



Ordinary Council Meeting

MINUTES

Tuesday 23 March 2021

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1. Official Opening

The Presiding Member opened the meeting at 6:30pm and welcomed Councillors, Staff and Members of the Public Gallery. The Presiding Member also acknowledged the Traditional Owners of the land on which we meet the Whadjuk Noongar people.

2. Attendance, Apologies and Leave of Absence Previously Approved

Councillors

South East Ward

John Giardina
Janelle Sewell
Geoff Stallard

South West Ward

Lesley Boyd
Mary Cannon
Brooke O'Donnell

North West Ward

Sue Bilich
Lisa Cooper
Dylan O'Connor

North Ward

Cameron Blair
Kathy Ritchie
Margaret Thomas JP (Mayor) Presiding Member

Members of Staff

Chief Executive Officer

Rhonda Hardy

Executive Team

Gary Ticehurst - Director Corporate Services
Brett Jackson - Director Asset Services
Peter Varelis - Director Development Services

Management Team

Doug Bartlett - Manager Asset Delivery
Rod Strang - Manager Parks & Environmental Services
Nicole O'Neill - Manager Customer & Public Relations

Administration Support

Darrell Forrest - Governance Advisor
Donna McPherson - Executive Assistant to the CEO

Members of the Public 12

Members of the Press Nil.

Apologies Nil.

Leave of Absence Previously Approved Nil.

3. Public Question Time

3.1 Nil.

4. Petitions/Deputations

- 4.1 A deputation was read to the meeting by the Chief Executive Officer on behalf of Mr Cosimo Rando in relation to Item 10.6.5 Consideration of the Pickering Brook and Surrounds Working Group and Taskforce Recommendations (Part 1) and Proposed Metropolitan Region Scheme Amendment Request. Mr Rando was not supportive of some aspects of the Taskforce's recommendations.
- 4.2 A deputation was read to the meeting by the Chief Executive Officer on behalf of Ms Maureen Moffett in relation to Item 10.6.5 Consideration of the Pickering Brook and Surrounds Working Group and Taskforce Recommendations (Part 1) and Proposed Metropolitan Region Scheme Amendment Request. Ms Moffett was supportive of the recommendation.
- 4.3 A deputation was presented by Mr David Read representing Mr Eryk Matusik Director of Cagen Holdings Pty Ltd in relation to Item 10.2.3 Central Mall Streetscape: Adoption of Concept Design. Mr Read spoke in favour of the recommendation.
- 4.4 A deputation was presented by Mr Peter Forrest to Item 10.2.3 Central Mall Streetscape: Adoption of Concept Design. Mr Forrest spoke against the recommendation.
- 4.5 A deputation was presented by Ms Paige McNeill to Item 10.6.9 Perth Hills Future – Request for Letter of Support. Ms McNeill spoke in favour of the recommendation.

5. Applications for Leave of Absence

5.1 Nil.

6. Confirmation of Minutes from Previous Meeting

6.1 RESOLVED OCM 22/2021

That the Minutes of the Ordinary Council Meeting held on 23 February 2021, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Cameron Blair**

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

7. Announcements by the Member Presiding Without Discussion

7.1 The Mayor congratulated the Walliston Primary School on the 50th Anniversary Celebrations last week. The Mayor, Cr Sewell and Cr Bilich attended the assembly last Friday which included past teachers and students. Following the assembly, the Councillors were invited by the school Captains to participate in the ceremony to bury a time capsule.

8. Matters for Which the Meeting may be Closed

8.1 Item 10.2.4 Carob Tree Place Drainage Investigations

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be entered into, by the local government which relates to a matter to be discussed."

9. Disclosure of Interest

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 5.56 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*.)

9.1.1 Nil.

9.2. Disclosure of Interest Affecting Impartiality

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

9.2.1 Nil.

10. Reports to Council

10.1. Development Services Reports


10.1.1. Draft Activity Centres Strategy - Consideration of Submissions and Proposed Modifications for Final Adoption

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

Previous Items	OCM 61/2020
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-STU-041
Applicant	City of Kalamunda
Owner	N/A

Attachments	1. Modifications Table [10.1.1.1 - 7 pages]
	2. Submission Table [10.1.1.2 - 36 pages]
	3. Community Engagement Report [10.1.1.3 - 40 pages]
	4. DRAFT Activity Centres Strategy Report [10.1.1.4 - 152 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

Priority 3: Kalamunda Develops

Objective 3.4 - To be recognised as a preferred tourism destination.

Strategy 3.4.1 - Facilitate, support and promote, activities and places to visit.

EXECUTIVE SUMMARY

1. The Activity Centres Strategy (Strategy) will inform the future planning and land use decisions that will influence economic growth and employment opportunities within the City of Kalamunda (City).
2. The Strategy was advertised for public comment between 22 May 2020 to 26 June 2020 and included a survey, online information session and submissions. The survey received 17 responses, 13 submissions were received and 8 attended the online session. Refer to Attachment 2 for the Submissions Table and Attachment 3 for the Community Engagement Report.
3. It is recommended Council adopt the Strategy subject to the recommended modifications included in Attachment 1.

BACKGROUND

4. The Strategy will form a component of the City's new Local Planning Strategy.
5. At present, there is no Activity Centres Strategy endorsed by the City. It is considered important to have a Strategy of this kind to guide future strategic and statutory planning decision making for commercial, mixed use, and surrounding land use and development. The City's Economic

Development Strategy, adopted in December 2017, has helped to inform the Strategy.

6. The Strategy has been prepared in accordance with the Western Australian Planning Commission (WAPC) Local Planning Manual 2010 (Manual).
7. The Manual forms a guide to the preparation of local planning strategies and schemes in Western Australia. The Strategy incorporates the relevant activity centre and commercial development considerations from the Manual. The key considerations are outlined as follows:
 - a) Context for assessment of future growth and land allocation requirements as well as the hierarchy of urban centres where there is more than one.
 - b) Characteristics of the local economy, including economic base, inter-relationships and resource requirements; for example, human, material, energy.
 - c) Key industrial and business locations, including their nature and servicing requirements; for example transport, communications, water, energy.
 - d) Workforce participation by employment sectors (proportion and comparison with state and regional average).
 - e) Past and likely future changes in the economy, including changes to the economic base, employment and workforce.
 - f) Pattern of regional, district and local centres including the nature, composition, location, scale and associations (between uses and with transport).
 - g) Current and future retail and commercial floor space requirements, with reference to commercial services, population growth, employment and accessibility.
 - h) Transport assessment impact of the retail and commercial activity.
8. Planning strategies of this nature are recommended to be reviewed every five years.

DETAILS AND ANALYSIS

9. The draft Strategy (Attachment 4) was adopted by Council for the purpose of public advertising at the April 2020 Ordinary Council Meeting (OCM).
10. Public advertising ran from 22 May 2020 to 26 June 2020 and included a survey, online information session and submissions. The survey received 17 responses, 13 submissions were received and 8 attended the online session. Refer to attachment 2 for the Submissions Table and attachment 3 for the Community Engagement Report.

11. A range of feedback was provided, including the following key themes:
- a) Consideration of the establishment of an activity centre at Midland Road NAC;
 - b) Preparation of a Precinct Structure Plan for Forrestfield DAC;
 - c) Improvements to Activity Centres in High Wycombe, particularly along the Kalamunda Road stretch;
 - d) Greater opportunities for cycling access;
 - e) Enhanced tourism and aged care opportunities; and
 - f) Focus on existing centres rather than new centres.
12. In response to submissions, a number of modifications have been made to the Strategy, with some of the key modifications being:
- a) Administrative corrections.
 - b) Updating the names of some activity centres to have a consistent naming convention, to more easily understand the centres location and to better distinguish centres from one another.
 - c) Added the following convenience centres:
 - i) Anderson Road CC (Forrestfield)
 - ii) Edney Road CC (High Wycombe)
 - iii) Orange Grove CC (Kalamunda)

Note: These are centres that were not included in draft version but should be. The addition of these convenience centres is inconsequential due to the very small scale of the centres, limited offerings and no actions within the Strategy impact the centres.
 - d) Updated demographic information.
 - e) Removed post 2026 consideration requirement for the Midland Road NAC.
 - f) Added a section specifically commenting on alternative modelling output scenarios for centres.
 - g) Added Action 4.2.3 'Investigate the preparation of a Local Planning Policy/s to address the following activity centre matters (may not be limited to):
 - i) Built Form
 - ii) Retail Sustainability Assessment / Retail Analysis Requirements
 - iii) Out of Centre Development'
 - h) Revised action 4.2.1 to state 'Through the preparation of Local Planning Scheme 4 and subsequent Amendments, review and rationalise where appropriate the zoning of the City's activity centres. Locations that may be considered (but may not be limited to) include:
 - i) Special Use 1 (Holmes Road CC)
 - ii) Special Use 4 (Holmes Road CC)
 - iii) Additional Uses 10, 37, 38, 39 and 40 (Sixways LAC)'

13. The Strategy has the following overarching goal:
The City of Kalamunda will have a network of commercial activity centres that are characterised by their diversity, flexibility and unique character.
14. The Strategy has the following overarching objectives:
- a) To respond to the change and growth of population.
 - b) To ensure an equitable spatial distribution of facilities so that communities are not geographically disadvantaged from activity centres.
 - c) To improve the aesthetics of activity centre environments.
 - d) Reflect best practice land use planning and provide a robust framework for local commercial and activity centres.
15. An activity centre hierarchy has been prepared for the City based on the level of centres established through State Planning Policy 4.2 – Activity Centres Perth and Peel 2010 (SPP4.2). The City believes a variety of activity centres should be provided to meet the diverse requirements of the community. A summary of the hierarchy is outlined below:

Hierarchy	Role / Description
District Activity Centre (DAC)	District Centres have a greater focus on servicing the daily and weekly needs of residents. Their relatively smaller scale catchment compared to Regional Centres enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the needs of their catchments. Example – Kalamunda District Centre
Neighbourhood Activity Centre (NAC)	Neighbourhood Centres have a more limited role in providing convenience retailing and community facilities for an immediate surrounding catchment. Usually, these centres are anchored by a supermarket. In some cases, these centres also serve a tourist market. Example – Sanderson Road Neighbourhood Centre
Local Activity Centre (LAC)	Local Centres consist of a small group of shops that typically serve a local, walkable catchment, and provide for the daily convenience and ‘top-up’ needs of residents and passing motorists. Less than 1500m ² net lettable area (NLA). Some of these small centres contain a limited number of community facilities and other uses.

	Numerous Local Centres are located throughout City of Kalamunda, mainly in the urban region. Example – Gooseberry Hill (Railway Road) Local Centre
Convenience Centres	Convenience Centres provide the day to day convenience needs of local communities. Example - Walliston (Walliston Deli, Grove Road / Canning Road)

16. The Strategy establishes strategic guidance for activity centres within the City which will assist agencies, community groups, developers, businesses and residents understand the City's direction with regard to strategic activity centre planning, development and management. It will also provide an integral reference document for the City.
17. The Strategy takes into consideration current and future population projections, housing and other demographic factors. The key trends and projections influencing the Strategy are:
- a) The City's had a population of 58,954 at 2019, forecast 2021 population of 60,558 and this is predicted to rise to 71,407 people by 2041;
 - b) The suburbs of Forresterfield, High Wycombe, Maida Vale and Wattle Grove are anticipated to have the greatest population increases over this period;
 - c) The increased population in these suburbs will, in turn, increase the local commercial workforce providing a challenge to cater for an increased demand for population driven commercial uses; and
 - d) An expansion of existing centres and new activity centres is a likely response to an increased population.
18. The Strategy takes into consideration current and future socioeconomic trends. Compared with the Greater Perth metropolitan area and Western Australia, the City has:
- a) Higher median individual income.
 - b) Higher median household income.
 - c) A much higher proportion of separate houses and much lower proportion of medium and higher density housing.
 - d) A lower proportion of houses being rented and a higher proportion of owner-occupied houses.
 - e) Generally, more cars per dwelling.
 - f) A lower proportion of people with a bachelor degree / diploma or higher educational qualifications, but a higher proportion of Certificate III – IV qualifications.

- g) A lower proportion of managers and professionals in the resident workforce, but a higher proportion of clerical & sales workers, technicians & trades workers and machinery operators & drivers.
 - h) A much higher proportion of people working in Transport, Postal and Warehousing industries.
 - i) Lower rate of employment self-sufficiency.
 - j) Lower unemployment rate.
19. The Strategy considers the demand to provide for an anticipated future growth in the workforce. At current rates of workforce participation, there will be an additional 8,500 City residents in the workforce by 2036. To maintain the current employment self-sufficiency ratios, around 4,500 – 4,800 new jobs will be required in the City and more if employment self-sufficiency is to be increased. Some of this employment will be in commercial centres and public purpose centres (schools, hospitals, aged care) as they expand to serve the local population. Their scale is correlated with population growth. New jobs in these centres and complexes might be expected to account for up to 40% of new jobs.
20. A number of factors will affect the success and functionality of the City's activity centres in the future. The key considerations for future activity centre planning are described below.
21. **Demographic Changes**
- a) Population growth is often associated with increased economic growth and employment opportunities in a region.
 - b) It is expected to impact on several industries in the City, particularly education and training, health care and social assistance and retail trade.
 - c) This will create a demand for job opportunities, developing a pool of labour from which businesses can source, while driving demand for a range of goods and services to support household consumption.
22. **Consumer Behaviour**
- a) Consumer expenditure is increasingly trending towards households reducing debt, paying down mortgages and embracing the 'sharing economy'.
 - b) The retail sector is constantly changing as consumer preferences shift in response to new trends and economic factors, such as online shopping and increased demand for ready to consume products.
 - c) Shifts in consumer preferences and the emergence of online shopping will continue to erode the need for traditional "bricks and mortar" store-based retail.
 - d) Online shopping enables consumers to access goods and services from across the globe rather than being reliant on local retailers,

which will likely negatively impact on demand in the City's retail trade industry.

23. **Innovation and Technology**

- a) Innovation has contributed to consumer demands shifting from purchasing physical objects to a preference for digital content, which is changing the way people both access and store information and entertainment.
- b) This has resulted in reduced and changed demand for a range of goods and services, such as physical printed content (e.g. books, magazines, newspapers, CDs and DVDs), and also for service providers that leased space for this content (e.g. libraries, DVD hire), and entertainment/ leisure activities.
- c) A growing trend amongst consumers that will slightly offset some of the changes being driven by technology is the desire to have locally based authentic experiences. This trend will drive more people to want to shop locally, and if unique and authentic experiences are developed it will also attract visitors to the region from the broader Perth metropolitan area.
- d) Mobile internet, automation of knowledge work, machine-based learning, cloud technology, advanced robotics and autonomous vehicles, next generation genomics, energy storage, 3D printing, advanced materials and renewable energy are just some of the known technologies that will change the face of how we do business and live into the future.

24. **Major Development and Infrastructure Delivery**

Major projects and infrastructure developments in the City include:

- a) Perth Airport and Freight Access Project (Gateway WA)
- b) Airport Railway Line
- c) Forrestfield North
- d) Maddington-Kenwick Strategic Employment Area (MKSEA)
- e) Maida Vale South (Potential)
- f) Crystal Brook (Wattle Grove South) (Potential)
- g) High Wycombe-Thornlie Link

25. These projects will provide access to services, infrastructure and amenity for local residents and businesses, and have the potential, if promoted and facilitated proactively, to generate quality investment attraction outcomes for the City.

26. **Local Attributes**

1. The City's centres are generally small and specialised. Most centres are limited to groceries, takeaway and a few specialty stores that service the community.

