

# Public Agenda Briefing Forum

Tuesday 10 September 2019

Draft Agenda for the Ordinary Council Meeting to be held on 24 September 2019



**city of  
kalamunda**



## Core Values

- Service:** We deliver excellent service by actively engaging and listening to each other.
- Respect:** We trust and respect each other by valuing our differences, communicating openly and showing integrity in all we do.
- Diversity:** We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.
- Ethics:** We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behaviour.

## Aspirational Values

- Creativity:** We create and Innovate to Improve all we do.
- Courage:** We make brave decisions and take calculated risks to lead us to a bold and bright future.
- Prosperity:** We will ensure our District has a robust economy through a mixture of industrial, commercial, service and home based enterprises
- Harmony:** We will retain our natural assets in balance with our built environment

*Our simple guiding principle will be to ensure everything we do will make Kalamunda socially, environmentally and economically sustainable.*



[www.kalamunda.wa.gov.au](http://www.kalamunda.wa.gov.au)

city of  
**kalamunda**

## **INFORMATION FOR THE PUBLIC ATTENDING PUBLIC AGENDA BRIEFING**

Agenda Briefing Forums will involve Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate) and will be open to the public.

**The Briefing Session will be held in the Function Room of the City of Kalamunda commencing at 6.30pm.**

Agenda Briefing Forums will provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next Ordinary Council Meeting for formal consideration and decision.

## PROCEDURES FOR PUBLIC AGENDA BRIEFING FORUMS

The following procedures will apply to all Public Agenda Briefing Forums that are conducted by the City of Kalamunda:

- a) Public Agenda Briefing Forums will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995* (WA).
- b) Dates and times for Public Agenda Briefing Forums will be set more than one (1) week in advance where practicable, and appropriate notice given to the public.
- c) The Chief Executive Officer will ensure timely written notice and an agenda for each Public Agenda Briefing Forum will be provided to all Elected Members, members of the public and external advisors (where appropriate).
- d) Ordinarily, the Mayor is to be the Presiding Member at Public Agenda Briefing Forums. However, should Elected Members wish to rotate the role of Presiding Member for a particular meeting, those Elected Members present may select, by consensus, a Presiding Member for the relevant Public Agenda Briefing Forum from amongst themselves to preside at that Public Agenda Briefing Forum.
- e) Relevant employees of the City of Kalamunda will be available to make a presentation or respond to questions on matters listed on the agenda for the Public Agenda Briefing Forum.
- f) All Elected Members will be given a fair and equal opportunity to participate in the Public Agenda Briefing Forum.
- g) The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
- h) Elected Members, employees and relevant consultants shall disclose their interests on any matters listed for the Public Agenda Briefing Forum. When disclosing an interest the following is required:
  - i. Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the *City's Code of Conduct*.
  - ii. Elected Members disclosing a financial interest will not participate in that part of the forum relating to the matter to which their interest applies and shall depart the room.
  - iii. Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- i) Minutes shall be kept of all Public Agenda Briefing Forums. As no decisions are made at a Public Agenda Briefing Forum, the minutes need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the minutes is to be attached to the following Ordinary Council Meeting for Council to review and confirm as being a true and accurate summary of the preceding forum.
- j) At any Public Agenda Briefing Forum, Elected Members may foreshadow a request to the Chief Executive Officer for the Chief Executive Officer to prepare a report on a matter they feel is appropriate to be raised and which is to be presented at a future Public Agenda Briefing Forum.
- k) Requests of this nature may not be accepted by the Chief Executive Officer at forums, but instead, Elected Members wishing to formalise such a foreshadowed request, shall submit a Notice of Motion to that effect to the Chief Executive Officer in accordance with the *City's Standing Orders Local Law 2015 (City's Standing Orders)*

## PROCEDURES FOR PUBLIC QUESTION TIME

### Questions Asked Verbally

Members of the public are invited to ask questions at Public Agenda Briefing Forums.

- a) Questions asked at a Public Agenda Briefing Forum must relate to a matter contained on the agenda.
- b) A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- c) Public question time will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.
- d) Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.
- e) Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- f) Public question time will be allocated a minimum of 30 minutes. Public question time is declared closed following the expiration of the allocated 30 minute time period, or earlier if there are no further questions.
- g) The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 50 minutes in total.
- h) Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory to any particular Elected Member or City of Kalamunda employee.
- i) The Presiding Member shall decide whether to:
  - i. accept or reject any question and his/her decision shall be final;
  - ii. nominate a City of Kalamunda employee to respond to the question (who make take such question on notice in which case, provision of a response shall be in accordance with the City's Standing Orders); or
  - iii. take a question on notice (in which case, a written response will be provided as soon as possible and included in the agenda of the next Ordinary Council Meeting).
- j) Where an Elected Member is of the opinion that a member of the public is:
  - i. asking a question at a Public Agenda Briefing Forum that is not relevant to a matter listed on the agenda; or
  - ii. making a statement during public question time,they may bring it to the attention of the Presiding Member who will make a ruling.
- k) Questions and any responses will be summarised and included in the minutes of the meeting.
- l) It is not intended that question time should be used as a means to obtain information that would not otherwise be made available if the information was sought from the City's records under Section 5.94 of the *Local Government Act 1995* (WA) (**LG Act**) or the *Freedom of Information Act 1992* (**FOI Act**).
- m) Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer will determine that it is an unreasonable impost upon the City of Kalamunda and may refuse to provide it. The Chief Executive Officer will advise the member of the public that the information may be sought in accordance with the FOI Act.

## **PROCEDURES FOR PUBLIC STATEMENT TIME**

- a) Members of the public are invited to make statements at Briefing Forums.
- b) Statements made at a Briefing Forum must relate to a matter contained in the agenda.
- c) A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- d) Public Statement Time will be limited to two (2) minutes per member of the public.
- e) Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- f) Public Statement Time will be allocated a maximum time of ten (10) minutes. Public Statement Time Is declared closed following the ten (10) minute allocated time period, or earlier if there are no further statements.
- g) Statements are to be directed to the Presiding member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City of Kalamunda employee.
- h) Where an Elected Member is of the opinion that a member of the public is make a statement at a Briefing Forum that is not relevant to a matter listed on the agenda, they may bring it to the attention of the Presiding Member who will make a ruling.
- i) A member of the public attending a Briefing Forum may present a written statement rather than make the statement verbally if he or she so wishes.
- j) Statements will be summarising and included in the notes of the Briefing Forum.

## **Questions in Writing**

- a) Questions must relate to a matter contained in the Agenda Briefing Forum agenda.
- b) The City will accept a maximum of five written questions per member of the public. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- c) Questions lodged by the close of business on the working day immediately prior to the scheduled Agenda Briefing Forum will be responded to, where possible, at the Agenda Briefing Forum. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- d) The Presiding Member shall decide to accept or reject any written question and his/her decision shall be final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- e) The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- f) Written questions unable to be responded to at the Public Agenda Briefing Forum will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Ordinary Council Meeting.
- g) A person who submits written questions may also ask questions at a Public Agenda Briefing Forum and questions asked verbally may be different to those submitted in writing.
- h) Questions and any response will be summarised and included in the minutes of the meeting.

- i) It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of LG Act or the FOI Act.
- j) Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer will determine that it is an unreasonable impost upon the City and may refuse to provide it. The Chief Executive Officer will advise the member of the public that the information may be sought in accordance with the FOI Act.

### **Questions of Clarification**

Members of the public may ask questions of clarification at Public Agenda Briefing Forums.

- a) Questions of clarification asked at a Public Agenda Briefing Forum must relate to a matter contained on the agenda.
- b) Questions of clarification will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.
- c) The period at which members of the public may ask questions of clarification must follow the presentation of reports.
- d) Statements are not to precede the asking of a question of clarification. Statements should be made during public submissions.
- e) The period for questions of clarification will be allocated a minimum of 15 minutes. This time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of 5 minutes, but the total time allocated for public question time is not to exceed 30 minutes in total.
- f) Questions of clarification will otherwise be governed by the same requirements and procedures as set out above from 5.1(i) to 5.1(n).

