stage; the Chief Executive Officer indicated they believed this legislation was still to go through the Upper House, however would confirm this to Councillors.

The Presiding Member indicated that support was being sought through the Shire's association with Council's for Democracy.

Voting Requirements: Simple Majority

RESOLVED OCM 180/2015

That Council:

1. Expresses its support for the City of Subiaco's opposition to the State Government's forced change to its District Boundary which will result in the transfer of territory and 3,000 residents to the City of Perth.

Moved: **Cr Andrew Waddell**

Seconded: **Cr Sue Bilich**

Vote: **CARRIED UNANIMOUSLY (12/0)**

11.4 **Cr Sue Bilich - New Overarching Name for Kostera Oval and Hedley Jorgensen Oval**

Rationale:

At the recent Kostera Oval Advisory Committee meeting held 1 December 2015 there was discussion regarding a proposal for a new overarching name for the site.

The main reasons as to why an overarching name for the playing fields should be considered were as follows:

1. The playing fields are now all on the same level, with no distinction or barrier between the main oval and smaller fields adjacent to the school.
2. The inclusion of "Kalamunda" and "Sporting" in the name will provide a clear and easily understood description of the location and purpose of the site.
3. This is an opportunity to identify the new Sporting Area as belonging to the broader Kalamunda Community.
4. Adoption of an overarching sporting area name will enable this description to be included in the new shared licence agreement between the Shire of Kalamunda and the Education Department, which details responsibilities of each party for the shared site. The licence agreement is proposed to be considered by Council in February 2016.

Kalamunda Senior High School representative Kathy Ritchie advised that the proposal would still retain the cultural and historical names of Kostera and Hedley Jorgensen to identify the main oval and the smaller fields adjacent to Cotherstone Road.

The Kostera Oval Advisory Committee agreed unanimously with the name "Kalamunda Sporting Precinct".

I recommend Council initiate this overarching name now to allow for a 42 day public comment period prior to commencing the new signage for the site, and also to enable the new name to be used in the new shared licence agreement.

Officer Comments:

The Shire supports the proposal for an overarching name for the new Sporting Area, this would be consistent with themes used at other major sporting reserves, citing Hartfield Park as an example whereby Morrison Oval and Reid Oval maintained their names within the site.

The Shire supports the public comment period of 42 days.

The Presiding Member invited Cr Sue Bilich to speak to her motion. Cr Sue Bilich indicated that discussion had taken place at the Kostera Oval Advisory Committee Meeting, the Committee had proposed their desire to retain the original significant names - but to give a new overarching name to the area. Since a new Agreement with the Education Department will shortly be signed and new signage produced this seemed an appropriate time examine this.

The Presiding Member asked how the public comment would be dealt with, bearing in mind that the naming would have already been endorsed by Council and suggested at Point 4. The point should read "subject to" rather than supports. Discussion took place regarding the wording of the motion and at Point 4 the words "subject to", the mover and seconder agreed and this became part of the substantive motion.

A Councillor suggested the new cricket pitch should be recognised and suggested wording at Point 3 to add the words "and recognise the new cricket ground", this would recognise that the cricket teams had moved and now play on what is almost like a third oval, on reflection this was not added and will wait for the public comment period.

A Councillor felt the overall motion was unclear with regard to what was to take place. A Councillor also felt the wording made the decision sound like a fait accompli and suggested the wording should change.

A Councillor expressed concern with regard to the motion as he felt it was ambiguous and he would therefore need to vote against it. The Presiding Member reworded the motion to be more explicit and a vote was then taken.

Voting Requirements: Simple Majority	
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MOTION	
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That Council:	
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|----|---|
| 1. | Recommend the proposal for an overarching name for the new Sporting Area. |
| 2. | Supports the proposed name "Kalamunda Sporting Precinct". |
| 3. | Supports the current historical names of Kostera Oval and Hedley Jorgensen Oval being retained to identify the sporting |

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- fields adjoining Recreation Road and Cotherstone Road respectively.
4. ~~Supports~~ **Subject to** a public comment period of 42 days given the historical significance of the site.
- Moved: **Cr Sue Bilich**
- Seconded: **Cr Tracy Destree**
- Vote:

Voting Requirements: Simple Majority

RESOLVED OCM 181/2015

That Council:

1. Seeks public comment for a period of 42 days:
 - a. That there be an overarching name for the new sporting area;
 - b. That the proposed name be "Kalamunda Sporting Precinct; and
 - c. That the current historical names of Kostera Oval and Hedley Jorgensen Oval be retained to identify the sporting fields adjoining Recreation Road and Cotherstone Road respectively.

Moved: **Cr Sue Bilich**

Seconded: **Cr Tracy Destree**

Vote: **CARRIED UNANIMOUSLY (12/0)**

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Cr Sara Lohmeyer – Today Tonight

Q. Can I invite all Councillors to Lot 20, Adelaide Street at 11.30am tomorrow as Channel 7 will be filming for Today Tonight?

A. The Presiding Member thanked Cr Lohmeyer for the invitation.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

14.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 Nil.

16.0 CLOSURE

16.1 There being no further business, the Presiding Member declared the meeting closed at 7.56pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2015