2. The City has no centres above the District Activity Centre category, and have very limited bulky goods retail stores or opportunities for these.
 3. The City's centres are heavily influenced by the Strategic Metropolitan Centres (SMC) and Secondary Activity Centres (SAC) of surrounding local governments, such as Midland SMC, Cannington SMC and Belmont SAC which cater for a broad range of retail and commercial services and limit the demand for a variety of retail types occurring in the City.
 4. The Kalamunda DAC is an example of a centre that is heavily influenced by its local attributes, with additional demand coming from the tourism and recreation (cycling in particular) market.
27. The City engaged MGA Planners to undertake a Retail Analysis to provide an indication of appropriate retail scale and distribution over time. The Retail Analysis uses a retail gravity model (model) to inform the future planning implications for activity centres. The outputs of the model are for the predicted net lettable area (NLA) of activity centres for the years 2026 and 2036.
28. **COVID-19**
The economy is expected to be affected by the COVID-19 pandemic (which began to impact the Australian economy in March 2020), although it is too early to quantify the extent of the impact on the economy, there is likely to have been a change in market sentiment. Property and commercial markets are less volatile than other markets (such as finance and equity markets). In the short-term there may be reduced buyer demand, development and lease occupancy, and a reluctance by vendors to reduce prices, resulting in lower sales volumes and increased vacancies of commercial property. The extent of any long-term decline is presently uncertain and may depend on whether this is a shorter-term event or has longer term consequences.
29. In the early response to the pandemic there has been significant investment in stimulus which has seen an increase in housing construction in Western Australia over the past year. The City has also had an increase in planning applications and building applications during this period in comparison to the previous years. Whether this continues in the long term remains to be seen.
30. **District Centres**
Planning and improvements for the City's DAC's will be subject to Precinct Structure Plans (previously known as Activity Centre Plans). The Kalamunda Activity Centre Plan (KACP) was adopted by Council in March 2020, and the Forrestfield Precinct Structure Plan (FPSP) is anticipated to be developed in 2021-2022.

31. For District Centres the model predicts that:
- a) By 2036 there be an additional 4044 NLA to the Forrestfield DAC (Map Ref – 2); and
 - b) There will be an additional 2006 NLA to the Kalamunda DAC by 2036 (Map Ref – 16).
32. Centre specific modelling provided for the KACP predicts two possible scenarios. One is business as usual and predicts an additional 1,500m²-2500m² by 2027. Scenario 2 which would see an increased market share and increased productivity for the precinct predicts an additional 2,800m²-3,800m² of retail floorspace by 2027.
33. During the public advertising period a submission was received specifically relating to the Forrestfield DAC, recommending that the centre is assigned a retail floorspace of 20,000m² to align with SPP4.2 definition of a DAC. This is considered a reasonable proposition.
34. **Neighbourhood Centres**
An action of the draft Local Housing Strategy 2020 is to investigate appropriate zoning surrounding neighbourhood centres, subject to community engagement.
35. Existing Townscape Improvement Plans are recommended to be reviewed and, for centres that don't have Townscape Improvement Plans, new plans to be considered for preparation. The implementation of these plans will need to be considered as part of budgeting process and programmed on a rolling basis over a number of years.
36. **Local Centres**
Berkshire Road LAC (Map Ref – 3) is the only local centre considered for potential expansion. The City's Public Open Space Strategy identifies Berkshire Road Reserve, which neighbours Forrestfield LAC for potential transfer to enable the expansion of Forrestfield LAC.
37. **Future Activity Centres**
Retail modelling by MGA Planners predicts that:
- a) By 2026, 5000m² NLA will be established in Forrestfield North (High Wycombe South DAC). Retail modelling undertaken for the Forrestfield North Local Structure Plans (LSP) by AEC (consultant part of the Forrestfield North project team) has estimated a retail floorspace of 1,250m² by 2026 and 9,150m² by 2036. Given the greater depth of analysis undertaken for the Forrestfield North LSPs, this is considered to be the more realistic projections in comparison to the projections of the retail modelling by MGA Planners.

- b) A NAC in Maida Vale South won't be supported by 2026 as the development in this area would not yet have reached a critical mass. The NAC may however be feasible in 2036 once the predicted development in the area processes.
 - c) Depending on the direction of Crystal Brook (Wattle Grove South) established by community engagement, concept and detailed planning, retail modelling by MGA Planners predicts that a NAC in Crystal Brook wouldn't be supported by 2026, however may be feasible by 2036 depending on the rate and nature of development.
38. A site on the corner of Midland Road and Kalamunda Road (Midland Road NAC) in Maida Vale has had an MRS Amendment requested to be initiated in 2014 for rezoning to enable the development of a NAC. The site is currently zoned Rural under the MRS and Special Use under the City's Local Planning Scheme No. 3 (LPS3).
39. The site will also require a Local Planning Scheme Amendment for a NAC to be possible. The MRS Amendment is with the WAPC, with no determination or initiation provided to date. Although analysis by MGA Planners found the inclusion of 5,000m² at the Maida Vale NAC would be feasible in the short-term, the impacts on the development of Forrestfield North were also considered.
40. The draft version of the Strategy recommended an activity centre at Maida Vale NAC be considered post 2026 and subject to retail sustainability assessment being prepared at an earlier date to support its establishment.
41. A submission prepared by Macroplan during public advertising included retail analysis supporting the establishment of the Midland Road NAC with sufficient retail demand within its catchments to support two full-scale supermarkets at 2020. The analysis demonstrated that both Midland Road NAC and High Wycombe South DAC would serve their own catchments without compromising one another. Therefore, the final Strategy has removed the post 2026 consideration requirement and has recommended that a retail sustainability assessment is required for the proposal to be justified.
42. A site on Maida Vale Road in Maida Vale is identified as commercial by the Cell 6 LSP. The size of the site will be able to support a LAC. Analysis by MGA Planners concluded that a LAC will be able to be supported in that location and will have minimal impacts on the other activity centres. A development application for a commercial development at the site was approved by the Metro East Development Assessment Panel in 2019 and is currently under construction.

43. In March 2018, the State Government's North East Sub-Regional Framework identified the Pickering Brook Townsite for planning investigation. In June 2018 the State Government announced a taskforce to assist with the future planning and tourism initiatives for the area. In conjunction with the City's Rural Strategy the work of the taskforce will investigate the opportunities for an activity centre. The scale and site of this activity centre will be determined during these detailed investigations.

44. For the other activity centres, the predicted outputs of the model may also be above or below what eventuates due to additional considerations beyond the scope of the model. The model should only be considered as a guide when informing future planning decisions and any significant planning decisions should include a site-specific retail demand analysis.

45. **Existing Activity Centres**

Assessing the catchments of the City's existing activity centres will be considered as part of the Local Housing Strategy 2020. Community engagement will be required as part of any activity centre investigation process. The planning of activity centres is based on contemporary planning principles and philosophies outlined in SPP4.2 and Liveable Neighbourhoods. The following key principles generally apply. They:

- a) Are of a Neighbourhood Centre or higher status.
- b) Are in proximity to public transport routes.
- c) Have readily available sewer or are in close proximity to existing sewer services.
- d) Are not impacted by the ANEF aircraft noise contour.

46. Local centres and lower order convenience retail nodes are generally not considered suitable for land use improvements or increased densities because the scale of commercial development and amenities, from a planning perspective, did not warrant increased densities. Additionally, many areas surrounding local centres or retail nodes were recently increased in density as part of the City's Local Housing Strategy 2014 and Local Planning Scheme Amendment 82.

47. **Retail Sustainability Assessment**

Any new activity centre should be required to prepare a retail sustainability assessment/impact test. Any significant expansion of an existing activity centres should also require a retail sustainability assessment to be prepared to support a structure plan or development application. The need for a RSA and the requirements be addressed are to be in accordance with SPP4.2 and Implementation Guidelines (including due regard for the draft version).

48. The City may consider preparing a local planning policy to further address RSA requirements. This is a matter that is best considered after finalisation of draft SPP4.2.

49. **Out-of-Centre Development**

A submission received during public advertising expressed concern with 'out-of-centre' development occurring and impacting existing centres.

50. The Strategy has included commentary guidance regarding the City's position on 'out-of-centre' development. The City is generally unsupportive of 'out-of-centre' development, activity should be focused on existing centres where capacity exists.

51. Some existing convenience centres and some LACs (non-supermarket) are examples of where out-of-centre development exists, however noting most of these centres may pre-date the existing LACs (supermarket component), NACs and DACs, and may still serve an important convenience need in the community or have a community connection.

52. There may be consideration for investigating alternative land uses at existing convenience centres and LACs to consolidate commercial activity in the larger and more activated NACs and DACs and some of the more highly utilised LACs. The City may consider preparing a local planning policy to further address out of centre considerations.

53. **Public and Private Realm**

Many of the City's Activity Centres haven't received upgrades or re-development for a period of time and have deficient landscaping and infrastructure in the surrounding private and public domain. The provision of appropriate design guidelines and development controls will seek to improve built form outcomes.

54. A number of townscape improvement plans for local and neighbourhood centres were developed in 2010. There has been limited implementation of these plans since they were developed. The Strategy recommends that these Townscape Improvement Plans be considered for review, and those centres that don't have Townscape Improvement Plans be considered for plans to be developed.

55. Townscape Improvement Plans to be considered for review are as follows:

- a) Sanderson Road NAC (Map Ref – 20)
- b) Edinburgh Road NAC (Map Ref – 1)
- c) High Wycombe East LAC (Map Ref – 11)
- d) High Wycombe North NAC (Map Ref – 10)

Townscape Improvement Plans to be considered for development:

- a) High Wycombe West NAC (Map Ref – 13)
- b) Wattle Grove North NAC (Map Ref – 29) (A Local Development Plan may be most appropriate for this activity centre to ensure future development fits within the existing built environment)

56. It is recommended that as funding and resources allow, the City should aim to improve the public realm of one of the centres, subject to an adopted townscape improvement plan, every three years.
57. Currently the City's Long-Term Financial Plan only includes Sanderson Road NAC improvements in the budget. The Long-Term Financial Plan will be required to be reviewed to include the public realm improvements of other activity centres, subject to a townscape improvement plan, in accordance with Action 3.1.3 of the Strategy.
58. The City may consider preparing a local planning policy to further address built form in activity centres not covered by a set of design guidelines.
59. **Car Parking**
Car parking provisions are detailed within LPS3 and outline the parking requirements for different uses. Cash-in lieu can be accepted where car parking requirements are not met and, if the City so agrees, contribute to the cost of land acquisition and development by the local government of a public car park.
60. It is recommended the City investigates the need for a Car Parking Strategy to determine the best provisions and use for cash-in-lieu within Local Planning Scheme No. 3 and the new Local Planning Scheme 4.
61. **Key Strategies and Actions**

The Strategy has recommended a number of key strategies and actions, these are outlined in detail in Section 9 of the document.

STATUTORY AND LEGAL CONSIDERATIONS

62. **Metropolitan Region Scheme**

The MRS is a broad land use planning scheme that defines the future use of land in broad zones and reservations. The City's Local Planning Scheme must be consistent with the MRS. Activity Centres will usually be zoned as Urban under the MRS.

63. **Local Planning Scheme No. 3**

The Strategy is applicable to the areas within the City that are zoned under the Local Planning Scheme No. 3 (LPS3) as Commercial, District Centre, Mixed Use, Service Station and some Special Use Zones.

64. This Strategy will form a part of the future Local Planning Strategy which will be developed in 2019. This will ultimately provide guidance and rationale for changes to any zoning, land use classification and development standards under the LPS3 and will inform the preparation of a new Local Planning Scheme No 4.

APPLICABLE POLICY

65. **State Planning Policy 4.2: Activity Centres for Perth and Peel**

Sets the framework for the planning and development of activity centres throughout Perth and Peel. The main purpose of the policy is to specify broad planning requirements for the planning and development of new activity centres and the redevelopment and renewal of existing centres in Perth and Peel.

66. The City's existing district centres in Forrestfield and Kalamunda are currently in the process of having Precinct Structure Plans (PSP) / Activity Centre Plans (ACP) prepared in accordance with the requirements of SPP4.2.

67. The Local Housing Strategy 2019 will take into consideration that SPP4.2 states 200m is the appropriate walkable catchment for increased residential targets for neighbourhood centres.

68. The new draft SPP4.2 which has been recently advertised has been factored into the content of the Strategy. It is not considered necessary to defer the finalisation of the Strategy because of the draft SPP4.2. Analysis of the draft indicates there are no major departures from current centres planning across the metropolitan area.

69. **Liveable Neighbourhoods Operational Policy**

Sets out the planning framework for achieving liveable communities. Of particular relevance is Element 7: Activity centres and employment which sets out the framework for the appropriate planning of activity centres.

STAKEHOLDER ENGAGEMENT

70. Public advertising ran from 22 May 2020 to 26 June 2020 and included a survey, online information session and submissions. The survey received 17 responses, 13 submissions were received and 8 attended the online session. Refer to attachment 2 for the Submissions Table and Attachment 3 for the Community Engagement Report.

FINANCIAL CONSIDERATIONS

71. Costs associated with the preparation and public advertising of the document are met through the Development Services annual budget.
72. Some actions and strategies detailed within the document will be required to be funded as separate decisions of Council as part of future budgeting processes. Identification in the Strategy does not imply that all actions will be funded, these are separate future budget considerations and a decision of Council.

SUSTAINABILITY

Social Implications

73. Expansion of activity centres and new activity centres will provide further employment opportunities for the local community.
74. Expansion of activity centres and new activity centres will provide further social spaces for the community to interact.

Economic Implications

75. Expansion of activity centres and new activity centres will increase economic output of the City.
76. Expansion of activity centres and new activity centres will provide further employment opportunities for the local community.

Environmental Implications

77. The Strategy aims to improve the public realm surrounding activity centres, which may include environmental enhancement of road reserves and adjacent land.

78. Impacts of any future commercial developments on natural vegetation will be required to be considered and may need to be referred to the relevant State agencies. Environmental management, protection of vegetation and/or offsets may be required as part of the conditions of development approval.

RISK MANAGEMENT

79.

Risk: By not having a Strategy that coordinates the development of activity centres, development may occur in an uncoordinated manner.		
Likelihood	Consequence	Rating
Likely	Moderate	Medium
Action/Strategy		
Adopt the draft Strategy for the purpose of public advertising.		

80.

Risk: Expectations for the delivery of townscape improvements are too high and cannot be achieved.		
Likelihood	Consequence	Rating
Likely	Moderate	Medium
Action/Strategy		
Budget for improvements to the public realm with an aim of improvements every three years (Adopted Improvement Plans to be in place). The Strategy to be reviewed after five years which will provide an opportunity to review the deliverables of this action.		

81.

Risk: The assumptions of the retail model are proven to be inaccurate in the future.		
Likelihood	Consequence	Rating
Possible	Moderate	Medium
Action/Strategy		
Retail assessments to be undertaken for individual structure plans and development applications to ensure that assumptions are accurate at that more defined scale. The Strategy to be reviewed every five years to ensure retail modelling assumptions are updated.		

CONCLUSION

82. The Strategy has been prepared in accordance with the relevant activity centre and commercial development considerations from the Local Planning Manual.

83. The Strategy establishes a retail gravity model which assists with predicting the future demand and growth of activity centres and establishing the strategic directions for activity centres over the next 20 years.
84. The Strategy considers a number of factors including demographic, innovation and technology, consumer behaviour and future infrastructure delivery that will affect the future success and functionality of the City's activity centres and influence the planning for activity centres over the next 20 years.
85. The Strategy will inform the future planning and land use decisions that will influence economic growth and employment opportunities within the City.
86. Submissions provided through the public advertising period have helped refine the final Strategy.
87. In order to undertake the actions recommended in the Strategy, project specific briefs will need to be undertaken to rationalise the recommended actions.