### **Acknowledgement of Traditional Owners**

We wish to acknowledge the traditional custodians of the land we are meeting on, the Whadjuk Noongar people. We wish to acknowledge their Elders' past, present and future and respect their continuing culture and the contribution they make to the life of this City and this Region.

## **Emergency Procedures**

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

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

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

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

## INDEX

<b>1. Official Opening.....</b>	<b>9</b>
<b>2. Attendance, Apologies and Leave of Absence.....</b>	<b>9</b>
<b>3. Declarations of Interest .....</b>	<b>9</b>
<b>4. Announcements by the Member Presiding Without Discussion .....</b>	<b>9</b>
<b>5. Public Question Time .....</b>	<b>9</b>
<b>6. Public Statement Time .....</b>	<b>9</b>
<b>7. Public Submissions Received in Writing .....</b>	<b>9</b>
<b>8. Petitions Received.....</b>	<b>10</b>
<b>9. Confidential Items Announced But Not Discussed .....</b>	<b>10</b>
<b>10. Reports to Council.....</b>	<b>11</b>
<b>10.1. Development Services Reports .....</b>	<b>11</b>
10.1.1. Local Planning Policy No.20 - Consulting Rooms in Residential Areas - Adoption for Final Approval.....	11
10.1.2. City of Kalamunda - Parking and Parking Facilities Local Law 2019 - Consideration of Submissions and Modifications .....	16
10.1.3. City of Kalamunda - Fire Hazard Assessment Plan - Season: 2019/2020 .....	20
<b>10.2. Asset Services Reports.....</b>	<b>25</b>
10.2.1. Buildings Asset Management Plan .....	25
10.2.2. Ray Owen Reserve - Outcome of Public Consultation .....	33
<b>10.3. Office of the CEO Reports .....</b>	<b>38</b>
10.3.1. Community Sporting and Recreation Facilities Fund - Rugby League Sports Floodlighting .....	38
<b>11. Closure .....</b>	<b>47</b>

**1. Official Opening**

**2. Attendance, Apologies and Leave of Absence**

Cr Dylan O'Connor - Leave of Absence  
Cr Kathy Ritchie – Leave of Absence  
Cr David Almond - Apology

**3. Declarations of Interest**

**3.1. Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matter to be discussed at the meeting. (Section 5.56 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*.)

**3.2. 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.

**4. Announcements by the Member Presiding Without Discussion**

**5. Public Question Time**

*Public question time will be allocated a maximum of 10 minutes and will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.*

*Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.*

*For the purposes of Minuting, these questions and answers will be summarised.*

**6. Public Statement Time**

*A period of maximum 10 minutes is provided to allow public statements from the gallery on matters relating to a matter contained on the agenda or the functions of Council. Public Statement Time will be limited to two (2) minutes per member of the public.*

*Public Statement Time is declared closed following the 10 minute allocated time period, or earlier if there are no further statements.*

*For the purposes of Minuting, these statements will be summarised.*

**7. Public Submissions Received in Writing**

**8. Petitions Received**

8.1 Nil.

**9. Confidential Items Announced But Not Discussed**

9.1 Nil.

## **10. Reports to Council**

### **10.1. Development Services Reports**

#### **10.1.1. Local Planning Policy No.20 - Consulting Rooms in Residential Areas - Adoption for Final Approval**

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

Previous Items	OCM 81/2019
Directorate	Development Services
Business Unit	Approval Services
File Reference	
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"><li>1. Local Planning Policy No.20 - Consulting Rooms in Residential Areas - Submission Table [<b>10.1.1.1</b> - 2 pages]</li><li>2. LPP 20 - Consulting Rooms in Residential Areas - Highlighted changes [<b>10.1.1.2</b> - 4 pages]</li></ol>

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to consider the final adoption of draft City of Kalamunda (City) Local Planning Policy No.20 - Consulting Rooms for Residential Areas (Policy).
2. The Policy has been prepared to ensure Consulting Rooms in areas zoned Residential and designated Residential under a Structure Plan maintain the amenity and character of the area while providing an opportunity for the development of small businesses which service local communities within the City.
3. It is recommended Council adopt the Policy with modifications as highlighted in Attachment 1.

#### **BACKGROUND**

4. The City periodically reviews, revokes and adds new policies to provide a level of consistency and transparency in decision making and to ensure Council has a clear and defensible position regarding planning matters.
5. This Policy has been prepared in response to Amendment 81 of the City's Local Planning Scheme No.3 (Scheme). Amendment 81 involved the modification of Table 1 (Zoning Table) and the change of the land use 'Consulting Rooms' from an 'X' to an 'A' use in Residential zoned land.
6. Under clause 4.3.2 of the Scheme, an 'X' use means a use that is not permitted and an 'A' use, means the use is not permitted unless the local government has exercised its discretion by granting planning approval after first having the proposal advertised to the public.

## DETAILS

7. The primary objectives of the Policy are to:
  - a) ensure consulting rooms maintain the amenity and character of the areas in which they are proposed;
  - b) streamline the assessment process for minor consulting room proposals; and
  - c) guide the decision-making process for determining such applications.
8. The Policy states the following matters will be given due regard when considering consulting rooms in residential areas:
  - a) traffic impacts;
  - b) noise attenuation;
  - c) visual privacy;
  - d) overshadowing; and
  - e) the established streetscape and urban design.
9. The Policy outlines acceptable development provisions in relation to:
  - a) location;
  - b) built form;
  - c) landscaping;
  - d) hours of operation;
  - e) car parking; and
  - f) public consultation.

## STATUTORY AND LEGAL CONSIDERATIONS

### ***Planning and Development (Local Planning Schemes) Regulations 2015 (WA)***

10. The *Planning and Development (Local Planning Schemes) Regulations 2015*, provide in Schedule 2, Part 2 Clause 4(3) – (6) apply as follows respectively -
11. The Local Government must –
  - a) review the proposed policy in light of any *submissions* made and resolve to:
    - i. proceed with the policy without modification; or
    - ii. proceed with the policy with modification; or
    - iii. not to proceed with the policy.
12. b) subject to the above, publish the local planning policy in the local newspaper.
13. The local planning policy has effect on publication.
14. The City is to make a copy of the local planning policy available to the public.

### **Local Planning Scheme No.3**

15. Under the Scheme, the land use of Consulting Rooms is defined as follows:

*"Consulting rooms means premises used by no more than 2 health practitioners for the investigation or treatment of human injuries or ailments and for general outpatient care."*

### **POLICY CONSIDERATIONS**

16. The Policy follows the adopted Council templates with some small modifications for improved structure, legibility and clarity.

### **COMMUNITY ENGAGEMENT REQUIREMENTS**

#### **Internal Referrals**

17. The Policy more specifically relates to Statutory Planning; however comments were sought internally from Environmental Health, Engineering and Building. Environmental Health and Building had no comments. Engineering commented on onsite parking requirements.

Applications will be required to be referred internally on a case by case basis.

#### **External Referrals**

18. The Policy was advertised for a period of 21 days in accordance with the requirements of the City's Local Planning Policy 11 – Public Notification of Planning Proposals and the requirements of the Regulations (Schedule 2, Part 2, Clause 4(2)).
19. Over the course of the advertising period, two submissions were received, comprising one non-objection and one comment (Attachment 2).
20. The comment made suggestions surrounding parking and signage requirements, as well as the appropriateness of locations with respect to consulting rooms. In response, Section 7.5 – Car Parking and Section 7.1 – Location have been included in the policy and signage requirements were added to Section 7.2 of the Policy under Built Form.

### **FINANCIAL CONSIDERATIONS**

21. All costs incurred through advertising were met through the Approval Services budget.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

22. *Kalamunda Advancing Strategic Community Plan to 2027*

#### Priority 3: Kalamunda Develops

**Objective 3.1** - To plan for sustainable population growth.

**Strategy 3.1.1** - Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

#### Priority 3: Kalamunda Develops

**Objective 3.3** - To develop and enhance the City's economy.

**Strategy 3.3.1** - Facilitate and support the success and growth of industry and businesses.

## SUSTAINABILITY

### Social Implications

23. If the Policy is adopted, Council and City officers will be provided with more guidance in the assessment and determination of Consulting Room development applications.
24. Additionally, the community will have access to more clarity and transparency in how the City and Council makes decisions, leading to improved outcomes and reduced timeframes.