Voting Requirements: Simple Majority

RESOLVED OCM 23/2021

That Council:

1. NOTE the outcomes of community engagement (Attachments 2 and 3).
2. ADOPT the Activity Centres Strategy as proposed to be modified in accordance with the Schedule of Modifications included as Attachment 1.
3. NOTE the Strategy will undergo design and formatting improvements through the insertion of infographics and images and this will not change the core content, findings and strategic directions and actions of the Strategy.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Cameron Blair**


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

10.1.2. Draft Local Planning Policy 32 - Public Open Space for Public Advertising

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

Previous Items	OCM 76/2018
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	3.009297 / PG-STU-037
Applicant	N/A
Owner	City of Kalamunda
Attachments	1. Draft Local Planning Policy 32 - Public Open Space [10.1.2.1 - 39 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
 Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

Priority 2: Kalamunda Clean and Green

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

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

EXECUTIVE SUMMARY

1. The purpose of this Council Report is to consider adopting draft Local Planning Policy 32 - Public Open Space (POS Policy), as outlined in Attachment 1, for the purposes of public advertising.
2. Preparation of a draft POS Policy was a recommended action (2.8.1) from the Public Open Space (POS) Strategy adopted by Council on 22 May 2018.
3. It is recommended that Council adopt the draft POS Policy for the purposes of public advertising for a minimum of 21 days in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 and Local Planning Policy 11 – Public Notification of Planning Proposals.

BACKGROUND

4. The POS Strategy was adopted by Council on the 22 May 2018 and assessed the POS of each suburb to ensure it met minimum size, location and classified use requirements. Broadly, the POS Strategy found that the quality and functionality of local POS is generally quite low, while the larger multi-functional parks were more attractive to residents, had greater use, and were easier to maintain than smaller dispersed POS. The City has recently undertaken significant improvements to POS through the use of cash-in-lieu funds which will increase quality and functionality.
5. The Western Australian planning system recognises a historical requirement for 10% POS of gross subdivisible area. Only Forrestfield and Wattle Grove meet or exceed the 10% POS provision, with future developments in Maida Vale South and Forrestfield North (High Wycombe South) to provide at least 10% to alleviate deficiencies in those areas. The foothills suburbs provide a lot of sport and recreational based services while the hills regions consist mostly of nature and recreation based reserves. There was also a notable shortfall of sports POS throughout the City.
6. Preparation of a POS Policy is an adopted action from the POS Strategy with an intent to ensure future POS provision provides a wide range of uses to meet resident needs, and contributes to the overall 10% POS allocation for the suburb. The relevant actions read as follows:

2.8.1 - *"The City prepare a Local Planning Policy (LPP) which states the City is to adhere to Liveable Neighbourhoods – Element 4 Public Parkland design guidelines and includes provisions which are applicable to the local context."*

DETAILS AND ANALYSIS

7. The purpose of the POS policy is to *'ensure that there is adequate and well distributed Public Open Space (POS) throughout the City of Kalamunda (City) that is fit for purpose and sustainably developed and maintained'*.
8. The primary objectives of this Policy are to:
 - a) Guide Council, the City and applicants in considering the planning of POS in new and existing urban areas;
 - b) Establish clear lines of responsibility for the provision and ongoing maintenance of POS;
 - c) To ensure planning processes deliver a balance of recreational, nature and sports space throughout the City;
 - d) To ensure planning and design of existing and future developments and POS provide for high levels of amenity;
 - e) To ensure POS design demonstrates environmental sustainability;
 - f) To incorporate water sensitive urban design principles; and,
 - g) To ensure an adequate provision of POS for the community is provided.
9. The POS policy broadly identifies expected levels of service for future POS in the City in a sustainable manner. Levels of service refers to aspects such as gardens, tree planting, street furniture, turf, playground, and other elements commonly found in public parks. The level of service possible at any given site, generally relates to the size, classified use and catchment of the POS, e.g.; regional, neighbourhood, district or local park.
10. The POS policy provides guidance on how POS should be designed, located, developed, maintained, transferred to the City for ongoing management after two years of maintenance, and which department is responsible for each stage of development of the POS.
11. The draft POS policy includes details on:
 - a) POS requirements at subdivision;
 - b) Information required at the various planning stages;
 - c) Allocation and distribution of POS;
 - d) Urban water management;
 - e) Location and design;
 - f) Development of POS; and

g) Development, maintenance and handover provisions.

12. **POS Contribution**

The Western Australian Planning Commission’s (WAPC) Development Control Policy 2.3 requires, where practicable, 10% of the gross subdivisible area of residential areas to be given up free of cost by the subdivider and vested in the Crown for POS.

13. In some cases, the amount of land resulting from 10% of the subdivision is too small or impractical, in which case the local government can instead request cash-in-lieu to the value of 10% of land. The WAPC has prepared a Position Statement - Cash-in-Lieu of Public Open Space to provide further detail on the process for collection and expenditure of cash-in-lieu funds.

14. **When POS is Required**

The POS Policy recommends a minimum 10% POS contribution for a survey-strata, built strata or freehold subdivision application that creates three or more additional residential lots.

15. The City will not seek a POS contribution for subdivisions of an additional one or two lots, boundary realignments where no additional lots are created, the amalgamations of lots, or where it has already been provided for through the implementation of a Structure Plan, Local Development Plan or Development Contribution Plan.

16. The POS policy provides guidance on where POS land will be required, and where cash-in-lieu will be sought. The following table summarises the broad parameters recommended:

POS provision	<4,000m ²	4,000m ² – 10,000m ²	>10,000m ²
Recommendation	Cash-in-lieu	Presumption against ceding land for POS - City discretion on whether to seek cash-in-lieu*	Land ceded/acquired

*Note: The City may exercise its discretion on whether to seek cash-in-lieu having regard to the provision of POS in the locality, access to the potential POS, and proximity to other existing POS.

17. Key points from the POS policy include:

- a) There are five classifications of POS identified by the POS Policy: Regional Open Space (ROS), District Open Space (DOS), Neighbourhood Open Space (NOS) (A category and B category), Local Open Space (LOS) and Biodiversity Assets. These classifications form a hierarchy defined by their size and typical functions.

- b) There are three broad functions of POS: sport, nature and recreation.
 - c) Where appropriate, POS should be located to maximise environmental values onsite.
 - d) No siteworks are to occur until designs are approved by the City.
 - e) Turf should be limited in POS that is not identified for sports space to reduce water usage and long-term maintenance.
 - f) Water features will only be accepted in areas with a permanent water source and an appropriate bore water license.
18. Schedule 2 of the POS Policy sets the minimum standard of provision for each classification of the POS hierarchy. This schedule will form a useful guide for the establishment of new POS and when making decisions regarding the standards of provision for existing POS. As a general principle, the higher order of POS (e.g. District and Regional POS) will generate greater intensity of use and therefore a greater provision of improvements will be required when compared to lower order POS (e.g. Local and Neighbourhood POS).

APPLICABLE LAW

19. *Planning and Development Act 2005*
Identifies that the local government may prepare local planning policies. Section 153 identifies that the WAPC may not impose a requirement for POS in respect of a plan of subdivision that creates fewer than 3 lots.
20. *Planning and Development (Local Planning Schemes) Regulations 2015*
Outlines the process for consultation and adoption of a local planning policy.

APPLICABLE POLICY

21. **Local Planning Policy 11 – Public Notification of Planning Proposals:**
Identifies a minimum of 21 days advertising for a local planning policy and the
22. **Development Control Policy 2.3 – Public Open Space in Residential Areas (DC Policy 2.3)**
DC Policy 2.3 states that the WAPC' normal requirement in residential areas is that, where practicable, 10% of the gross subdivisible area in residential areas is to be given up free of cost by the subdivider and vested in the Crown for POS.
23. Expenditure of cash-in-lieu is to be in accordance with DC Policy 2.3, Liveable Neighbourhoods and WAPC Position Statement - Cash-in-Lieu of Public Open Space, and is subject to the approval of the Minister for Planning.

24. The draft POS policy should be given due regard by the City when considering development, subdivision and strategic level planning proposals, and should be read in conjunction with:
- a) *Planning and Development Act 2005* (WAPC, November 2018)
 - b) *Strata Titles Act* (May 1985)
 - c) *Liveable Neighbourhoods* (WAPC, January 2009)
 - d) *WAPC Position Statement - Cash-in-Lieu of Public Open Space* (WAPC, 2020).
 - e) *Development Control Policy 2.3 Public Open Space in Residential Areas* (WAPC, May 2002) and;
 - f) *Public Open Space Classification Framework* (Department of Sport and Recreation, 2012)

STAKEHOLDER ENGAGEMENT

25. The POS Strategy was advertised between December 2017 – February 2018 with feedback incorporated into the final strategy adopted 22 May 2018 (OCM 76/2018).
26. The draft POS Policy is proposed to be advertised for a minimum of 21 days and include the following methods:
- a) Website update.
 - b) Online survey.
 - c) Social media notification.
 - d) Newspaper advertising.
 - e) Letters to key stakeholders including government authorities and neighbouring local governments.
27. It is recommended the draft POS Policy be referred to the Kalamunda Environmental Advisory Committee and Economic Development Advisory Committee for comment during the public advertising period or prior to the policy being finalised and returned to the Council for consideration of submissions.

FINANCIAL CONSIDERATIONS

28. Cost of advertising of the POS Policy will be met through the Development Services 2020/2021 budget.

SUSTAINABILITY

- 29. The POS Policy proposes to deliver higher quality useable POS of a sufficient size for social interaction, and in the case of Nature POS provides an important ecological function.

RISK MANAGEMENT

30.	Risk: The draft POS policy is not adopted for advertising and the POS Strategy action is not fulfilled, resulting in insufficient policy guidance on the provision and maintenance of POS throughout the City.		
	Consequence	Likelihood	Rating
	Moderate	Likely	Medium
	Action/Strategy		
	Ensure the Council is aware that the City does not currently have a policy that guides the provision and management of POS and the draft POS policy will assist the Council in exercising its discretion in making consistent and informed decisions relating to POS.		

CONCLUSION

- 31. The draft POS policy provides guidance on the minimum standards for POS provision. The City has 3 significant future urban areas identified by state government planning frameworks which will result in the delivery of significant areas of POS.
- 32. The draft POS Policy guides minimum allocation of new POS for Sport, Nature and Recreation purposes.
- 33. The POS Policy will assist with delivering diverse POS that better meets the needs of residents, and addresses the shortfalls identified in the POS Strategy 2018.
- 34. The POS Policy seeks to provide clarity for land developers and the City alike and will be a helpful resource for the delivery of high-quality POS for the future.
- 35. It is recommended that Council adopt the POS Policy for the purposes of public advertising for a minimum 21 days.

Voting Requirements: Simple Majority

RESOLVED OCM 24/2021

That Council ADOPT draft Local Planning Policy 32 – Public Open Space for the purposes of advertising for a period of 21 days pursuant to Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Lisa Cooper**


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

10.1.3. Development Services Regulatory Services Update July - December 2020

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

Previous Items	OCM 154/2020
Directorate	Development Services
Business Unit	Approval Services, Environmental Health and Community Safety
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachments	1. Development and Regulatory Statistics - July to December 2020 [10.1.3.1 - 8 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
 Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service based organisation.

Priority 4: Kalamunda Leads

Objective 4.2 - To proactively engage and partner for the benefit of community.

Strategy 4.2.1 - Actively engage with the community in innovative ways.

Strategy 4.2.2 - Increase advocacy activities and develop partnerships to support growth and reputation.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide a half yearly update on the regulatory services provided by the City of Kalamunda (the City) with respect to the Approval Services, Environmental Health and Community Safety for the period July 2020 to December 2020.
2. Reporting on the regulatory services of Development Services promotes transparency and accountability in the function and operation of Approval Services, Environmental Health and Community Safety
3. Through the reporting process, the City is able to benchmark its statistics against other local governments as part of the Western Australian Local Government Association (WALGA) Local Government Performance Monitoring annual report.
4. Council is recommended to note the report and information.

Details and Analysis

5. **Approval Services – Statutory Planning**
The statutory timeframes for the processing of development planning applications are as follows:
 - a) 60 days to determine applications where no consultation is required.
 - b) 90 days where consultation is required.
6. Notwithstanding the statutory timeframes, Approval Services has introduced three categories of development applications with the following internal target timeframes:
 - a) Basic Development Applications - where no advertising is required and a minimal level of assessment – 20 days.
 - b) Standard Development Applications – where no advertising is required and a standard level of assessment – 60 days.
 - c) Complex Development Applications – where advertising is required and comprehensive level of assessment – 90 days.
7. For the six-month period, the City processed a total of 396 development applications, of these 377 (95%) were assessed within the statutory timeframe. It is evident from the table below that the City is achieving a high level of compliance with its regulatory obligations.

8. It is also noted that the 396 development applications processed represents an increase of 189 (48%) applications on the previous six-month period.
9. It should be noted that the above level of statutory compliance was achieved during a period when the number of planning applications received into the City had increased by an average of 40% due to the range of government stimulus building packages and lower than usual interest rates.
10. Results for the July – December period are as follows:

Application Type	Number Approved	Statutory Approval Time - Days	Statutory Approval Time - Achieved %
Standard Development Applications	208	60	200 (96%)
Complex Development Applications	188	90	177 (94%)
Total	396		377 (95%)

11. Importantly, the introduction of the 'Basic' category of planning applications has meant the City is pro-actively looking to fast track applications which normally would be processed within a 60 day timeframe in accordance with the current planning legislation. In this regard, a total of 92 development applications were processed as fast track applications with 78 (84%) processed within the 20 day time. From a statutory perspective, the number of basic development applications have been included in the table above as standard developments which achieved 96% statutory compliance with the 60 day timeframe.

12. **Approval Services – Building**

For the 6-month period, a total of 559 certified and uncertified building permits were processed within the statutory timeframe. This figure compares with 489 permits processed in the period January – June 2020.

Application Type	Number Approved	Statutory Approval Time - Days	Statutory Approval Time - Achieved %
Building Approval Certificates	22	10	100% (AVE 5 DAYS)
Certified Building Applications	334	10	98% (AVE 5 DAYS)
Uncertified Building Applications	225	25	100% (AVE 5 DAYS)
Occupancy Permits	9	10	100% (AVE 6 DAYS)

13. From the above table it is evident that the City is meeting its statutory obligations with respect to the processing of building permits.

14. **Customer Survey Responses**

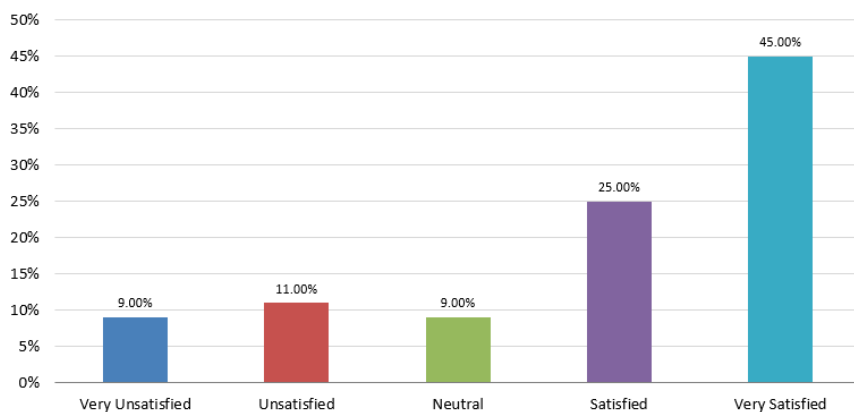
In July 2018, the City commenced a new process of including a customer survey form for all development applications processed by the City. This process was extended in 2019 to include the processing of all building permits. The responses provided through the survey provide valuable feedback, particularly in relation to areas where Approval Services can improve its customer service in the processing of planning and building applications.