### Economic Implications

25. Nil.

### Environmental Implications

26. The provision of the landscaping requirements for all subsequent consulting room applications will positively contribute to the amenity of residential areas and the City's environment.

## RISK MANAGEMENT CONSIDERATIONS

27.

**Risk:** The Policy is not adopted, resulting in inconsistent application of planning advice, and fails to improve decision making.

Likelihood	Consequence	Rating
Unlikely	Moderate	Low

#### Action/Strategy

Ensure that Council is aware of the importance of having sound and robust planning policies to support the Scheme when assessing applications.

28.

<b>Risk:</b> The Policy is viewed as onerous.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Moderate	Low
<b>Action/Strategy</b>		
Ensure that the community understand the stated objectives.		

**OFFICER COMMENT**

- 29. It is important to note the Policy only applies to areas zoned Residential and designated Residential under a Structure Plan.
- 30. The proposed Policy will seek to ensure the amenity and character of residential areas are maintained while providing an opportunity for the development of small businesses which service local communities within the City.
- 31. A key element of the Policy is the introduction of the requirement for a landscaping strip to be provided where car parking is proposed in the front setback area. This will aid in softening the visual impact of parking bays from surrounding residences.
- 32. In response to the public submissions and further consideration of the Policy by the City, a number of modifications have been made to the Policy, involving car parking, signage and location requirements, and some minor formatting changes.
- 33. Accordingly, Section 7.5 – Car Parking and Section 7.1 – Location have been included in the Policy. Signage requirements have been added to Section 7.2 – Built Form. The proposed modifications further strengthen the Policy to ensure that the introduction of consulting rooms in Residential areas does not compromise the amenity and character of those areas.
- 34. As the Policy will ensure future development is consistent with the provisions of the Residential Design Codes, there is no requirement to refer the Policy to the Western Australian Planning Commission.

**Voting Requirements: Simple Majority**

**RECOMMENDATION**

That Council ADOPT Local Planning Policy No.20 – Consulting Rooms in Residential Areas, as set out in Attachment 1, pursuant to Schedule 2, Part 2, Clause 4(3)(b)(ii) and Clause 4(4) of the *Planning and Development (Local Planning Scheme) Regulations 2015 (WA)*.

## **10.1.2. City of Kalamunda - Parking and Parking Facilities Local Law 2019 - Consideration of Submissions and Modifications**

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

Previous Items	OCM 50/90; OCM 113/08; OCM 141/2017; SCM 01/19
Directorate	Development Services
Business Unit	Environmental Health and Community Safety
File Reference	LE-LOL-012
Applicant	N/A
Owner	N/A
Attachments	1. City of Kalamunda Parking and Parking Facilities Local Law 2019 [ <b>10.1.2.1</b> - 29 pages] 2. City of Kalamunda - Parking Local Law Submissions [ <b>10.1.2.2</b> - 4 pages]

### **EXECUTIVE SUMMARY**

1. The purpose of this report is for Council to consider making a new Local Law with respect to the City's parking and parking facilities, which will update the *Shire of Kalamunda Parking and Parking Facilities Local Law 2008*, gazetted on 14 January 2009.
2. The statutory process commenced at the Special Council Meeting (SCM) of 22 January 2019, when Council resolved to give State-wide Public Notice of its intention to make the new Local Law and seek public submissions on the proposal.
3. It is recommended that Council makes the *City of Kalamunda Local Parking and Parking Facilities Local Laws 2019* (Attachment 1).

### **BACKGROUND**

4. Section 3.16 of the *Local Government Act 1995* (WA) (Act) requires local laws be reviewed every eight years. The City's review of the *Shire of Kalamunda Parking and Parking Facilities Local Law 2008* identified improvements contained in the proposed local law.
5. The review revealed the current local law is inconsistent with the business needs for the City. The modified penalties for non-compliance were also inconsistent with penalties of other Western Australian local governments.
6. The City has reviewed the current *Shire of Kalamunda Parking and Parking Facilities Local Law 2008* and has implemented the changes noted in the review and Council submission and approval on 22 January 2019.
7. The submission period has concluded, and the Minister has been informed of the proposed changes.

## **DETAILS**

8. At the SCM Meeting on 22 January 2019, Council resolved to commence the process to repeal the local law.
9. State-wide Public Notice of the proposed local law seeking submissions was published on 23 March 2019. Submissions closed on 10 May 2019, with a total of three submissions received (see Attachment 2).
10. Three submissions were received during the state-wide public notice period. Two from the public and one from the Department of Local Government, Sport and Cultural Industries. The two submissions from the public objected to the proposed local law, citing it does not suit the lifestyle of the hills, and that there should be no meters or attendants in Kalamunda, as this will ruin the ethos of the town. In response the City already has existing Parking and Parking Facility Local Laws, and the laws provide a regulated and safer parking environment for all users.
11. The submission from the Department of Local Government, Sport and Cultural Industries provided comments to assist the City with drafting matters in relation to the local law. In part these comments have been accepted and the changes made to the local law.

## **STATUTORY AND LEGAL CONSIDERATIONS**

12. Section 3.12 (4), (5), (6) and (7) of the Act provides for the statutory procedure that the City must follow in the making of a new local law.
  - a) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.
  - b) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
  - c) After the local law has been published in the *Gazette* the local government is to give local public notice:
    - i. stating the title of the local law;
    - ii. summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
    - iii. advising that copies of the local law may be inspected or obtained from the local government's office.

The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them

## **POLICY CONSIDERATIONS**

13. Nil.

## COMMUNITY ENGAGEMENT REQUIREMENTS

### Internal Referrals

14. The City's General Counsel has reviewed the proposed City of Kalamunda Parking and Parking Facilities Local Law 2019.

### External Referrals

15. The Advertising period commenced on 23 March 2019 to 10 May 2019 (49 Days).
16. A total of 3 submissions were received. Two were from community members and one from the Department of Local Government, Sport and Cultural Industries (see Attachment 2).

## FINANCIAL CONSIDERATIONS

17. The only financial implications arising from the adoption of this Local Law will be the costs of advertising as required by the legislation. These costs will be met from current budget allocations.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

18. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.2** - To provide a safe and healthy environment for community to enjoy.

**Strategy - 1.2.1** Facilitate a safe community environment.

## SUSTAINABILITY

### Social Implications

19. NIL

### Economic Implications

20. NIL

### Environmental Implications

21. NIL

**RISK MANAGEMENT CONSIDERATIONS**

22.

<b>Risk:</b> The proposed new Local Law is not approved		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Moderate	Medium
<b>Action/Strategy</b>		
Ensure Council is aware that the legislation requires a review of Local Laws every 8 years.		

**OFFICER COMMENT**

23. The proposed *City of Kalamunda Parking and Parking Facilities Local Law 2019* will provide for the orderly and effective management of parking and parking facilities within the City.

<b>Voting Requirements: Absolute Majority</b>
---

**RECOMMENDATION**

That Council MAKES the *City of Kalamunda Parking and Parking Facilities Local Law 2019* as set out in Attachment 1.

### **10.1.3. City of Kalamunda - Fire Hazard Assessment Plan - Season: 2019/2020**

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

Previous Items	Nil
Directorate	Development Services
Business Unit	Community Safety
File Reference	RA-BFC-002
Applicant	N/A
Owner	N/A

Attachments	1. City of Kalamunda - Fire Hazard Assessment Plan - 2019/2020 Season [ <b>10.1.3.1</b> - 20 pages]
	2. City of Kalamunda - Fire Hazard Assessment Plan - 2019/2020 Season - Appendix 1 Area Maps [ <b>10.1.3.2</b> - 20 pages]
	3. City of Kalamunda - Enforcement Management Procedure - Fire Breaks and Notices [ <b>10.1.3.3</b> - 1 page]
	4. City of Kalamunda - Fire Hazard Reduction Notice 2019/2020 [ <b>10.1.3.4</b> - 2 pages]
	5. City of Kalamunda - Fire Hazard Reduction Notice 2019/2020 - Government Gazette [ <b>10.1.3.5</b> - 3 pages]

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to advise Council of the City of Kalamunda's (City) approach to fire hazard management and assessment through the implementation of the '*Fire Hazard Assessment Plan 2019-20 Season*' (Attachment 1) together with associated Area Maps (Attachment 2), combined, the "*Plan*".
2. The Plan will:
  - a) support the requirements the City's Fire Hazard Reduction Notice 2019/2020 (Notice) (Attachment 3), gazetted on 28 June 2019 (Attachment 4);
  - b) replace City procedure SM-DS01.2 – Enforcement Management Procedure – Fire Breaks and Notices (Attachment 3); and
  - c) replace the City's Fire Hazard Assessment Plan 2018/19,providing a risk-based approach to fire hazard assessments, while increasing the City's engagement focus to build a more resilient community.
3. It is recommended Council notes the Plan, associated Area Maps and the Notice.