15. **Statutory Planning**

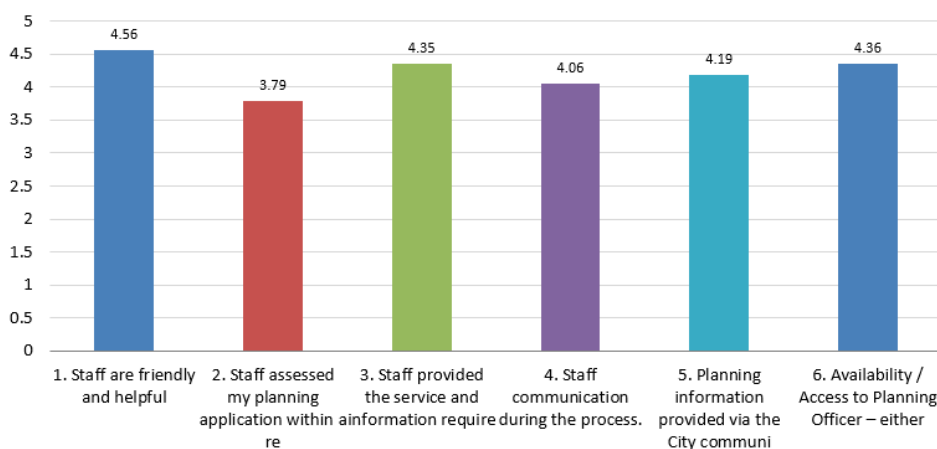
For the period July -December 2020, the City received a total of 55 responses that were related to the principal question of the level of service provided. Of the 55 responses, 80% stated that they were either satisfied, very satisfied or neutral, with 20% indicating that they were unsatisfied or very unsatisfied.

16. The following details the responses received to questions asked in the customer survey:

How satisfied were you with the level of service provided?



17. Please indicate the level of service received for the following services during your application process.



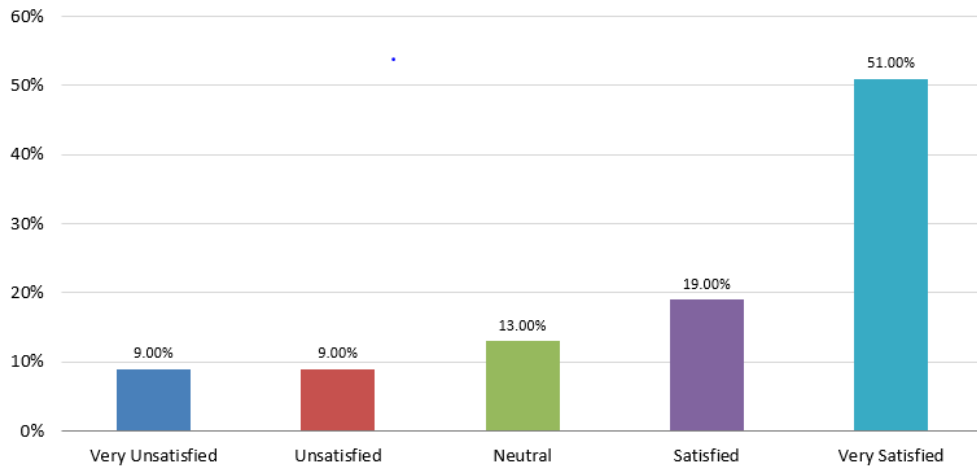
18. The 20% or 11 responses received that were unsatisfactory or very unsatisfactory provides good feedback and an opportunity for the City to identify areas for improvement. On reviewing the feedback it is evident that the time taken to process development applications remains an ongoing issue for some applicants. Whilst the City maintains a high level of statutory compliance with respect to its processing times, clearly landowner expectations are not aligned with the City's statutory obligations. To better understand landowner expectations, the survey form now includes a question asking landowners what they consider to be a reasonable assessment timeframe.

19.

Building

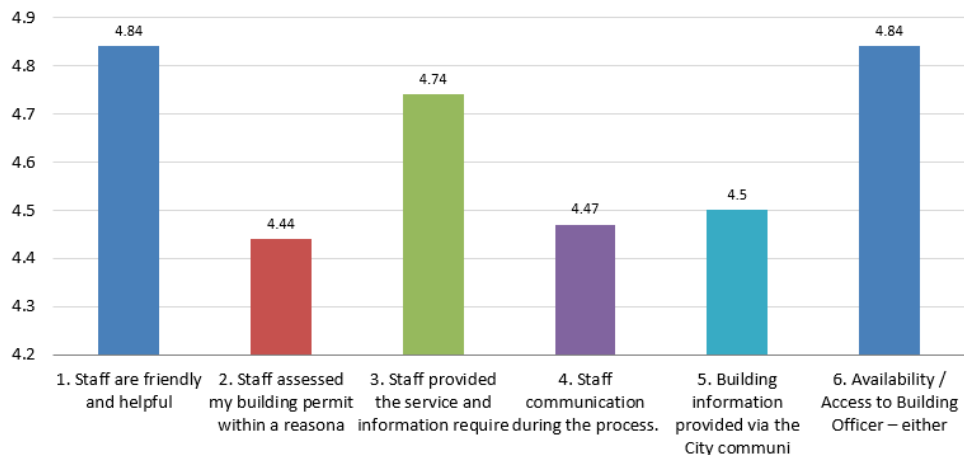
For the period July -December 2020, the City received a total of 47 responses relating to the principal question of the level of service provided. Of the 47 responses, 83% stated that they were either satisfied, very satisfied or neutral, with 17% indicating that they were unsatisfied or very unsatisfied.

How satisfied were you with the level of service provided?



20.

Please indicate the level of service received for the following services during your application process.



21.

Similar to the planning response, applicants expressed some concern regarding the period of time taken to assess the building permit and the amount of documentation to be completed.

22. **Environmental Health and Community Safety**

Environmental Health

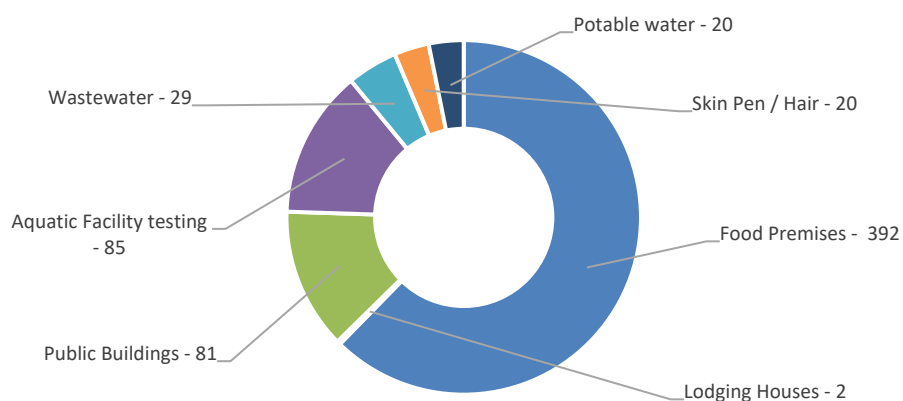
The City's Environmental Health team are responsible for administering a variety of legislation such as the *Food Act 2008*, *Health (Miscellaneous Provisions) Act 1911*, *Public Health Act 2016*, *Environmental Protection Act 1986* etc.

23. Environmental Health undertakes surveillance of food businesses and other premises such as public buildings, lodging houses, caravan parks, tattoo parlours etc. to ensure hygiene standards are being maintained for the community.

24. Assessment of applications for on-site wastewater treatment systems, noise and dust management plans, new food businesses and provide technical health advice on planning, building and event referrals as well investigating community service requests to ensure any potential public health risks are minimised are also part of the role undertaken. This period the service has continued to provide advice to businesses on COVID-19 requirements, including assessing and approving COVID-19 event safety plans.

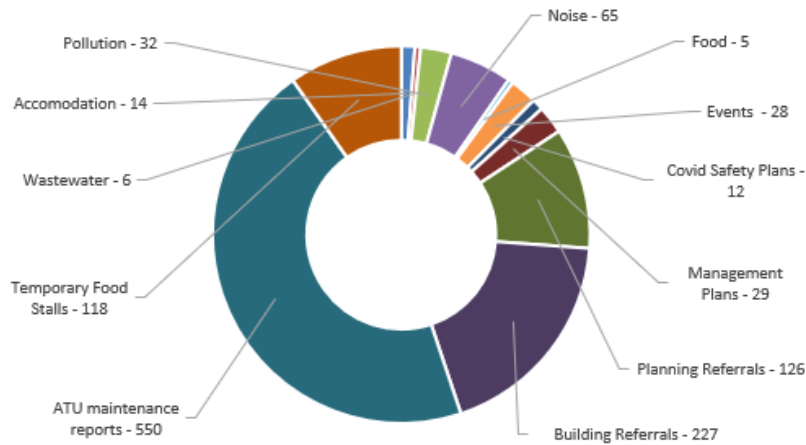
25. For the July 2020 to December 2020 period the Environmental Health undertook 392 food safety risk assessment which is a 91% increase from the previous reporting period. There was also an 86% increase in the number of public buildings assessed being 81 as opposed to 11. Noting however many food businesses and public buildings were closed for periods during the first half of last year.

26. Health assessments



27. Responses were provided to a variety of other matters, these include providing technical health advice on 353 planning and building referrals, administering 550 aerobic treatment unit (ATU) maintenance reports, over 100 food stall approvals and 28 event approvals. This includes 9 COVID-19 Safe Event Plans which are required for all events over 500 persons.

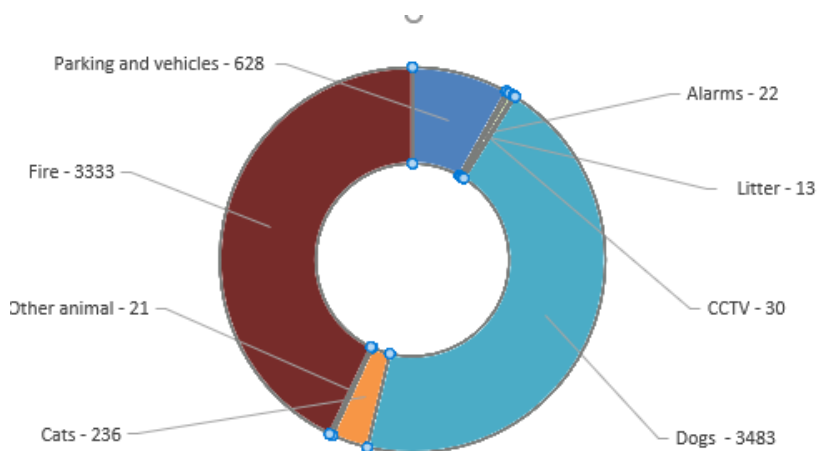
28. Below is a summary of the other health related matters dealt with by the Environmental Health team:



29. **Community Safety**

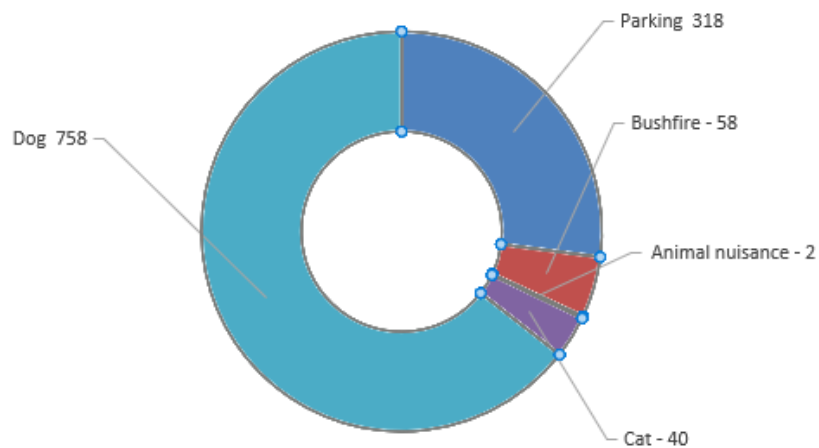
The Community Safety team consists of Rangers and Fire Control and Emergency Management Officers. The duties of the team are diverse, and they are responsible for administering a variety of legislation including but not limited to *Local Government Act 1995*, *Dog Act 1976*, *Cat Act 2011*, *Bush Fires Act 1954* and the *Emergency Management Act 2005* etc.

30. Below is a summary of the number and nature of matters dealt with by the City's Community safety team:



31. The community safety team continue to respond to a significant amount of dog and fire related matters. There has been a 37% increase in the amount of dog related and a 40% increase in fire related matters since the last reporting period. A slight decrease in parking and vehicle related matters whereas CCTV, alarms and litter remain relatively consistent. Noticeably Covid-19 patrols had ceased considering that public gathering restrictions had been relaxed and back to normal during the subject period.
32. Of the dog related matters, the most dealt with issues relate to dog exercise and prohibited areas which equate to about 44% of all dog related matters. The other dog related matters the Rangers deal with is dog wandering with 707 recorded for the period or 20%. Only 2% of dog related matters refer to dog attacks however these can range in severity from minor to very serious. During this period there has been 45 dog attacks on dogs or other animals and 28 dog attacks on people.
33. Fire related matters includes fire-break and hazard assessments from November through to end of December, issuing of fire permits and investigation of fire complaints particularly during the restricted burn period and total fire ban days.
34. Regarding fire-break and hazard assessments, the follow statistics for the period to 31 December 2020 are, noting that assessments commence on the 1 November:
- a) How many fire hazard reduction assessments completed across the City? – 2980
 - b) How many work orders issued for those assessed? – 855 (28.6%)
 - c) How many fines issued? – 46 (1.5%)
 - d) How many matters escalated by landowners to Councillors? - 14 (0.5%)
35. Below is a summary of the number of cautions and/or infringements issued for the period with 67% attributed to dog related matters and 28% for parking offences. Bushfire made up 5% of all infringement/cautions and cats only 3.5%.

36. **Cautions/Infringements**



APPLICABLE LAW

- 37. Planning and Development (Local Planning Schemes) Regulations 2015 Clause 75 – Time for deciding applications for development approval.
- 38. Building Act 2011 Sec 59 - Certified Building Permits Sec 23(1) – Uncertified Building Permits
- 39. Health (Miscellaneous Provisions) Act 1911
- 40. Public Health Act 2016 Food Act 2008
- 41. Environmental Protection Act 1986
- 42. Caravan Parks and Camping Grounds Act 1997
- 43. City of Kalamunda Local Laws
- 44. Dog Act 1976 Cat Act 2011
- 45. Bush Fires Act 1954
- 46. City of Kalamunda Local Laws

APPLICABLE POLICY

- 47. Nil

STAKEHOLDER ENGAGEMENT

48. N/A

FINANCIAL CONSIDERATIONS

49. N/A

SUSTAINABILITY

50. N/A

RISK MANAGEMENT

51.	Risk: Regulatory services are not provided in an efficient and effective manner leading to a reduction in the amenity and quality of life for the City's community.		
	Consequence	Likelihood	Rating
	Significant	Unlikely	Medium
	Action/Strategy		
	Continue to review and report on the City's regulatory services.		

52.	Risk: Statutory timeframes are not met.		
	Consequence	Likelihood	Rating
	Possible	Moderate	Medium
	Action/Strategy		
	Undertake monthly regulatory performance reviews to ensure statutory timeframes are being met by service areas.		

CONCLUSION

53. Half yearly performance-based reporting provides Council and the local community with transparency and accountability regarding the City's regulatory functions and customer service standards.

54. The provisions of information and statistics also assists with Council having a comprehensive understanding of the demand of services on the City's regulatory units to assist with ensuring an appropriate resource allocation to the services provided.