## BACKGROUND

4. The City's procedure "SM-DS01.2 – Enforcement Management Procedure – Fire Breaks and Notices" (Procedure) (Attachment 4) does not represent the current position regarding the balance between community engagement and enforcement of the *Bush Fires Act 1954*. For example, the Procedure establishes the process where the City will issue an infringement notice on the owners of premises for matters of minor non-compliance after 1 November. The Procedure provides no guidance or details on what constitutes matters of minor non-compliance.
5. The Plan utilises previous non-compliance, complaints and a comprehensive risk assessment to determine the priority of assessments. The purpose is to reduce the overall risk profile of the City by ensuring all very high and extreme properties are assessed before moving onto lower risk properties.
6. The Plan also utilises a combination of community engagement programs to support the assessments, which are focused on empowering residents to be fire ready before the 1 November 2019 assessment program (Engagement Programs). The focus of the Engagement Programs is to increase fire safe practices, asset preparedness and community resilience, while giving residents information on how to comply with the Notice.

## DETAILS

7. The Engagement Program has already commenced with community workshops, social media infomercials, updated City website, static displays, variable message boards, letterbox drops of information booklets and the Notice.
8. The City is using the Department of Fire and Emergency Service's (DFES) 'Bushfire Risk Management System' (BRMS), which is a digital database enabling DFES in collaboration with local government to log bushfire risks throughout Western Australia. The BRMS allows the City to capture data specific risk ratings for all assets within its district. The assets are divided into four categories, Cultural, Economic, Environmental and Human Settlement. Although most assets will be one or the other, the BRMS provides the ability to rate multiple risks against the one asset. Once all the risk data has been logged into the BRMS, the BRMS will automatically provide the rating category, which the assessment program is based around.
9. The City Fire Control Officers (FCOs) will drive all fire breaks on the properties they assess. The purpose of driving the fire breaks is to ensure they comply with the 3m wide by 4m high clearance. This is a critical safety requirement to ensure our Volunteer Bush Fire Brigade and Fire and Rescue Services can safely drive a fire appliance along a fire break in times of an emergency.
10. The City is encouraging those residents that consider the physical characteristics of their property make it impossible to comply with the Notice, to apply for a variation (pursuant to the mechanism for this as set out in the Notice) before 1 October 2019. Late variation applications may incur an administration fee of \$150.

## **STATUTORY AND LEGAL CONSIDERATIONS**

11. Section 33 and 39, *Bush Fires Act 1954*.

## **POLICY CONSIDERATIONS**

12. Nil.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

13. The Plan complies with the strategic direction provided in the City's Strategic Community Plan.
14. The Plan was presented at the 29 August 2019 Local Emergency Management Committee meeting.

### **External Referrals**

15. The Department of Fire and Emergency Services was consulted in the preparation of the proposed Plan.

## **FINANCIAL CONSIDERATIONS**

16. Provision for the proposed Plan was costed in the 2019/20 operational budget. No additional funding is being requested as part of this report.

## **STRATEGIC COMMUNITY PLAN**

### **Strategic Planning Alignment**

17. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.2** - To provide a safe and healthy environment for community to enjoy.

**Strategy - 1.2.1** Facilitate a safe community environment.

#### **Priority 2: Kalamunda Clean and Green**

**Objective 2.1** - To protect and enhance the environmental values of the City.

**Strategy 2.1.1** - Enhance our bushland, natural areas, waterways and reserves.

**Strategy 2.1.2** - Support the conservation and enhancement of our biodiversity.

**Strategy 2.1.3** - Community engagement and education in environmental management.

## SUSTAINABILITY

### Social Implications

18. The Plan empowers the City’s residents, recognising their autonomy, to comply with the Notice thereby building a more resilient community. The Plan achieves this by providing residents with the information they need to not only comply with the Notice before 1 November, but to ensure they are bushfire ready.

### Economic Implications

19. Empowering our residents to become resilient will reduce the economic impact during times of emergency.

### Environmental Implications

20. Compliance with the Notice reduces the risk of fire spreading and increases the ability to contain and control fire, thereby increasing the level of protection to the local environment.

## RISK MANAGEMENT CONSIDERATIONS

- 21.
- |   |                    |               |
|---|--------------------|---------------|
| <b>Risk:</b> There is a compliance risk if the City does not ensure the community is fire ready by 1 November 2019 and maintains this state of readiness until 31 March 2020. |                    |               |
| <b>Likelihood</b>   | <b>Consequence</b> | <b>Rating</b> |
| Almost Certain  | Major              | Extreme       |
| <b>Action/Strategy</b>  |                    |               |
| The Notice was gazetted on 28 June 2019. The Plan will reduce this risk through increased education and a risk-based assessment program.                                      |                    |               |
- 22.
- |  |                    |               |
|--|--------------------|---------------|
| <b>Risk:</b> There is a reputational risk, if the City is impacted by a fire event resulting in loss of property and/or life.  |                    |               |
| <b>Likelihood</b>  | <b>Consequence</b> | <b>Rating</b> |
| Unlikely   | Critical           | Extreme       |
| <b>Action/Strategy</b>   |                    |               |
| The processes contained in the Plan, if followed correctly, will reduce the impact of incidents and will also assist with answering enquiries from external sources. |                    |               |

23.

<b>Risk:</b> There is a Health and Safety risk if the City is impacted by a fire event resulting in loss of property and/or life.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Critical	Extreme
<b>Action/Strategy</b>		
The Plan will increase community awareness and preparedness through a better approach to engaging with residents. This will assist to mitigate the risk by making residents fire ready and build the overall resilience of the community.		

24.

<b>Risk:</b> There is an environmental risk if the City is impacted by a large fire which damages the local environment and/or asbestos cement clad/roofed buildings or other like structures.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Critical	Extreme
<b>Action/Strategy</b>		
The Plan will reduce the impact of fire on the natural environment. The engagement aspects of the Plan will increase community awareness on the role of fire hazard reduction thereby reducing the risk of severe fires.		

**OFFICER COMMENT**

25. City Fire Control Officers (FCOs) will attempt to contact the resident before commencing an assessment of a premises. The City is using this as another opportunity to engage with the community and educate residents on how to prepare and protect their properties.
26. The City also recognises that not all residents will be at home when they arrive to undertake an assessment. The City will leave a small door hanger filled with promotional items advertising the "Are you Ready" Bushfire season message, so residents know FCOs have attended their premise.
27. The City will issue written work orders to homeowners who are assessed as non-complaint. The City will only issue infringement notices to homeowners after they have been given 14 days to complete the works identified in their respective work order.

<b>Voting Requirements: Simple Majority</b>
---

**RECOMMENDATION**

That Council:

1. NOTE the "Fire Hazard Assessment Plan 2019-20 Season" as set out in Attachment 1, together with associated Area Maps as set out in Attachment 2; and
2. NOTE the implementation of the "Fire Hazard Reduction Notice 2019/2020" as set out in Attachment 2.