Voting Requirements: Simple Majority

RESOLVED OCM 25/2021

That Council NOTE the Development Services - Regulatory Services Update for the period July 2020 – December 2020.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Cameron Blair**


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

10.1.4. Revocation of Local Planning Policy 6 - Telecommunication Infrastructure

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

Previous Items	D&I 43/2016
Directorate	Development Services
Business Unit	Approval Services
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Local Planning Policy 06 - Telecommunication Infrastructure [10.1.4.1 - 4 pages] 2. State Planning Policy 5.2 - Telecommunications Infrastructure [10.1.4.2 - 8 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
 Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the revocation of Local Planning Policy 6 (Telecommunication Infrastructure) (LPP6) (Attachment 1).
2. LPP6 was adopted in July 2016 (D&I 43/2016) to provide a clear and consistent framework to guide the assessment and determination of development applications proposing telecommunications infrastructure.
3. All of the provisions contained in LPP6 are consistent with the provisions contained in SPP 5.2 – Telecommunications Infrastructure. LPP6 is therefore considered redundant and should be revoked.
4. Council is recommended to support the revocation of LPP6.

BACKGROUND

5. The City of Kalamunda (the City) periodically reviews, revokes, and adds new Local Planning Policies to provide a level of consistency and transparency in decision-making and to ensure Council has a clear policy position regarding various planning matters.
6. LPP6 applies to Telecommunications Infrastructure proposals within the City.
7. The term “telecommunications infrastructure” means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit, or other structure used, or for use, in or in connection with a telecommunications network. (*State Planning Policy 5.2, Part 7*)

DETAILS AND ANALYSIS

8. A periodical review of LPP6 has identified the Policy is superfluous as all matters addressed in the Policy are consistent with the provisions of the relevant State Planning Policy pertaining to telecommunications infrastructure, SPP5.2. The below table summarises the matters addressed in LPP6 in comparison to SPP5.2.

PROVISION	SPP5.2	LPP6
ELECTROMAGNETIC EMISSIONS	P	P

FACILITIES EXEMPT FROM DEVELOPMENT APPROVAL UNDER THE <i>Commonwealth Telecommunications Act 1997</i>	P	O
RELATIONSHIP OF THE POLICY TO COMMONWEALTH LEGISLATION	P	P
ASSESSMENT OF VISUAL IMPACTS	P	P
ADVERTISING	P Maximum of 21 days	P Maximum of 21 days
INFORMATION TO BE SUBMITTED WITH A DEVELOPMENT APPLICATION	P	O

9. The revocation of LPP6 will ensure consistency between the local and state planning frameworks and avoid any future inconsistencies between the relevant state and local planning policies.

APPLICABLE LAW

10. Planning and Development Act 2005
11. **State Planning Policy 5.2 (Telecommunications Infrastructure)**
SPP5.2 was prepared under Part 3 of the *Planning & Development Act 2005*.
12. SPP5.2 has a direct relationship with the following Commonwealth legislation and subordinate codes:
- a) *Commonwealth Telecommunications Act 1997 (Telecommunications Act)*
 - b) *Telecommunications Legislation Amendment (Fibre Deployment) Act 2011*
 - c) *National Broadband Network Companies Act 2011*
 - d) *Mobile Phone Base Station Deployment Industry Code (C564:2011)*
13. **Local Planning Policy 06 (Telecommunication Infrastructure)**
LPP6 was prepared under Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2005* (the Regulations).
14. Schedule 2, Part 3, Clause 6(b)(i)(ii) of the Regulations enable a Local Planning Policy to be revoked through a notice prepared by the local government and published in a newspaper circulating in the Scheme area.

APPLICABLE POLICY

15. **State Planning Policy 5.2 (Telecommunications Infrastructure)**
 State Planning Policy 5.2 (Telecommunications Infrastructure) (SPP 5.2).

STAKEHOLDER ENGAGEMENT

16. The revocation of LPP6 is administrative in nature and therefore no stakeholder engagement is required.
17. Should Council resolve to revoke LPP6, the City is required to give notice of the revocation through publishing a notice in a local paper circulating in the Scheme area. *(Schedule 2, Part 3, Clause 6(b)(i)(ii) of the Regulations)*

FINANCIAL CONSIDERATIONS

18. Nil

SUSTAINABILITY

19. Nil

RISK MANAGEMENT

20.	Risk: LPP6 is not revoked, exposing the risk of a future inconsistency between the relevant state and local planning policies pertaining to Telecommunications Infrastructure.						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Consequence</th> <th style="text-align: left; padding: 2px;">Likelihood</th> <th style="text-align: left; padding: 2px;">Rating</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Insignificant</td> <td style="padding: 2px;">Possible</td> <td style="padding: 2px;">Low</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Insignificant	Possible	Low
Consequence	Likelihood	Rating					
Insignificant	Possible	Low					
	Action/Strategy						
	Ensure Council understands the superfluous nature of LPP6.						

CONCLUSION

21. LPP6 is superfluous with all its provisions administered through SPP5.2. The recommended revocation of LPP6 is therefore administrative in nature.
22. It is recommended Council revoke LPP6 to eliminate the risk of a future inconsistency between the relevant state and local planning frameworks.

Voting Requirements: Simple Majority

RESOLVED OCM 26/2021

That Council:

1. REVOKE Local Planning Policy 06 (Telecommunication Infrastructure), pursuant to Schedule 2, Part 3, Clause 6(b)(i)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. PUBLISH a notice of the revocation in a newspaper circulating in the Scheme area, pursuant to Schedule 2, Part 3, Clause 6(b)(i)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Brooke O'Donnell**

Vote:	<u>For</u>	<u>Against</u>
	Cr Janelle Sewell	Cr John Giardina
	Cr Geoff Stallard	
	Cr Lesley Boyd	
	Cr Mary Cannon	
	Cr Brooke O'Donnell	
	Cr Sue Bilich	
	Cr Lisa Cooper	
	Cr Dylan O'Connor	
	Cr Cameron Blair	
	Cr Kathy Ritchie	
	Cr Margaret Thomas	

CARRIED (11/1)

10.2. Asset Services Reports


10.2.1. Hale Road and Tonkin Highway Advocacy - Response from State Government

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

Previous Items	OCM 242/2020
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	3.009322; 3.009280
Applicant	N/A
Owner	N/A

Attachments	1. Letter from Minister Saffioti 21 January 21 [10.2.1.1 - 2 pages]
	2. Letter from Main Roads WA 12 February 21 [10.2.1.2 - 1 page]

TYPE OF REPORT

 Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to advise Council of the response from the State Government to a Notice of Motion adopted by Council regarding the Tonkin Highway and Hale Road Interchange ('Interchange') project.
2. The State has outlined issues of significance (including environmental, land purchasing and legislative) precluding them from pursuing south facing ramps on the Interchange and would not be undertaking further investigations.
3. In contrast, the State has not responded to the City's request regarding the north bound access on the Interchange.
4. It is recommended Council note the issues presented, it does not continue to advocate for south facing connections as part of the Interchange project however seeks a response to the north bound access issue as well as outlines the City expectation that the State fully fund any ensuing works needed on the local road network resultant from this project.

BACKGROUND

5. A Notice of Motion was tabled and debated at the 24 November 2020 Ordinary Council Meeting. Council determined that (OCM 242/2020):
That Council REQUEST the Mayor write to the Minister for Transport; Planning and the Chief Executive Officer write to Main Roads Western Australia, requesting:
 - a) *An indicative plan showing grade separated intersection layout of Tonkin Highway and Hale Road with full access on all legs of the interchange be provided.*
 - b) *That this alternate plan removes the need for Hale Road traffic travelling northbound on Tonkin Highway to exit onto Roe Highway and re-join Tonkin Highway at the signalised intersection.*
 - c) *That Main Roads Western Australia facilitates a community meeting to outline both the existing and alternate layouts and invites the Minister for Transport; Planning to attend.*
6. Subsequently, letters to that effect were sent by the Chief Executive Officer and Mayor in December 2020 to Main Roads WA and the Minister for Transport, Planning respectively.
7. The City received response dated 21 January 2021 from the Minister for Transport; Planning, the Hon Rita Saffioti MLA, on 2 February 2021. This letter is provided as Attachment 1.

8. The City received a response on 12 February 2021 from Main Roads WA. This letter is provided as Attachment 2.

DETAILS AND ANALYSIS

9. The Minister has detailed significant land issues which would have to be addressed if south facing ramps were installed on the Interchange. These include an estimated 22.5 hectares of land that would be required for construction of roads, ramps and drainage including:
- a) approximately eight homes in Maamba Avenue;
 - b) impact on an 'A' Class Reserve (Maamba Reserve) where a registered Indigenous Heritage site exists;
 - c) the Veteran Car Club of WA premises;
 - d) Bush Forever Land; and
 - e) land outside the current Metropolitan Region Scheme (in this case reference to Main Roads road reserve).
10. Whilst the Minister did not specifically make reference, in her letter, to the implications of undertaking land procurement to facilitate south facing ramps these would include:
- a) increased project costs in additional roadworks, drainage and associated infrastructure;
 - b) relocation of Water Corporation pumping infrastructure which is understood to be in the order of \$10 million;
 - c) legislative process regarding clearances for works to proceed in affected Indigenous and Bush Forever Sites;
 - d) resettlement of the Veterans Car Club; and
 - e) procurement of private land which will incur additional costs and may incur significant time delays if compulsory acquisition needs to occur.
11. It is recognised this presents Council with a dilemma in which it may choose to support some local residents who wish to see south facing ramps on the Interchange but creates significant impacts upon Indigenous, Environmental values and a Community Group (Veterans Car Club) as well as the significant impost upon taxpayers at large.
12. The City was made aware of a community protest undertaken on Saturday 7 November 2020 regarding the current planning for the Interchange without south facing ramps and this was attended by the Liberal Candidate for Forrestfield (State seat).

13. At the end of December 2020, Main Roads WA provided the City with a draft traffic modelling report for the overall Tonkin Corridor project. At the time of writing this report, the traffic modelling report is being updated with further information by Main Roads WA. However interim information has been provided on estimated travel times, as follows:
- a) for residents leaving the Forrestfield area (in vicinity of Dawson Road to Strelitzia Avenue) in the morning to travel to the south, without access via Hale Road, they would travel via Anderson Road or Hartfield Road and pass through the upgraded Tonkin-Welshpool interchange, saving 254 seconds;
 - b) for residents leaving the Wattle Grove area (in vicinity of Wimbridge to Hardey Road East) in the morning to travel to the south, without access through Hale Road, they would travel via Arthur Road and pass through the upgraded Tonkin-Welshpool interchange, saving 110 seconds;
 - c) return home trips in the evening would also result in travel time savings of 157 and 136 seconds respectively;
 - d) the reverse direction trips (morning to the suburb, evening from the suburb) also result in travel time savings; and
 - e) all of the above values reflect the draft analysis and are subject to review and finalisation.
14. Main Roads WA have not provided more recent details, however at the Council briefing on 2 June 2020 they reported 1,389 vehicles per day (based on October 2019 data) travelled south from Hale Road. This is a relatively low number of vehicles that would divert onto local roads in the area. Further modelling being undertaken by Main Roads WA will determine if the project would create a need to upgrade any local intersections.
15. The City has no legislative ability to force these changes upon the State.
16. The Main Roads' response essentially states they will not be exploring the south facing ramps any further and as such there are no concept plans available for discussion. They have however, indicated a number of community engagement events are planned for later in the year.
17. In consideration of the above matters, it is recommended that the City not advocate further for south facing ramps on the Interchange project.
18. The Minister and Main Roads responses have addressed items a) and c) of the November 2020 NOM however, have not addressed the request regarding a plan which removes the need for Hale Road traffic travelling northbound on Tonkin Highway to exit onto Roe Highway and re-join Tonkin Highway at the signalised intersection.

19. It is recommended the City acknowledge the letters from the Minister and Main Roads and seek an outcome regarding the northbound traffic flow from Hale Road.
20. At the level of traffic modelling currently provided by Main Roads WA, there is still uncertainty as to the implications of diverted traffic flow on intersections within the local network, notably Lewis Road / Welshpool Road East. The City continues to pursue Main Roads WA on this matter.
21. It is further recommended the City insist the State fully fund any necessary improvements to the local road network due to the impacts of the Interchange project.

APPLICABLE LAW

22. Multiple State legislation would be referenced if the southern facing ramps were to proceed including (but not limited to):
 - a) *Planning and Development Act 2005;*
 - b) *Main Roads Act 1930; and*
 - c) *Land Administration Act 1997.*

APPLICABLE POLICY

23. Communication and Engagement (Service 5).

STAKEHOLDER ENGAGEMENT

24. No formal or informal community engagement has been undertaken in response to the Minister's letter.

FINANCIAL CONSIDERATIONS

25. Nil.

SUSTAINABILITY

26. Southern facing ramps would have impacts upon environment and indigenous heritage due to land requirements.

RISK MANAGEMENT

27.

Risk: That the City is exposed to reputational impacts from either supporting or not supporting advocacy for south facing ramps on the Interchange project.		
Consequence	Likelihood	Rating
Significant	Likely	High
Action/Strategy		
Communications from the City clearly outline the reasons why it does or doesn't support south facing ramps on the Interchange project.		

Risk: That the City is exposed to reputational impacts for not being able to achieve improved traffic from Hale Road onto Tonkin Highway in a northerly direction compared to the current proposal of Main Roads.		
Consequence	Likelihood	Rating
Moderate	Likely	Medium
Action/Strategy		
The City provides Main Roads' response to the matter as required for the community.		

CONCLUSION

- 28. On the balance of matters surrounding this issue, it is viewed undertaking south facing ramps has sufficient risks, environmental, indigenous and financial imposts upon the community at large and Council should not support this to provide some parts of the community with easier access to Tonkin Highway.
- 29. Main Roads WA have, as yet, not provided the City with sufficient modelling to determine the impacts of the Interchange upon the local road network. Once this is provided, the City may have to advocate for Main Roads WA funding for improvements to the local road network to cater for these impacts.
- 30. Both Main Roads and the Minister have not answered the query regarding northern access onto Tonkin Highway from Hale Road.

Voting Requirements: Simple Majority

RESOLVED OCM 27/2021

That Council:

1. DOES NOT advocate further for inclusion of south facing ramps on the proposed Hale Road / Tonkin Highway Interchange.
2. ACKNOWLEDGE the correspondence from the Minister for Transport; Planning and Main Roads WA in response to the Notice of Motion 242/2020 and seek a response to the matter regarding north bound access from Hale Road to Tonkin Highway.
3. ADVISE the State Government that the City expects that the State fully fund improvements to the local road network resultant from any impacts of traffic changes due to the implementation of the Hale Road / Tonkin Highway Interchange.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Lisa Cooper**

Vote:	<u>For</u>	<u>Against</u>
	Cr John Giardina	Cr Lesley Boyd
	Cr Janelle Sewell	Cr Mary Cannon
	Cr Geoff Stallard	Cr Dylan O'Connor
	Cr Brooke O'Donnell	Cr Kathy Ritchie
	Cr Sue Bilich	
	Cr Lisa Cooper	
	Cr Cameron Blair	
Cr Margaret Thomas		


CARRIED (8/4)

10.2.2. Street Verges - Review of Service Standards

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

Previous Items	OCM 224/2018; OCM 163/2019
Directorate	Asset Services
Business Unit	Parks & Environmental Services
File Reference	EG-CMP-020
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Verge Maintenance 2019 Community Engagement Report [10.2.2.1 - 17 pages] 2. Verge Issues - Illustrative Examples [10.2.2.2 - 4 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.2 - Build an effective and efficient service based organisation.
Community engagement and education in environmental management.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council endorsement to a series of actions regarding the management of verges within the City of Kalamunda (City).
2. Geographically, the City enjoys diverse residential / commercial and industrial building outcomes and by extension the associated verges amongst its suburbs in the Foothills, Escarpment and Hinterland where a 'one size fits all' approach to verge management is not appropriate.
3. This report discusses the matters of regulatory control, policies, bushfire management, safety and amenity to illustrate the complexity of the issue.
4. It is recommended that Council adopt service standards for verge management and endorse a series of actions which over time will enhance the value and amenity of the City's verges.