## 10.2. Asset Services Reports

### 10.2.1. Buildings Asset Management Plan

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

Previous Items	OCM 130/2012; OCM 157/2016; OCM 79/2017; OCM 125/2017; OCM 140/2017; OCM 129/2018
Directorate	Asset Services
Business Unit	Asset Planning & Management
File Reference	HU-PAA-013
Applicant	N/A
Owner	N/A
Attachments	1. Buildings Asset Management Plan Final Draft 1.3 - 20910809 [ <b>10.2.1.1</b> - 66 pages]

#### EXECUTIVE SUMMARY

1. The purpose of this report is to present the Buildings Asset Management Plan 2019 (Buildings AMP) provided as Attachment 1.
2. The intent of the Buildings AMP is to guide the City of Kalamunda (City) as to the appropriate average annual investment on maintaining buildings that balances both target asset financial sustainability ratios and service levels presented to the community and users. The current Long Term Financial Plan (LTFP) for building renewals (not building enhancements or new) indicates that these matters can be satisfied if the recommended intervention levels are adopted.
3. Customer survey responses during the development of the Buildings AMP express a desire that the overall quality and presentation of the community buildings is improved which leads to a desire for building enhancements to be undertaken.
4. This report recommends endorsement of the City's Buildings Asset Management Plan 2019 and sets the objective of providing an increase in Operational and Maintenance funding annually in line with asset portfolio growth, by an amount of \$80,000 per year based on current LTFP funding allocations.

#### BACKGROUND

5. The City produced its first asset management plan for buildings in 2013. In 2016 the Asset Management Council Policy was revised and a number of internal processes improved, resulting in a revised Asset Management Strategy (adopted 2017), new Pathways and Parks AMP's (adopted in 2017), new Drainage AMP (adopted 2018), new Roads AMP (adopted 2018) and this proposed new Buildings AMP. The Pathways and Parks AMP's are due for revision by June 2020.

## DETAILS

6. The Buildings AMP covers the following subjects:
  - a) current status of assets;
  - b) levels of service;
  - c) life cycle management;
  - d) risk management;
  - e) future demand;
  - f) financial analysis; and
  - g) improvements, monitoring and review.
7. The City manages 262 buildings consisting of 41 Community Facility Buildings, 16 Municipal Buildings, 35 Sporting Buildings, 32 Amenities Blocks, four Emergency Service Buildings, 114 Minor Buildings, 17 Heritage Buildings and three Communication Towers.
8. A condition assessment of building assets was undertaken by APV Consultants in 2017 as part of the valuation of the buildings. Following this, detailed Level 2 condition inspections at a component level were undertaken for 59 of the City buildings, by City staff during 2018/19. This allowed for Condition ratings for Buildings to be developed.
9. The Condition Ratings of the Buildings (categorised by replacement cost) show that:
  - a) Condition 1 Very Good 19.5 %;
  - b) Condition 2 Good 44.5 %;
  - c) Condition 3 Fair 33.5 %;
  - d) Condition 4 Poor 3 %; and
  - e) Condition 5 Very Poor 0.5 %
10. It is important to note that the Condition Ratings above are based on the entire building. Long life elements (such as substructure, superstructure and roof framing) usually degrade at much slower rates than more visible short life elements such as carpets, finishes, lighting, heating and cooling and hot water systems. This means that some buildings have very poor or poor finishes but still have an overall fair or good condition rating.
11. During the development of the Buildings AMP, consultation was undertaken with the public users, lessees and hirers of Buildings and staff for City occupied buildings. Two major themes became apparent, firstly the importance placed on maintaining short life assets to presentable standards (such as floor finishes, painting, heating/cooling and lighting) and desires to upgrade facilities to contemporary standards (such as universal access and sports change facilities for women).
12. These desires come at significant cost, which is currently outside of the provisions within the LTFF.

13. It is important to differentiate between building enhancements and building renewals when considering a Buildings AMP. Asset Management Plans are geared towards identifying funding and standards on the basis of examination of the building on a 'like for like' basis. Building enhancements on the other hand examine what can be done to increase the amenity or functionality of the building or upgrade parts of the building to more contemporary standards.
14. The Buildings AMP sets out a funding scheme such that, on a building by building component basis, trigger points exist at which investment is needed to renew that component.
15. Various scenarios were tested in the plan as to financial impacts of intervention for asset renewal at various component Condition Ratings. The current LTFP can fund a scenario whereby components in higher priority buildings are renewed at Condition 4 (Poor) and components in lower priority buildings are renewed at Condition 5 (Very Poor). These renewals would restore the component to Condition 1, 2 or 3; then over time they would degrade to the Condition 4 or 5 at which time renewal is undertaken again.
16. The implications of this funding plan will be that many components of buildings currently at Condition 1, 2 or 3 will eventually degrade to Condition 4 and 5 at which time renewal is undertaken.
17. However, the City wished to implement plans to change the intervention for components of buildings to a scenario of renewal at Condition 3 there would be estimated at a need for an additional \$500,000 investment for each year over a 20 year period. A further 1.2% of rates revenue would need to be diverted or raised annually. This would however require much higher investments in early years to manage the high value and number of building components already at Conditions 4 and 5.
18. Complementary to the routine building maintenance programs to achieve the outcomes of the Buildings AMP (in terms of financial ratios etc), would be the concept of Building Enhancement Plans which identify the need for specific programs to enhance components of buildings for improved amenity, functionality or desire to upgrade to contemporary standards for targeted buildings. Together with the maintenance plans to meet the AMP needs, specific Buildings Asset Plans should be developed.
19. The Corporate Business Plan has identified that Building Asset Plans are to be developed for the Kalamunda Performing Arts Centre (KPAC) by June 2020 and Zig Zag Cultural Centre by June 2021. These plans will better inform Council as to the integration of building renewal and building new investment plans.
20. It is recognised that some funding in the LTFP within the building renewal funding stream also includes discretionary upgrade funds complementary to the planned maintenance tasks. These then in turn do impact the ability within annual budgets to undertake component level renewal of more visible items (such as carpets, lighting etc.) within fixed budget allowances.

21. It is noted that some community use buildings are poorly utilised and that rationalisation of buildings is a path to provide better maintained buildings serving the needs of the community within manageable funding programs.
22. The new Kalamunda Community Centre Building due for completion in 2020/21 will provide the capability for users of some other low use buildings to move into a new facility. This is perhaps the ideal trigger for a review of building rationalisation plans.
23. The Buildings AMP will be reviewed again in three years. During this period the following tasks will inform a revised plan:
  - a) develop a Buildings Maintenance Management Plan to include routine defects, inspection intervals, service standards (for example quality and timeliness of repairs) and performance measures;
  - b) complete Level 2 condition inspections for all buildings;
  - c) develop complementary Building Enhancement Plans linked to projected requirements for change in use (especially facilities for women in sport, disabled and elderly) or risk mitigation (e.g. asbestos removal);
  - d) integrate the Building Maintenance Management Plans and Enhancement Plans where needed;
  - e) prioritise renewals where asbestos-containing materials can be removed;
  - f) consider disability access improvement when undertaking future renewals and upgrades; and
  - g) review building rationalisation and disposals.

## **STATUTORY AND LEGAL CONSIDERATIONS**

24. The City is required to produce a plan for the future under S5.56 (1) of the *Local Government Act 1995* (WA) and supporting *Local Government (Administration) Regulations 1996* (WA). Asset Management Plans are informing strategies for the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan, and Integrated Planning and Reporting Framework which are recommended requirements for compliance to the Act and Regulations.

## **POLICY CONSIDERATIONS**

25. The Buildings AMP is prepared in support of the Asset Management Policy, (C-ASS01 and replaced by Service 4 once adopted) and Asset Management Strategy 2017-2021.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

26. The draft Buildings AMP was reviewed by the Infrastructure Asset Management Steering Committee prior to finalising this report.

## External Referrals

27. Asset Management Plans are informed by 'levels of service' which are the result of a community consultation process. Consultation on Levels of Services for buildings was undertaken between April and June 2019.