BACKGROUND

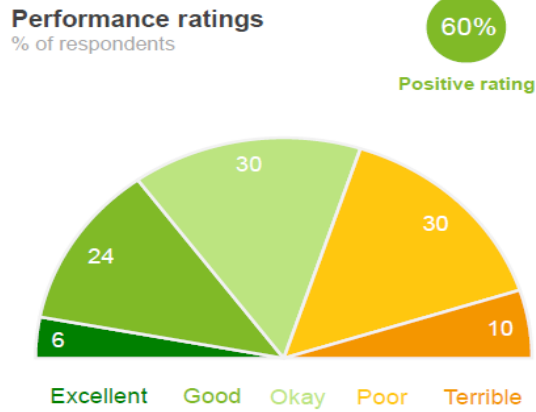
5. Verges are commonly referred to as the parcel of land within the Road Reserve between the formed road and a property boundary. Road reserves are Crown Land which is vested in the care and control of the City (or in some cases within the City, Main Roads WA).
6. Many, if not most, property owners undertake some level of management of the verge adjacent to their property reflective of their own desire for presentation of their property.
7. Concerns have been raised by residents and Councillors previously where verges are unkempt and the City's responsibility to intervene.
8. At the November 2018 Ordinary Council Meeting it was resolved (OCM 224/2018): That Council:
 1. *REQUEST the Chief Executive Officer to undertake a comprehensive review of the services and service levels being provided by the City's Parks and Environment Services in relation to management of verges, public open space, parks and reserves, and City-managed firebreaks.*
 2. *REQUEST the Chief Executive Officer present the review results at March 2019 Ordinary Council Meeting.*

9. A subsequent confidential report was provided to Council in June 2019. It was resolved (OCM 163/2019). That Council:
 1. *RECEIVE the Chief Executive Officer report into the 2019 review of the Parks and Environmental Services Team and the management initiatives proposed.*
 2. *ENDORSE the proposed service standards for verge management for the purposes of community consultation.*
10. The City conducted a community survey on verges from 1 August to 21 October 2019, to seek feedback as to respondents' satisfaction with levels of service and other thoughts of the community.
11. The outcomes of the survey are provided in the Community Engagement Report (Report) provided as Attachment 1 to this report.
12. This Report has assisted in development of the recommendations moving forward.

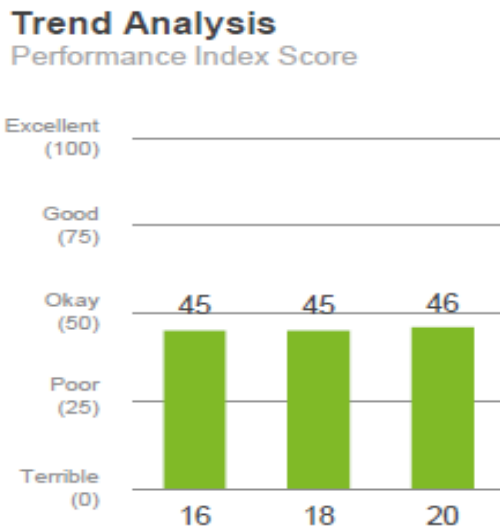
DETAILS AND ANALYSIS

13. There are approximately 1,200 kilometres of roadside verges throughout the City. These verges vary from suburban and peri-urban residential and industrial area type verges, to large rural type verges, some with open drains and others where remnant vegetation with high conservation value still exists. There is no one 'typical' verge for consideration.
14. Every two years the City undertakes Community Sentiment surveys and one of the issues explored is streetscapes. A streetscape typically would include matters such as street trees, verge presentation and management, vegetation and planting. Whilst this report focusses on verge management, the other issues also factor into the community sentiment.

The 2020 Community Sentiment scored streetscapes as generally positive as shown below:



15. The Performance Index Score within the Community Sentiment survey translates individual ratings from each respondent into a weighted overall score out of 100. In terms of the 2016, 2018 and 2020 surveys, the trend for Streetscapes has not significantly changed as shown below:



16. Satisfaction scores from respondents in the 2020 survey also varied by suburb as shown below:

Suburb	Satisfaction Score
Forrestfield	49
Gooseberry Hill	47
High Wycombe	38
Kalamunda	49
Lesmurdie	48
Maida Vale	46
Wattle Grove	40
Other	52

17. In Spring 2018 for a short time, City officers without due consideration of the impacts, ceased mowing unkept residential verges which was previously a program of works undertaken in the City on a twice per year basis. This action significantly increased complaints to the City. Direction was subsequently given to restore the program within the provided budget, however the residual impacts of this are reflected in community sentiment.
18. That matter directly led to the Council decision of November 2018 and subsequent report of June 2019. This report develops further the City's intent and matters pertaining to verges.
19. This report examines verges in the context of five main themes:
 - a) provision of Pedestrian Safety, relating to sightlines and obstructions. Paragraphs 21, 22 and 23 relate to this issue;
 - b) Visual Amenity, ref. paragraphs 24,25 and 26;
 - c) Bushfire Risk, ref. paragraphs 27 to 31;
 - d) Community feedback, from the survey, ref. paragraphs 32 and 33; and
 - e) benchmarking against other Local Governments, ref. paragraphs 34 to 38
20. This report then proposes a series of actions relating to verges as well as recommending the City adopt and implement a level of service standard for various verge classifications.
21. The first theme, Pedestrian Safety relates to unkempt verges that have the potential to harm or injure pedestrians or block the thoroughfare.
22. The City has regulatory authority to address this with the adjoining landowner through the *Local Government (Uniform Local Provisions) Regulation 1996*. In practice it is usually required where man-made objects or fallen tree limbs create the hazard allowing the City to enforce improvements. It is rare (but has occurred) that unkempt verges would create circumstances that this Regulation could provide the City with enforcement provisions.
23. It is concluded that the Regulatory Regime is suitable to manage the issue of verges from a pedestrian safety perspective and as such would not need consideration in any future policies in this regard.

24. In terms of maintaining a desired level of visual amenity and assigning responsibility for same, the Local Government Act does not provide direction in this regard. Some Local Government Authorities (LGA's) have passed local laws requiring residents to maintain any verge upgrades that they create. This is difficult to enforce when the property changes hands. The City provides some direction to residents wishing to develop their verges within the Verge Landscaping Conditions for Residential Property and Landscaping Information documents.
25. Generally, most residents in suburban areas of the City where grassed (with or without reticulation) verges or verge gardens are planted maintain their verges as part of their overall desire of the visual amenity for their residences. Circumstances exist where some urban properties have poorly presented verges. The situation in the peri-urban (escarpment and hinterland) area is slightly different due to the nature of the topography, water supply, vegetation and width of the verges which do not support highly manicured grassed verges.
26. To this end, the City needs to take a pragmatic approach in consideration of a common standard of presentation of verges and what actions in maintaining these standards the City will undertake.
27. In regard to Bush Fires and Bush Fire Mitigation, it is recognised that there is some confusion in the community regarding the City's responsibilities notably for parks and reserves under its care, and verges in light of responsibilities placed upon property owners via the Fire Notices issued by the City under the auspices of the *Bushfires Act 1954*.
28. In literal terms, the provision of the Bushfires Act in terms of Bushfire Mitigation do not bind the City to undertake any actions on Crown land such as parks, reserves or verges due to the City being an instrumentality and thus exempt. Having said that, the City does have programs in place for bushfire mitigation in these areas.
29. All freehold landowners are required to mitigate their land against fire. This includes the City and fire mitigation work is undertaken on all our City owned (not Crown land) reserves and properties.
30. In terms of fuel load contributing to bushfire risk, verges also tend to be relatively small discrete parcels segmented by driveways, footpaths, roads and lawn as well as firebreaks on the property side. These factors all contribute to reducing the genuine risk of fire.

31. It is planned that the City will develop and implement a community awareness program once this year's fire season concludes, providing the community with information about how and why the City undertakes fire mitigation on reserves and parks under its care and verges.
32. In late 2019, the City undertook community engagement via a survey in regard to views on verge maintenance. The Report provided as Attachment 1 drew the following conclusions:
- a) nearly 90% of respondents maintain their own verge;
 - b) over 40% dissatisfied with the standard of verges;
 - c) over 83% want different verge standards for different land uses;
 - d) over 65% of respondents are concerned regarding the quality and quantity of verge maintenance;
 - e) only 25% of respondents are aware of the City's Street Tree program; and
 - f) 35% would like more information about planting waterwise gardens.
33. Unkempt residential verges throughout the City were mowed by contractors in Spring 2019 and 2020, resulting in a significant downward trend in the number of requests for verge mowing for these years. Number of customer requests (ICS's) raised for the following financial years:
- a) 2017/18 - 364;
 - b) 2018/19 - 478 (service was temporarily discontinued - refer to paragraph 17);
 - c) 2019/20- 374; and
 - d) 2020/21 -238 (as of February 2021).
- As can be seen, the level of requests for verge mowing has been steadily decreasing which is in part due to the twice-yearly mowing and spraying regime now in place.
34. For the purpose of this report, roadside verges are classified as either high profile, residential, industrial, rural and conservation, each with their site-specific requirements and current treatment as below:

Zoning/Type	Mowing	Slashing / Weed Control	Notes
High Profile	As necessary to provide high standard of appearance	N/A	Landscape treatments to be given necessary ongoing scheduled maintenance
Residential	Twice annually (Spring & Summer)	Cursory mowing service to 50mm	No mowing if residents have improved or maintain the verge
Industrial	Twice annually (Spring & early Summer)	Cursory mowing service to 50mm	No mowing if residents have improved or maintain the verge
Rural	Twice annually (Spring & early Summer)	Limited tractor slashing where topography permits. Herbicide where appropriate Application late Autumn	Tractor slashing where practicable or herbicide where access is not practical
Conservation	Nil	Selective herbicide to control seasonal weeds	Designated conservation verges

35. In some cases the City is hampered in its efforts to effectively deliver a suitable verge management program. Attachment 2 provides some illustrative examples of issues facing the City.

36. The table below shows the City's current service levels compared with other LGA's. The City's approach is consistent with most metropolitan LGA's.

LGA	Road Verge Mowing			
	Verge Type			
	High Profile	Residential	Specials	Fire Mitigation
City of Kalamunda	Yes	Yes	Yes	Yes
City of Armadale	No	No	Yes	No
Town of Bassendean	Yes	Limited	Yes	Yes
City of Bayswater	Yes	Yes	Yes	Yes
City of Belmont	Yes	Yes	Yes	No
City of Canning	Yes	Yes	Yes	Yes
City of Cockburn	Yes	Yes	Yes	Yes
City of Gosnells	Yes	No	Yes	No
City of Kwinana	Yes	Yes	Yes	No
Shire of Mundaring	Yes	No	Yes	No
City of Perth	Yes	No	No	No

City of Rockingham	Yes	No	No	Yes
City of Stirling	Yes	Yes	Yes	N/A
City of Swan	Yes	Yes	Yes	Yes
City of Wanneroo	No	No	Yes	No

Note: High profile verges are those on main roads, that form an entry into the City. Specials are usually requested at the discretion of the Chief Executive Officer, and Fire Mitigation refers to verges near City owned Public Open Space (POS) where the overall fire risk quantifies attention.

37. Further consultation with other LGA's has identified common themes:
- a) many local governments provide guidance by way of policy or local as to permissible improvements that can be made to verges. All adopt the premise that the applicant accepts the ongoing responsibility to maintain these improvements;
 - b) difficulties arise when properties are then sold and the new owners unwilling to maintain these improvements;
 - c) verge improvement applications are in the minority compared to the number of existing verges left and maintained 'as is' without policy to guide their management; and
 - d) in some cases of peri-urban councils, verge management is more aligned to bushfire risk than amenity.
38. The intent of setting an agreed verge maintenance standard is to move to a clear and programmed maintenance regime rather than a reactive maintenance regime which was in place prior to and during Spring 2018 and caused significant community complaints.
39. Feedback was also received that landowners should be made accountable for the standard of their verges, but only a Local Law could make this enforceable. The City does not have a Local Law clarifying the City's and landowners' obligations for verge development and maintenance. Not all residents responded to the survey and compelling residents to maintain their verge to a prescribed standard will probably be unpopular and difficult to enforce, for little gain. It is viewed that this is not an appropriate way forward and that a Local Law should be used to protect landowners where appropriate verge standards are in place.
40. The Survey showed that the City's free street tree program is not widely known and is likely to have contributed to feedback that there are not enough street trees in parts of the City. The City's Urban Forest Strategy and associated communication plan will address this issue.

41. Finally, whilst this report discusses mainly management of verges from an amenity, safety and bushfire risk perspective, it is recognised that there is a growing call for verges to be able to change in use such as highly developed attractive verge plantings or vegetable gardens for community use. The City will need to examine this issue further to consider if new policies should be developed in this regard.

APPLICABLE LAW

42. *Bushfires Act 1954;*
Civil Liability Act 2002;
Streets, Lawns and Gardens 1965 Local By-Law;
Environmental Protection Act 1986; and
Environmental Protections (Clearing of Native Vegetation) Regulations 2004.

APPLICABLE POLICY

43. Service 8, Street Trees and Streetscapes.

STAKEHOLDER ENGAGEMENT

44. Community engagement for the Verges Maintenance Survey ran from 1 August through to 21 October 2019, using the City's online engagement platform, an advertisement in the Echo newspaper and also distributed City-wide via letterbox drop.
45. The online survey was viewed by 1,250 people. A total of 638 surveys were received.

FINANCIAL CONSIDERATIONS

46. The City currently budgets \$2m pa on verge maintenance. Over 80% of these costs are incurred in managing street trees in terms of canopy and fallen trees or under power line clearance. The twice annual mowing of residential verges is budgeted at \$60,000.

SUSTAINABILITY

Social Implications

47. People with limited mobility will be adversely affected by any decrease in service. Typically, these people are referred to external agencies such as the Rise network or My Aged Care who specialise in assisting in these circumstances.

Economic Implications

48. Currently nil, although any changes in levels of service will affect this.

Environmental Implications

49. Environmental implications are anticipated to be positive, with more clarity around verge management for both the City and the adjacent landholder, including preservation of high conservation value roadside vegetation. The City’s Local Biodiversity Strategy and 2015 Roadside Vegetation Survey Maps can serve as guides to assist with appropriate verge treatments.

RISK MANAGEMENT

50.

Risk: If verge maintenance is discontinued, there is a risk that roadside infrastructure such as drains may become clogged by weeds causing localised flooding.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Remedial action – continue maintenance program.		

Risk: If verge maintenance is discontinued, there is a risk that a fire may be started in dry roadside vegetation.		
Consequence	Likelihood	Rating
Moderate	Medium	Medium
Action/Strategy		
Fire is likely to be relatively small due to size of verges. Should be able to be extinguished or burn itself out.		

CONCLUSION

51. The City has progressed a variety of initiatives since Spring 2018 and the Verges Maintenance Survey, that have proven to be effective in reducing complaints. Officers have engaged mowing and weed spraying contractors on long term contracts to significantly enhance verge maintenance capacity at peak weed growth times. By industry standards, the City now provides a relatively comprehensive verge maintenance service.

52. Any decrease in service is likely to result in community dissatisfaction, for little financial gain. Active promotion of verges may encourage some people to maintain or improve their own verges.
53. Actions from new Strategies such as the Urban Forest Strategy and the Local Biodiversity Strategy will further assist with road verge management and enhancement.

Voting Requirements: Simple Majority

RESOLVED OCM 28/2021

That Council:

1. RESOLVE to maintain the current service standard, inclusive of twice annual mowing of unkempt verges.
2. DEVELOP more user-friendly policies and communications providing guidance for property owners wishing to improve the amenity of their verges or repurpose these verges for outcomes such as community gardens.

Moved: **Cr Lisa Cooper**

Seconded: **Cr Cameron Blair**

Vote:	<u>For</u>	<u>Against</u>
	Cr John Giardina	Cr Lesley Boyd
	Cr Janelle Sewell	
	Cr Geoff Stallard	
	Cr Mary Cannon	
	Cr Brooke O'Donnell	
	Cr Sue Bilich	
	Cr Lisa Cooper	
	Cr Dylan O'Connor	
	Cr Cameron Blair	
	Cr Kathy Ritchie	
	Cr Margaret Thomas	


CARRIED (11/1)

10.2.3. Central Mall Streetscape: Adoption of Concept Design

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

Previous Items	OCM/112/2019; OCM 31/2020; SCM 112/2020
Directorate	Asset Services
Business Unit	Asset Delivery
File Reference	PG-STU-039; PG-STU-041
Applicant	City of Kalamunda
Owner	Various
Attachments	<ol style="list-style-type: none"> 1. Central Mall Concept Plan [10.2.3.1 - 5 pages] 2. Kalamunda Activity Centre Plan - Central Mall Streetscape Master Plan [10.2.3.2 - 2 pages] 3. Community Engagement Report Central Mall [10.2.3.3 - 66 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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 - 1.2.1 Facilitate a safe community environment.

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.2 - Encourage and promote the active participation in social and cultural events.

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.

Priority 3: Kalamunda Develops

Objective 3.4 - To be recognised as a preferred tourism destination.

Strategy 3.4.1 - Facilitate, support and promote, activities and places to visit.

EXECUTIVE SUMMARY

1. The purpose of this report is to outline the concept plan and budget for the Central Mall streetscape project, inform Council of the outcomes of the community engagement and seek approval to continue with the project.
2. The Central Mall streetscape forms part of the overall Kalamunda Activity Centre Plan (Plan) and is the first demonstrable action undertaken by the City of Kalamunda (City) in delivering upon the Plan.
3. It is recommended that the project continues to finalise design, finalise the project budget, and proceed to tender and construction.

BACKGROUND

4. The City endorsed the Kalamunda Activity Centre Plan at the Ordinary Council Meeting held on 24 March 2020 (OCM 31/2020). This Plan included indicative streetscape concepts for each major street within the Plan.

5. At the 30 June 2020 Special Council Meeting, Council adopted the 2020/21 Budget. It was resolved (SCM 112/2020) that:
“ENDORSE for inclusion in the Municipal Fund Budget 2020/21 the following stimulus projects: a) Central Mall Streetscape Construction (\$2.4m)”.
6. Subsequently, the City engaged the services of Place Laboratory (Place) to undertake the design and documentation of the project.
7. Place developed a concept plan (Attachment 1) which was discussed with Councillors at a strategy session on 29 September 2020.
8. The concept design formed the basis of community engagement which was conducted between 5 October and 13 November 2020.

DETAILS AND ANALYSIS

9. The adopted Plan included a streetscape masterplan of which Central Mall was one of these. The Central Mall streetscape masterplan is provided as Attachment 2 to this report.
10. The streetscape masterplan which is part of the adopted Plan has a key vision:
“Central Lane (sic) will become the heart of Kalamunda’s night time economy, delivering an intimate and vibrant urban experience that supports both day and night-time activities and acts as a counterpoint to the more traditional and heritage spaces of the town centre”.
11. The streetscape masterplan identified the following opportunities for Central Mall:
 - a) reconfigure to allow one-way traffic through the lane in a shared street environment;
 - b) install traffic management structures to allow ease of closure during events and night-time activities;
 - c) introduce parking opportunities into the lane to support adjacent retailers;
 - d) plant additional trees to extend existing planting and provide summer shade;
 - e) install catenary lighting to assist in activation and a sense of enclosure;
 - f) install entry canopy and the north and south ends of the lane to create a sense of arrival and aid in wayfinding; and
 - g) potential to extend treatments to laneways on the north side of Haynes Street.

12. Place, in taking onboard the streetscape master plan vision and opportunities, developed a set of key aims and themes for the project.
13. The aims of the streetscape improvement in Central Mall are:
- a) create a local meeting place;
 - b) create a pedestrian focussed place;
 - c) increase flexibility for a variety of daily uses and events;
 - d) attract families and children;
 - e) enhance the built form interfaces;
 - f) increase activity during the day;
 - g) support night activity;
 - h) create a safe shared street;
 - i) express local identity; and
 - j) encourage local traders and landowners to enliven the street.
14. The project identified three key themes around which elements of the design will speak to. These themes are:
- a) living in the forest;
 - b) connected community; and
 - c) tracks and trails.
15. As the Place concept plan has developed it has differed from the streetscape in that the concept plan proposes a streetscape treatment that is essentially 'door to door' with treatments to interface around the KADS building (which is in the "Green Park" area detailed in the Plan) and some interface treatments in Haynes and Mead Streets.
16. The Landscape Master Plan in the Plan assumed that the works in Central Mall would be confined to the road reserve. In developing the concept plan it became apparent that this is unworkable without matching works in the adjacent areas in private ownership (i.e. door to door). The table below details the change in area covered by the current concept plan:

Portion	Area (approx.)	Increase from Landscape Master Plan
Original Landscape Master Plan – road reserve only	2,500 m ²	Nil
Extra over from edge of road reserve to face of buildings	360 m ²	+ 14%
Extra over for car park and loading dock area – Shopping Centre (Mead Street end)	650 m ²	+ 26%
Extra over around the KADS building	540 m ²	+ 22%

Change in area with new streetscape	1,550 m²	+ 62%
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It is also to be noted that ~1,200 m² of Haynes Street and Mead Street at the interface with Central Mall are also proposed for some relatively low cost on road treatments to 'draw' people into Central Mall.

17. In preparing the draft 2020/21 Budget for the City, the Haynes Street and Central Mall streetscape projects were listed as one item in the draft Capital works budget program, with the intent for Haynes Street to be funded in 2020/21 and Central Mall in 2021/22 at \$2.2m and \$2.4m respectively.
The relevant report also detailed that works extending into 2021/22 financial year that required additional funding would be included for consideration in the 2021/22 budget.
Council determined to undertake Central Mall in 2021/22 and allocated \$2.4m for this project.
18. Place had provided a revised Opinion of Probable Cost for the construction of Central Mall in accordance with the concept plan. This Opinion of Cost is \$3.22m excluding fees, however includes Contractor Preliminaries of \$390,000 and Contingency of \$420,000. The City estimates that fees and other costs will come to \$280,000 for an indicative budget of \$3.5m.
19. It is to be noted that this 45% increase in budget is set against a 62% increase in area of streetscape.
20. Subsequently, the City and Place undertook a value management exercise to reduce the indicative budget which now stands at \$3.2m inclusive of fees and contingency.
21. The City has entered into discussions with the owners of Kalamunda Central Shopping Centre regarding contributing to the costs of the project especially in regard to the loading dock area. These discussions are ongoing.
22. The following actions are proposed during the next phase of the project:
 - a) conclude discussions with the Shopping Centre regarding contribution to the loading dock / car park part of the project; and
 - b) further refine the allowances for preliminaries and contingency.
23. If a satisfactory funding agreement cannot be reached with the owners of the Shopping Centre regarding funding arrangements for their loading dock and car park area improvements, the City will reduce the scope of

works to exclude this area at a potential reduction in the budget of \$125,000.

24. It is not proposed at this stage to seek to have the adopted 2020/21 Budget amended as a formal Council decision. Rather it is proposed that Council endorse the plan to finalise the design for tender with indicative budget review and update the project budget and funding as part of the 2021/22 Budget process.
25. It is to be noted that the City has been advised by the Commonwealth that it will be eligible to apply for up to ~\$2m of new grant funding under the Local Roads and Community Infrastructure (LRCI) program for stimulus relief which appears to be available for this project. It is proposed to utilise this fund to provide the necessary 'top up' funding without necessitating further municipal funds or borrowings for this project.
26. It is not recommended that the project scope (apart from the loading dock as discussed above) is significantly reduced to reduce funding needs as this will result in a finished product that will be of a much lower standard and would cause reputational risk to the City.
27. Community engagement was undertaken on the concept plan between 5 October and 13 November 2020. The City informed the community of the project via newsletters, mail drops, adverts and a social media campaign. Community Engagement activities undertaken included an online workshop and face to face workshop with interested community members discussing the project and seeking their sentiment, the community also provided input via a formal survey, with 108 returned to the City. A further 11 submissions were also provided. Attachment 3 provides the full community engagement report.
28. The stated aims and themes outlined in the concept plan generally met with positive feedback. Community members also raised several items they felt required further consideration. These primarily are:
 - a) safety fears allowing vehicles to travel through the mall and harming pedestrians;
 - b) not agreeing that with the premise that Central Mall could be pedestrian focussed whilst vehicles are allowed access; and
 - c) uncertainty that the project will achieve the unique stories to celebrate the place.
29. In regard to the confluence of pedestrians and vehicles, the City understands that some parts of the community will have fears for safety. It is of the firm belief that the following design features will result in operating conditions that significantly mitigate these concerns:

- a) with the limited number of vehicle parking bays provided and the intent of these to be short stay parking, drivers will avoid seeking 'opportunistic' access to Central Mall in order to park for their needs in the greater Kalamunda Town Centre. It is noted at present the relatively large number of car bays available (especially near Mead Street) are being used for staff of the shopping centre and not primarily for getting to the businesses fronting Central Mall;
 - b) the narrow and winding roadway with the streetscape elements adjacent (seating, raised areas, plantings etc) will force drivers to be very slow. It is noted already that a 2020 traffic count undertaken at the Haynes Street end of Central Mall showed under 160 vehicles per day entered Central Mall at an average speed of <16 km/h; and
 - c) successful pedestrian focussed malls are in place (such as Bay View Terrace in Claremont) which have higher volume of vehicle movements.
30. Finally, the design will incorporate measures to close Central Mall to vehicle access at both ends during market times. This then leads to the premise that we could trial vehicle access during other times and if it is unsatisfactory, infrastructure would already be in place to undertake a closure at little time delay.
31. It is noted that some public discussion has occurred setting out that the current economic conditions and the number of closed shop fronts in Kalamunda have led people to form views that this project is not warranted nor is in keeping with current community (especially the aged) needs. A project of this nature has to be forward looking and moves towards a future as set out in the vision for the project.
32. Property owners need certainty if they are planning to develop for existing and new businesses that the streetscape will be inviting and attractive to the public. This necessitates that the City moves first in improving the streetscape which will facilitate the new urban environment to be established.
33. It is recognised that a project of this nature will impact businesses in operation in Central Mall and the respective property owners.
34. The City has created an Operational Reference Group that has representation of both City staff and the design team, businesses operating in Central Mall, the Shopping Centre management, property owners and market representatives through Kalamunda Chamber of Commerce and Kalamunda Rotary along with the Mayor.
35. This group aims to discuss and share information regarding how the design is developed and what issues need to be understood by the City

during the construction phase of the project. It is viewed that this form of early engagement adds to the effectiveness of the project. It is to be noted that the next phase of the Reference Group will also include discussions with a contractor skilled in streetscape projects from which the City will develop in the tender specifications specific construction management directions aligned to the specific issues within Central Mall as discussed with the stakeholders.

36. The following indicative program has been developed:

Element	Date
Adoption of Concept Design	End March 2021
Completion of Detail Design and Tender Documents	End April 2021
Tender period	End April 2021 – end May 2021
Tender assessment and contract award	End July 2021
Construction Period	August 2021 to end January 2022

Note that the Construction period is very indicative at this stage and subject to finalisation of method of works.

37. The above program is predicated upon Council delegating authority to the Chief Executive Officer to award the construction contract as a means of keeping the program as short as possible. It is proposed that Council are briefed on the construction contract tender outcome prior to the Chief Executive Officer exercising this delegation.

38. Specific concerns were raised by market stakeholders regarding their operations during construction and once the project is finished. The City has in hand specific engagement with these stakeholders.

APPLICABLE LAW

39. Nil.

APPLICABLE POLICY

40. Nil.

STAKEHOLDER ENGAGEMENT

41. As noted in the body of this report.

FINANCIAL CONSIDERATIONS

42. The proposed project to be approved is as follows:

Element	Budget
Construction Contract	\$2.53m
Construction Contingency	\$0.25m
Subtotal Construction	\$2.78m
Design & other Fees	\$0.32m
Design Contingency	\$0.10m
Sub Total Design & other fees	\$0.42m
Total Budget	\$3.2m

The breakdown of the Budget elements is:

Element	Budget
Central Mall – excluding Shopping Centre Loading Dock and Carpark	\$2.985m
Shopping Centre Loading Dock & Carpark	\$0.125m
Haynes & Mead Street interfaces	\$0.090m
Total Budget	\$3.2m

Note:

- a) It is proposed that the Shopping Centre Loading Dock and Car park works are only undertaken if funded by the Shopping Centre. If this does not occur, the project budget and funding is reduced by \$125,000 accordingly.
- b) The additional funding above the existing approved \$2.4m budget will be funded from application of Phase 2 LRCI grant scheme.

SUSTAINABILITY

43. The project includes the selection and use of recycled materials in the hard streetscape elements, energy efficient/low carbon footprint LED lighting, plantings of trees and shrubs to enhance the biodiversity and waste bins that promote the City's waste strategy to reduce waste going to landfill.

Furthermore, whilst the existing pavers in the Mall are not suitable for re-use in this project they can be recovered for use in other City projects.

RISK MANAGEMENT

44.

Risk: That the project fails to meet the intended outcomes due to funding constraints and scope reduction.		
Consequence	Likelihood	Rating
Significant	Almost Certain	High
Action/Strategy		
The City applies new LRCI funding sources to augment the pre-existing budget allocation.		

Risk: That the City is subject to increased criticism in regard to creating a shared space environment.		
Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
As necessary information briefings are provided in response.		

Risk: Businesses in the Mall seek compensation for perceived losses during the works.		
Consequence	Likelihood	Rating
Significant	Possible	High
Action/Strategy		
<ul style="list-style-type: none"> a) City determines its liability in this regard. b) City works closely with businesses in the Mall to reduce impacts of works. 		

CONCLUSION

45.

The concept plan for Central Mall is aimed at delivering upon the vision contained in the Plan. It is seen as creating a completely new streetscape and environment that will serve the community in the future rather than locking in the present. It will provide property owners with the confidence that they can develop long term plans for their buildings consistent with the Plan.

46.

The budget and scope issues outlined in the report have solutions which should be adopted to meet the overall intent of the Plan.

Voting Requirements: Absolute Majority

RESOLVED OCM 29/2021

That Council:

1. ADOPT the concept plan for Central Mall Streetscape provided as Attachment 1 to this report as the basis for finalising design and tender documentation.
2. APPROVE a budget of \$3.2m plus overheads for the project subject to contribution of \$125,000 from Kalamunda Shopping Centre for the Loading Dock and Carpark area works OTHERWISE a budget of \$3.075m plus overheads; noting that there is no change to approved Municipal Funding with additional funds coming from the funding strategy set out in the report.
3. RECEIVE the community engagement report on the concept plan provided as Attachment 3 to this report.
4. PROCEED to final design and call construction tender for the project.
5. In accordance with s5.42 (1) of the *Local Government Act 1995* DELEGATE to the Chief Executive Officer the authority to award the construction contract for the Central Mall Project up to a value of \$2.78m plus GST (inclusive of construction contingency) SUBJECT to Council being briefed on the outcomes of the construction tender prior to award.