## FINANCIAL CONSIDERATIONS

28. The City's current LTFP forecasts an average annual amount of \$6.86 million for capital expenditure on all building assets for new and renewal works.
29. The Buildings AMP recommends increasing operational and maintenance funding in line with asset portfolio growth. This is estimated to require an additional \$80,000 per year based on new buildings listed in the current LTFP.
30. The recommended budget and intervention scenario model is Scenario 3. This requires no additional funding at this time.
31. The Buildings AMP also includes three financial ratios, being the Asset Consumption Ratio, the Asset Sustainability Ratio and the Asset Renewal Funding Ratio.
32. The Asset Consumption Ratio measures the fair value of the assets compared to the replacement cost of the assets. The recommended practice is that a ratio of 0.5 to 0.75 (fair value/replacement cost) is maintained over the long term. The Asset Consumption Ratio of the preferred scenario is within this range.
33. The Asset Sustainability Ratio measures the renewal or replacement rate against the rate of financial depreciation of the asset. This is a measure subject to variation as it only includes a limited number of years of renewals while the depreciation represents the life of the assets. The recommended practice is to maintain this ratio at 0.90 or greater, indicating reasonable financial sustainability. The current Asset Sustainability Ratio is 0.89.
34. The Asset Renewal Funding Ratio measures the ability of the City to fund its asset renewal/replacement program within the LTFP. The measure is the net present value of the approved ten-year renewal and replacement funding divided by the net present value of the required renewal and replacement funding (which is informed by the other ratios). The recommended Asset Renewal Funding ratio is between 0.95 and 1.05. With a current ratio of 1.71, no increase in funding for building renewals is recommended at this time.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

35. *Kalamunda Advancing Strategic Community Plan to 2027*

#### Priority 3: Kalamunda Develops

**Objective 3.2** - To connect community to quality amenities.

**Strategy 3.2.1** - Optimal management of all assets.

## SUSTAINABILITY

### Social Implications

36. Maintaining building assets at an acceptable level will assist in providing safe, accessible and functional facilities to meet community needs.

### Economic Implications

37. The City utilises a range of contractors and services to operate, maintain and renew the buildings assets and these will continue at similar levels to present.

### Environmental Implications

38. There are no direct environmental implications arising from the Buildings AMP.

## RISK MANAGEMENT CONSIDERATIONS

39.	<p><b>Risk:</b> The planned Buildings AMP when implemented fails to meet its objectives.</p>		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Unlikely	Significant	Medium
	<b>Action/Strategy</b>		
	<p>Ensure asset management activities continue in line with national practices. Continue to collect data, improve practices and seek funding for renewals, and engaging with the community on levels of service.</p>		

## OFFICER COMMENT

40. The Buildings AMP is presented in a format that is consistent with contemporary asset management practices across Australia and New Zealand.

41. The financial modelling identified that the condition rating and funding requirements is considered an 'Intermediate' level practice in terms of asset management maturity.

42. Through the scenario modelling process, the Buildings AMP provides ten year funding options and assists in the development of appropriate building assets renewal programs.

<b>Voting Requirements: Simple Majority</b>
---

**RECOMMENDATION**

That Council:

1. ENDORSE the City of Kalamunda's Buildings Asset Management Plan 2019.
2. NOTE the recommended funding for inclusion in the Long Term Financial Plan 2019 to 2029, in preparation for the 2020/2021 budget deliberations.

## **10.2.2. Ray Owen Reserve - Outcome of Public Consultation**

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

Previous Items	OCM 09/2015; OCM 22/2019
Directorate	Asset Services
Business Unit	Asset Delivery
File Reference	PR-PLN-001
Applicant	N/A
Owner	N/A

Attachments	1. Ray Owen Reserve Carpark and Drainage Plan [10.2.2.1 - 7 pages]
	2. Community Engagement Summary - Ray Owen Reserve Carpark [10.2.2.2 - 10 pages]

### **EXECUTIVE SUMMARY**

1. The purpose of this report is to consider the outcomes of community consultation for the Ray Owen Reserve Proposed Car Park and Drainage (Concept Plan) for staged improvements to car parking and drainage at Lot 581 (96) Gladys Road Lesmurdie and Lot 580 (49) Sanderson Road Lesmurdie collectively known as Ray Owen Reserve (the Reserve).
2. The community consultation showed that there is majority support for the Concept Plan, as well as endorsement by the relevant sporting clubs and local school reliant on the Reserve.
3. The current planning for the development of Ray Owen Reserve indicates that detail design of Stage 1 of the car park should be proceeded within this financial year. As well as this, further stormwater and drainage engineering analysis of the Concept Plan is proposed.
4. It is recommended in part, that Council endorses the Concept Plan, undertake stormwater and drainage planning and commence detail design of the Stage 1 car park.

### **BACKGROUND**

5. The Master Plan for Ray Owen Reserve, including expansion of sporting buildings, ovals and car parks was endorsed by Council at the Ordinary Council Meeting of 23 February 2016 (OCM 09/2015 refers.)
6. The staged development of the car park Concept Plan was endorsed for community consultation by Council at its Ordinary Meeting of Council held on 26 February 2019 (OCM 22/2019 refers). Attachment 1 shows the Concept Plan.
7. It is noted that the Concept Plan was also supported by the main sporting groups who utilise the Reserve, the Friends of Ray Owen Group and the adjacent Lesmurdie Primary School prior to seeking Council endorsement to proceed with public consultation.

8. The Concept Plan also reflects a 4-staged approach to improvements in parking capacity in line with presumed stages of growth in formalised sporting activity at the Reserve. The Concept Plan's objectives were:
- a) optimising increased parking capacity within the Reserve to match growth in sporting activity;
  - b) providing internal road connections between areas of car parking;
  - c) cognisant of safe and efficient access/egress to surrounding road network;
  - d) able to be delivered in discrete stages as funding permits; and
  - e) deal with the stormwater runoff from the car parking areas efficiently.
9. Following Council's endorsement of the Concept Plan community engagement was undertaken from 1 March to 11 April 2019.

## **DETAILS**

10. Community members were invited to comment on the Concept Plan via a survey (available online and in hard copy) or by presenting a written submission during the survey open period. The City also undertook presentation to the Ray Owen Reserve Management Committee.
11. The survey process was supported by the following events:
- a) a community drop-in information session was held on site at Lesmurdie Hall on Monday 18 March 2019, with approximately 20 community members attending;
  - b) an additional information session was held on the evening of Monday 25 March 2019 at Lesmurdie Primary School at the request of the Lesmurdie Primary School Principal, with approximately 12 community members attending; and
  - c) City of Kalamunda (the City) staff were also invited to participate in an internal workshop to gauge feedback on the plan relative to their respective areas of responsibility.
12. A total of 51 surveys were provided during the consultation period, with the following high-level summary of responses received noted:
- a) most survey respondents indicated that they live in Lesmurdie (71%);
  - b) the most common use of the Reserve was either walking (22%) or simply living near the Reserve (17%). This suggests that most survey respondents do not use the car park at all, and if they do, as pedestrians as opposed to using a vehicle; and
  - c) 60% of survey respondents rated the Concept Plan as either 'average', 'good' or 'very good' whereas, 34% rated it as 'poor' or 'very poor' and 6% were unsure how to rate it.
13. A total of 11 written submissions were received during the consultation period. Based on addresses provided or the content of the submission, 10 of these submissions were from residents within two streets of the Reserve.

14. Of the 11 submissions received, three opposed any development of the Reserve altogether, preferring sporting activity to be concentrated elsewhere, with the balance indicating acceptance subject to various suggested improvements/modifications to specific aspects of the Concept Plan.
15. The consultation outcomes report is provided as Attachment 2 to this report.
16. As detail design of the car park and building expansions proceed, there will be some changes necessary to the car park concept plan. Further, as the stormwater and drainage plan is developed there may be necessary changes for car park layout.
17. It would be also appropriate, based on community feedback to consider implementation of improved landscape buffers around the Reserve in suitable planting seasons.
18. It is viewed that the most appropriate actions are to commence stormwater and drainage design and if this causes a substantive change to the concept plan for the car park, then a revised concept plan for Council consideration will be required.
19. It is also proposed to commence Stage 1 car park detail design and undertake a traffic study focussing on the growth of Ray Owen Reserve and impacts on surrounding streets.

### **STATUTORY AND LEGAL CONSIDERATIONS**

20. Implementation of the staged works on site will require a Clearing Permit in accordance with normal protocols where proposed works require removal of native vegetation.

### **POLICY CONSIDERATIONS**

21. Nil.

### **COMMUNITY ENGAGEMENT REQUIREMENTS**

#### **Internal Referrals**

22. Workshop undertaken with staff to gauge feedback on the plan relative to their respective areas of responsibility.

#### **External Referrals**

23. Community engagement was undertaken during the period 1 March to 11 April 2019.

## **FINANCIAL CONSIDERATIONS**

24. The 2019-2020 budget includes a carry forward of \$59,900 and new funding of \$126,000 to undertake:
- a) car park design investigations and design works (including drainage, stormwater and traffic);
  - b) concept designs for the extension of the indoor netball/basketball facility; and
  - c) commencement of construction (if approved) of the Stage 1 car park.

## **STRATEGIC COMMUNITY PLAN**

### **Strategic Planning Alignment**

25. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 3: Kalamunda Develops**

**Objective 3.2** - To connect community to quality amenities.

**Strategy 3.2.1** - Optimal management of all assets.

## **SUSTAINABILITY**

### **Social Implications**

26. Increased car parking spaces along with improved car parking layout at the Reserve thereby raising the amenity for users, supported by potential improvements to the road network immediately adjacent to the Reserve for local residents during peak sporting activities.

### **Economic Implications**

27. Nil.

### **Environmental Implications**

28. A loss of some existing vegetation at the Reserve to accommodate the additional car parking areas is required, with design focused on a balanced approach, minimising the impact of removal wherever possible. Additional landscape treatment on the perimeter of the Reserve is proposed.

**RISK MANAGEMENT CONSIDERATIONS**

29.	<p><b>Risk:</b> The actual number of car parking spaces able to be delivered is less than the concept plan because of the potential impact arising from geotechnical, stormwater, traffic and environmental assessments.</p>						
	<table border="1" style="width: 100%;"> <tr> <th style="width: 33%;">Likelihood</th> <th style="width: 33%;">Consequence</th> <th style="width: 33%;">Rating</th> </tr> <tr> <td>Moderate</td> <td>Possible</td> <td>Medium</td> </tr> </table>	Likelihood	Consequence	Rating	Moderate	Possible	Medium
Likelihood	Consequence	Rating					
Moderate	Possible	Medium					
	<p><b>Action/Strategy</b></p> <p>Areas of major concerns will be assessed and if a new concept plan is required, will be provided to Council for consideration.</p>						

**OFFICER COMMENT**

- 30. It is noted that localised concerns have been raised to the development of Ray Owen Reserve car parking as a response to the planned expansion. This needs to be tempered against the greater prevailing need to facilitate sport in the District.
- 31. It is anticipated that the stormwater and drainage planning would be complete by the end of December 2019 allowing Stage 1 car park designs to be completed in early 2020.

**Voting Requirements: Simple Majority**

**RECOMMENDATION**

That Council:

- 1. NOTE the outcome of the public survey undertaken along with written submissions received in response to the Ray Owen Reserve Car park and Drainage Plan (Concept Plan);
- 2. ENDORSE the Concept Plan shown as Attachment 1 to this report;
- 3. NOTE that further studies will commence on stormwater, drainage and traffic and if these require a substantive change to the car parking layouts that revised concept plans are provided for Council consideration;
- 4. NOTE the commencement of Stage 1 car park detail design; and
- 5. ADVISE Ray Owen Reserve stakeholders, along with members of the public who responded to the survey and provided written submissions of Council decision.

### **10.3. Office of the CEO Reports**

#### **10.3.1. Community Sporting and Recreation Facilities Fund - Rugby League Sports Floodlighting**

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

Previous Items	Nil.
Directorate	Office of the CEO
Business Unit	Recreation Facilities & Services
File Reference	
Applicant	N/A
Owner	
Attachments	1. Sport Floodlighting Plan Hartfield Park - Rugby League - Soccer Field [ <b>10.3.1.1</b> - 1 page]

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to consider supporting an application for funding through the Department of Local Government, Sport and Cultural Industries' (DLGSCI) Community Sporting and Recreation Facilities Fund (CSRFF) 2020/21 Annual Grant Round.
2. In September 2018, the Kalamunda Bulldogs Rugby League Club (KBRLC) applied through the City of Kalamunda's Capital Grants Program for funding assistance towards the installation of new sports floodlighting on the old hockey fields (now consists of a rugby league field and a soccer field) at Hartfield Park (the project). The need for this project was supported by the Strategic Sport and Recreation Committee (SSRC) and that a CSRFF application be submitted to assist in funding the project.
3. The City will apply for a one third funding contribution (\$111,667) through the CSRFF program for the project. In the event of a successful CSRFF application and pending fund raising efforts of the KBRLC and FUSC, a City contribution for an amount of up to \$223,333 will need to be considered as part of the 2020/21 annual budget deliberation process.

#### **BACKGROUND**

4. The State Government through the DLGSCI administers the CSRFF program to provide financial assistance to sporting clubs and local government authorities to develop basic infrastructure for sport and recreation.
5. The program aims to increase participation in sport and recreation with an emphasis on increasing physical activity through the provision of well-planned sporting facilities.

6. The KBRLC were originally based at Pioneer Park, however the site was previously used for landfill which required remediation works during its development in 2008 to allow for sporting use. The remediation works undertaken at the time were not sufficient, which led to ongoing issues and restrictions for sporting club usage. Due to these ongoing issues and restrictions the KBRLC were often required to train at alternative venues within the City.
7. At the OCM116/2015 Council meeting, Council received the draft Pioneer Park Master Plan report, which advised that the identified remediation works and redevelopment of Pioneer Park to resolve the ongoing site issues and restrictions was not feasible. It was also noted that as an interim measure the KBRLC were to be relocated from Pioneer Park to Morrison Oval at Hartfield Park until a long-term option was identified.
8. During 2016, Pioneer Park was subsequently decommissioned for sporting club usage with KBRLC being relocated to Morrison Oval at Hartfield Park with access to the changerooms at the Forrestfield Cricket Club facility.
9. This left the KBRLC without a permanent home base which resulted in a reduction in membership from approximately 250 persons in 2015 to 120 persons in 2018 and financial sustainability issues due to reduced income sources. This also placed an increased burden on volunteers to meet the increased operational requirements.
10. The 2010, Hartfield Park Master Plan (HPMP) identified the need to relocate the Kalamunda and Districts Hockey Club (KDHC) from the old hockey fields to the old pony club site at Hartfield Park.
11. In 2013, the State Government provided funding for the redevelopment of Hartfield Park, which led to the City proceeding with the relocation of the KDHC to the old pony club site as per the HPMP. This presented an opportunity for the KBRLC to be relocated from Morrison Oval to the old hockey fields and pavilion.
12. The existing sports floodlighting on the old hockey fields (now the rugby league field and soccer field) was identified in 2016 through a lighting asset audit, as not meeting the required Australian Standards for large ball sports training activities (50 lux).
13. In September 2018, the KBRLC applied through the City's Capital Grants Program for funding assistance towards the project, which was considered by the SSRC.
14. The SSRC noted that adequate sports floodlighting is considered an important facility for community sporting clubs, as it allows for extended hours of training due to the lack of natural light. This is particularly important during the winter months, when teams are required to train under lights.

15. The SSRC supported the need for the project and concluded that the City should submit a CSRFF application to help fund the project. As a result, the project was listed within the City's Long Term Financial Plan (LTFP) for the 2020/21 financial year.
16. In April 2019, the new KDHC playing fields and facility at the old pony club site were completed, which allowed the KBRLC to finally relocate from Morrison Oval to a new rugby league field on an area of the old hockey fields and the KDHC pavilion. This has provided the club with a permanent home base for the first time in over four years. The remaining area of the old hockey fields is now a soccer field which is utilised for overflow training requirements by Forrestfield United Soccer Club (FUSC).
17. For the 2019 season the KBRLC has 158 playing members, which is an increase of 38 new members from the 2018 season. KBRLC have linked this increase to having a permanent home base. KBRLC are anticipating further memberships growth in future years.

## **DETAILS**

18. The new rugby league field and soccer field on the old hockey fields at Hartfield Park is currently lit by four banks of sports floodlighting which only light limited areas of either field and currently do not meet the required Australian Standards for large ball sport training activities.
19. Due to the limited lighting available and number of players, training is restricted for safety reasons to the limited areas of the field that are lit. KBRLC has managed this by spreading its teams training sessions over several nights to best utilise the lit areas of the field. Operating in this manner has placed strain on KDRUC volunteers and operations, which is not sustainable for them in the long term.
20. In addition, the FUSC currently utilises the new soccer field for overflow training requirements and similarly, to KBRLC, their usage is restricted to the limited areas of the field that are lit.
21. Due to the KBRLC and FUSC training directly under the limited lighting available, the fields are experiencing increased wear and tear issues.
22. The aim of the project is to increase the amount of lit space available on the rugby league and soccer fields for night-time training purposes and to provide KBRLC with the ability to host night matches.
23. The demand for night matches is increasing in frequency as a strategy by State Sporting Associations to attract greater participation in sport, particularly in youth. Youth participants have the highest drop off rate of all age groups involved in sport.
24. Overall, the project will lead to an increase in physical activity, as it will enable the KBRLC and FUSC to extend their hours of training and meet their future growth expectations.

25. The project will replace three 11 metre and one 14 metre sports floodlighting poles, with four new 35 metre sports floodlighting poles and luminaires.
26. This will provide KBRLC with one fully lit rugby league field capable of being programmed to either training (50 lux) or competition (100 lux) standards for large ball sports.
27. The project will be built in accordance with competition and training standard floodlighting to meet Australian Standards for football (all codes) (AS2560.2.3) and obtrusive effects of outdoor lighting (AS4282).

## **STATUTORY AND LEGAL CONSIDERATIONS**

28. Nil.

## **POLICY CONSIDERATIONS**

29. Active Reserves Sport Lighting Policy (FAC23)  
*Council's contribution is to be restricted to the provision of sports lighting to meet Australian Standards up to a "training Level" only. However, the Policy allows the City to support projects up to a "community competition level" for large ball sports where adequately identified through either a Reserve Master Plan or business case.*

*Clubs and community groups who are likely to benefit from a proposed sports floodlighting project, will be expected to contribute financially towards the project.*

The KBRLC's Capital Grants application identified the need for competition level sports floodlighting for large ball sports at a community level, due to the changing nature of sports competitions being played at night to allow greater participation. This SSRC supported the need for this project.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

30. The project was submitted through the City's SSRC process, who recommended to Council that the project be supported and included within the LTFP for implementation in the 2020/21 financial year and that a CSRFF application be submitted for this project.

### **External Referrals**

31. National Rugby League Western Australia (NRL WA) has indicated that they are supportive of KBRLC and the project.
32. DLGSCI Officers have advised that the project is eligible for the CSRFF program.

## FINANCIAL CONSIDERATIONS

33. An amount of \$335,000 will be included in the City's LTFP for the 2020/21 financial year towards this project.

The City's financial contribution towards the project would be subject to finalisation of the 2020/21 financial year budget and a successful outcome of the CSRFF application or other significant external funding opportunities.

34. A breakdown of the project funding split is provided below:

Organisation	Contribution
CSRFF	\$111,667
City of Kalamunda	\$223,333
KBRLC and FUSC (refer to note one)	\$0
<b>Total Estimated Project Cost</b>	<b>\$335,000</b>

35. Note One: Since KBRLC's relocation from Pioneer Park in 2016, due to ongoing site issues and restrictions, they have been without a home base. This has restricted their ability to raise capital funding, as expenses have been focused on maintaining club membership and meeting operational costs. As a result, the KBRLC is currently unable to make a financial contribution towards the project. KBRLC and FUSC have both confirmed that they will actively source external funding opportunities other than the CSRFF program to make a financial contribution towards the project.
36. The CSRFF annual grant will aim to maximise the State Governments contribution of up to a third of the total project cost (\$111,667), which will reduce the impact on Councils other funding priorities.
37. If CSRFF funding of \$111,667 is successful and pending the outcome of the KBRLC and FUSC fundraising efforts, then a City contribution to an amount of up to \$223,333 will need to be included within the 2020/21 annual budget.
38. If CSRFF funding of \$111,667 is unsuccessful and pending the outcome of the KBRLC and FUSC fundraising efforts, Council will need to consider whether it would be willing to fund the total project cost of up to an amount of \$335,000 in a future budget, or consider reapplying for CSRFF funding in a future round.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

39. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.2** - To provide a safe and healthy environment for community to enjoy.

**Strategy** - 1.2.3 Provide high quality and accessible recreational and social spaces and facilities.

**Strategy 1.2.2** - Advocate and promote healthy lifestyle choices by encouraging the community to become more physically active.  
**Strategy - 1.2.1** Facilitate a safe community environment.

**SUSTAINABILITY**

**Social Implications**

40. The provision of high quality community sport and recreation facilities is essential in fostering a positive sense of community health and wellbeing. The project will directly increase participation and physical activity in the community.

**Economic Implications**

41. Nil

**Environmental Implications**

42. Nil

**RISK MANAGEMENT CONSIDERATIONS**

43.

<b>Risk:</b> That the rugby league field and soccer field condition deteriorates further to become unsafe.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Possible	Major	High
<b>Action/Strategy</b>		
Increase maintenance efforts and if required reduce training loads on reserve until the installation of the training lighting on the main training area.		

44.

<b>Risk:</b> That the KBRLC and FUSC are unable to fundraise a capital contribution towards the project.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Possible	Significant	High
<b>Action/Strategy</b>		
Officers to continue to support the KBRLC and FUSC to fundraise a capital contribution. Additional external funding sources such as: Bendigo Bank, Federal Governments – Stronger Communities Program or Sport Australia’s Community Sport Infrastructure Program may be considered as suitable funding sources.		

45.	<b>Risk:</b> That the City is unsuccessful in receiving a CSRFF funding allocation towards the project.		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Possible	Major	High
	<b>Action/Strategy</b> A suitable grant application will be prepared to justify the need for the project in line with the funding objectives of the CSRFF program. If unsuccessful then the City can reapply for funding through the next CSRFF annual grant round or seek other significant external funding opportunities.		

**OFFICER COMMENT**

- 46. The need for the project has been established through the KBRLC’s Capital Grants application to the City, which was considered and supported by the SSRC.
- 47. The project would enable the rugby league field and soccer field to function at full capacity and provide a safer environment for KBRLC and FUSC.
- 48. This project will benefit the KBRLC, FUSC and the City by:
  - Improving player safety, by providing sports floodlighting that meets the required Australian Standards;
  - Maximising the playing field space available by dispersing utilisation loads across the two fields, which in turn will reduce the wear and tear of the playing field;
  - Increase the utilisation of the rugby league field and soccer field during the evening, which in turn will increase physical activity within the community, which is a primary focus of the CSRFF program.
  - Provide the ability to host night matches, which will allow KBRLC to spread matches from peak usage times (day-time Saturday and Sunday) to other times such as Friday or Saturday evenings and allow greater participation, particularly amongst youth;
  - Future proofs the site for anticipated increased demand; and
  - Reduce the burden on volunteers, who are currently operating training sessions across multiple teams on multiple nights.
- 49. The DLGSCI requires all applications to be assessed by the relevant local government authority and provided with a ranking according to the local government’s assessment. It should be noted, there is no obligation on the City to support a project.
- 50. The CSRFF program requires the City to rank all projects applied for, this project has been ranked as the first and only priority regarding facility development within the City of Kalamunda.
- 51. The announcement on the outcome of the 2020/21 CSRFF annual grants round is expected to be known by February 2020.

<b>Voting Requirements: Simple Majority</b>
---

**RECOMMENDATION**

That Council:

1. ENDORSE an application from the City of Kalamunda to the Community Sporting and Recreation Facilities Fund for a funding contribution of \$111,667 towards the installation of sports floodlighting on the rugby league field and soccer field (formerly the old hockey fields) at Hartfield Park.
2. NOTE in the event of a successful Community Sporting and Recreation Facilities Fund application an amount of up to \$223,333 will need to be considered as part of the 2020/2021 annual budget deliberation process.
3. NOTE that this project is ranked for the purposes of the Community Sporting and Recreation Facilities Fund program as the first and only priority within the City for the 2020/2021 Community Sporting and Recreation Facilities Fund annual grant round.

**11. Closure**