Moved: **Cr Cameron Blair**

Seconded: **Cr John Giardina**

Vote:	<u>For</u> Cr John Giardina Cr Janelle Sewell Cr Geoff Stallard Cr Lesley Boyd Cr Mary Cannon Cr Brooke O'Donnell Cr Sue Bilich Cr Lisa Cooper Cr Cameron Blair Cr Kathy Ritchie Cr Margaret Thomas	<u>Against</u> Cr Dylan O'Connor
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CARRIED/ABSOLUTE MAJORITY (11/1)

10.2.4. Carob Tree Place Drainage Investigations - CONFIDENTIAL


Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be entered into, by the local government which relates to a matter to be discussed."

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

Previous Items	OCM 95/2019
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	3.004047; CR-07/029; CR-07/031; OR-ELM-008
Applicant	N/A
Owner	N/A

Attachments Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

RESOLVED OCM 47/2021

That Council:

1. NOTE the legal advice provided by the City of Kalamunda's insurer.
2. ADOPT a position that the City of Kalamunda, at this time, does not undertake any remediation works on the private properties impacted by this issue.
3. Through the City of Kalamunda's insurer and their legal advisor, ADVISE the owner of 31A Carob Tree Place of our position on this matter.

4. ADVISE the adjoining property owners of the City of Kalamunda's position in this matter.
5. REQUEST the Chief Executive Officer provide all councillors with the details of proposed communications to lot 31, 31a Carob Tree Place and adjoining properties, as well as the associated timeframes.

Moved: **Cr Sue Bilich**

Seconded: **Cr Margaret Thomas**

Vote:	<u>For</u>	<u>Against</u>
	Cr John Giardina	Cr Mary Cannon
	Cr Janelle Sewell	
	Cr Geoff Stallard	
	Cr Lesley Boyd	
	Cr Brooke O'Donnell	
	Cr Sue Bilich	
	Cr Lisa Cooper	
	Cr Dylan O'Connor	
	Cr Cameron Blair	
	Cr Kathy Ritchie	
	Cr Margaret Thomas	


CARRIED (11/1)

10.2.5. Kalamunda History Village - Tree Assessments

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Parks & Environmental Services
File Reference	RL-01/050; RL-01/056
Applicant	N/A
Owner	N/A
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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 2.1.2 - Support the conservation and enhancement of our biodiversity.

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.1 - Optimal management of all assets.

Priority 3: Kalamunda Develops

Objective 3.4 - To be recognised as a preferred tourism destination.

Strategy 3.4.1 - Facilitate, support and promote, activities and places to visit.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval on a recommended course of action regarding the disposition of three trees within the Kalamunda History Village (Village).
2. The matter has come about from concerns raised by the Kalamunda Historical Society (Society) regarding their perceived risk that the trees are unsafe and should be removed.
3. There are considerable costs that would be incurred if the City chose to either intervene with works to retain some or all of the trees or decisions to remove some or all of the trees.
4. Taking into account the issues of perceived risks, financial impacts and probable broader community views regarding trees it is recommended that two of the trees are removed and that the significant Marri tree within the site is retained and necessary retention works undertaken.

BACKGROUND

5. During the weekend of 9 and 10 January 2021 a large tree within the Village fell over significantly damaging the Post Office and Chambers buildings. Repairs are underway and are anticipated to be completed by the end of March 2021.
6. Subsequent to this tree failure, the City of Kalamunda (City) and an officer of the Society discussed the need to undertake an assessment of a further three trees within the Village.
7. The City engaged a qualified arborist to undertake a Quantified Tree Risk Assessment (QTRA) and Sonic Tomography tests on the trees in question.

DETAILS AND ANALYSIS

8. QRTA is a process that provides an independent and objective method of assessing the risks and contrasting the benefits of tree retention. Sonic Tomography is a process which an non-invasive assessment of the tree trunk is undertaken to measure the proportion of healthy to dead wood with resultant recommendations.
9. Tree No 1 is a Northern River Red Gum which is a species of tree introduced to the Perth region and not native to the region. The tree is immediately adjacent to the Grader / Tractor Shed of the Village as shown below:



10. The QRTA and Sonic Tomography for this tree concluded that:
 - a) Structurally: Fair with defects evident that may be typical for the species and age class, and which could be corrected through remedial pruning works.
 - b) Health: High with consistent crown density and foliage colour, good shoot extension and an insignificant number of naturally occurring internal dead branches.
 - c) Trunk: 96% healthy wood which is graded as Excellent.
11. The recommended remedial works if the tree is to be retained are:
 - a) undertake reduction pruning by 2-3m to reduce/ shorten the length of the first order branches on the north side of the tree to reduce crown spread, to alleviate branch elongation, end weight

and loading and to mitigate the potential for branch / root plate failure; and

- b) consideration could also be given to modification of the adjacent roof to increase the distance between the trunk section and the grader shed.

12. The arborist also noted that there is a reasonable expectation that the tree will contact the shed roof during high winds.

13. Tree No 2 is a Tasmanian Blue Gum which is a species of tree introduced to the Perth region and not native to the region. The tree is adjacent to the Train Platform of the Village as shown below:



14. The QRTA and Sonic Tomography for this tree concluded that:

- a) Structurally: Fair with defects evident that may be typical for the species and age class, and which could be corrected through remedial pruning works.
- b) Health: High with consistent crown density and foliage colour, good shoot extension and an insignificant number of naturally occurring internal dead branches.
- c) Trunk: 55% healthy wood, 16% incipient wood (wood being altered) and 29% degraded which is graded as Good.

The assessment also specifically noted that fungal canker infection was evident on the northwest side however internal degradation if any is likely to be superficial and the infection minor in proportion to the entire trunk basal area circumference, looking towards the southeast.

15. The recommended remedial works if the tree is to be retained are:

- a) undertake the installation of a non-invasive 4-tonne cable brace such as Yale brace at a height of approximately 16m between the

two codominant stems, to provide supplementary support to codominant stem union; and

- b) undertake deadwooding to remove the dead branches greater than 50mm in diameter from the crown of the tree.

16. Tree No 3 is a Marri which is a species native to the Perth region. The tree is adjacent to the toilet block of the Village as shown below:



17. The QRTA and Sonic Tomography for this tree concluded that:

- a) Structurally: Fair with defects evident that may be typical for the species and age class, and which could be corrected through remedial pruning works.
- b) Health: Average - High with consistent crown density and foliage colour, good shoot extension and with a number of naturally occurring internal dead branches.
- c) Trunk: 95% healthy wood, 4% incipient wood (wood being altered) and 1% degraded which is graded as Excellent.

The assessment also noted extensive infection by the marri canker fungal pathogen was evidenced by a large wound at the root collar and trunk basal area, resulting in necrosis of the vascular tissue and exposure of the sapwood, and subsequently providing an entry opportunity for infection by wood decay fungi and/ or infestation by termites; looking towards the southeast.

18. The recommended remedial works if the tree is to be retained are:
- a) undertake the installation of a non-invasive 4-tonne cable brace such as Yale brace in a triangular configuration at a height of approximately 16m above ground level, to provide supplementary support to the three codominant stems;
 - b) undertake deadwooding to remove the dead branches greater than 50mm in diameter from the crown of the tree;
 - c) undertake reduction pruning by 1-2m within the middle crown on the west side to reduce branch length and alleviate end weight and loading on the branch attachment to mitigate the potential for branch failure;
 - d) undertake a non-invasive, no drill treatment for control of the active termite infestation. Such treatment may include dusting and/or the installation of bait stations, and should be undertaken by a licensed pest controller; and
 - e) consider further investigation in 12 months using PiCUS sonic tomography at the trunk basal area to evaluate the rate of degradation and/or production of response growth (new wood).

19. The cost to the City to undertake these three QRTA and Tomography tests was \$2,618.

20. The following table details the financial implications of any decision to retain or remove a specific tree:

Option 1: Retain

Tree No.	Species	Initial Cost	Ongoing/Other
1	Red Gum	\$3,300	Modification to roof not costed
2	Blue Gum	\$4,400	est \$1,500 annual cost for inspection of brace
3	Marri	\$6,000	est \$2,400 annual cost for inspection of brace and QRTA/Sonic Testing

Option 2: Remove

Tree No.	Species	Removal Cost
1	Red Gum	\$4,360
2	Blue Gum	\$4,360
3	Marri	\$4,360

- 21. It is recognised that trees provide important benefits to eco-systems (including habitats for fauna), human health and the climate. It is also recognised that there is an overwhelming desire from the Society that these three trees be removed from their perception of public safety and their fears of damage to precious historical buildings and contents if trees did fall over.
- 22. The City's draft Urban Forest Strategy recognises the importance of tree canopy conservation however it is noted that this part of the City has a significant level of canopy cover at present.
- 23. In consideration of the above matters it is recommended that Council approve the removal of the River Red Gum (Tree No 1) and the Tasmanian Blue Gum (Tree No 2).
- 24. In consideration of the Marri (Tree No 3), the matter is more complex given that it is a native tree of quite substantial age and size (23 m height, > 1m trunk girth). Whilst financially, the cheapest solution is to remove the tree it is believed that retention is warranted in this circumstance.

APPLICABLE LAW

- 25. Nil.

APPLICABLE POLICY

- 26. Nil.

STAKEHOLDER ENGAGEMENT

- 27. In consideration of stakeholder engagement it is proposed that the City, in accordance with its Community Engagement Strategy informs the community of its decision and rationale on this matter.

FINANCIAL CONSIDERATIONS

- 28. The overall costs of \$14,720 for removal of two trees and pruning and bracing on one tree will be met from the 2020/21 operational budget through existing budget allocation for emergency works.

SUSTAINABILITY

29. The removal of two trees is not a positive outcome for the environmental issues in the City but deemed necessary in this instance.

RISK MANAGEMENT

30.

Risk: That the City is subject to reputational criticism for whatever decision is reached on this matter.		
Consequence	Likelihood	Rating
Moderate	Likely	Medium
Action/Strategy		
Engagement strategy with community outlining the decision and reasons.		

Risk: Tree(s) that are determined to be retained subsequently fall over or drop major limbs leading to significant criticism of City decision making.		
Consequence	Likelihood	Rating
Significant	Almost Certain	High
Action/Strategy		
The expert advice given is that these trees can be retained if remedial works are undertaken and the City accepts the risk of unforeseen failure.		

CONCLUSION

31. This issue concerns the perceptions of the Society regarding risks to visitors and staff, the significant buildings and the contents from trees failing contrasted by the City’s expert opinions that with high levels of intervention the trees can be retained for the environmental benefits. In cases such as these, along with consideration of financial matters, it is felt that a ‘middle ground’ outcome as recommended is appropriate.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. APPROVE the removal of the subject Northern River Red Gum and Tasmanian Blue Gum trees from the Kalamunda History Village.
2. APPROVE the undertaking of the recommended remedial works (including tree bracing, pruning and termite treatment) for the subject Marri tree in the Kalamunda History Village.
3. NOTE that these actions are to be taken as a matter of priority.

Moved:

Seconded:

Vote: **LAPSED**

Cr Ritchie advised she would like to defer consideration of this matter until the April Ordinary Meeting of Council.

The meeting sought advice from the Governance Advisor on this matter.

As the Recommendation did not receive a mover it LAPSED.

RESOLVED OCM 30/2021

That Council DEFER consideration of the report until the April Ordinary Meeting of Council.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Cameron Blair**

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


10.3. Corporate Services Reports

**10.3.1. South West Native Title Settlement - City of Kalamunda
Comments on Land Base Consultation - Land List 1177**

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

Previous Items	OCM 1/04; OCM 31/04
Directorate	Corporate Services
Business Unit	Commercial & Cultural Services
File Reference	LW-03/51; LW-03/75; WN-05/25
Applicant	Department of Planning, Lands & Heritage
Owner	State of Western Australia
Attachments	<ol style="list-style-type: none"> 1. City of Kalamunda Response - Department of Planning Lands Heritage Queries [10.3.1.1 - 5 pages] 2. Department of Planning Lands Heritage Request for Comment -19 November 2020 [10.3.1.2 - 5 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the City of Kalamunda (City)'s response to the Department of Planning, Lands and Heritage regarding land identified by the State Government for possible transfer to the Noongar People as part of the South West Native Title Settlement (Settlement).
2. The following parcels of land within the City have been identified:
 - (a) Lot 178 (51) Lawnbrook Road West, Walliston;
 - (b) Lot 301 (75) Lawnbrook Road West, Walliston; and
 - (c) Lot 98 (25) Winsor Road, Kalamunda.
3. It is recommended that Council support the transfer of the subject sites to the Noongar People in principle, but advise DPLH of constraints and community values associated with the sites and relevant consultation background for the DPLH's further consideration.

BACKGROUND

4. The State of Western Australia has committed to allocating up to 320,000 hectares of Crown land to the Noongar People to create the Noongar Land Estate, in accordance with the six registered Indigenous Land Use Agreements (ILUAs) for the Settlement.
5. The ILUAs were registered at the Native Title Tribunal on 17 October 2018 and the required legal processes are currently occurring.
6. The DPLH is responsible for undertaking an identification and assessment process for land parcels within the boundaries of the Settlement. This process includes referring land to relevant agencies for comment. While awaiting conclusive registration, and the subsequent date upon which the Settlement becomes effective, the DPLH is undertaking necessary referrals to ensure that the land parcels as identified by the Noongar People are made ready for transfer.
7. On 19 November 2020, the City received email correspondence from the DPLH requesting comment on the proposed transfer of sites within the City to the Noongar People as part of the Settlement (**Attachment 1**). The City requested an extension to the proposed due date for comment to enable the matter to be referred to Council.

8. Information on the land parcels identified for possible transfer within the City is provided as follows:

9. **Lot 178 (51) Lawnbrook Road West, Walliston**



Lot 178 Lawnbrook Road West, Walliston (Lot 178) is Unallocated Crown Land, meaning the site is not reserved, declared, or otherwise dedicated under the *Land Administration Act 1997*. Unallocated Crown Land is usually unmanaged, however to the extent that management is required, the responsibility lies with State Government agencies.

10. The site is approximately 1.2ha (11,724m²) with an approximate 160m frontage to Lawnbrook Road West and 153m frontage to Grove Road. The northern boundary of the site adjoins privately owned land previously occupied by a television transmission mast (demolished in 2019). The site is located opposite the Walliston Primary School and is located in a low-density R10 residential area.

11. Lot 178 is zoned Residential R10 under Local Planning Scheme No. 3 (LPS 3) and could provide for subdivision and development of residential lots of approximately 1,000m², subject to consideration and approval under the LPS 3 and State Planning Policy 7.3 Residential Design Codes (R-Codes).

12. In approximately 2003/2004, the City received a request from the then Department of Planning and Infrastructure to comment on the potential disposal of Lot 178.

13. At its Ordinary Council Meeting on 16 February 2004, Council resolved as follows (EN BLOC RESOLUTION OCM 1/04):

1. That the Shire of Kalamunda

(a) Objects to the disposal by the Department of Planning and Infrastructure for Lots:

- Lot (177) 20 Hovea Crescent; Lot (178) 51 West Lawnbrook Road, and Lot (180) 8 Cephalotus Road, Walliston

On the basis that the land is in close proximity to the television towers and due to community concern considered unsuitable for residential development and should remain as a vegetation buffer.

(b) That the Department of Planning and Infrastructure be advised that the Shire support a management order for the purpose of 'Reserve for Conservation' for lots:

- Lot (177) 20 Hovea Crescent; Lot (178) 51 West Lawnbrook Road, and Lot (180) 8 Cephalotus Road, Walliston.

14. Notwithstanding Council's advice that the City would accept management of Lot 178, a management order was not granted.

15. **Lot 301 (75) Lawnbrook Road West, Walliston**



Lot 301 Lawnbrook Road West, Walliston (Lot 301) is also Unallocated Crown Land.

16. Lot 301 is zoned Residential R10 under LPS 3 and could provide for subdivision and development of residential lots of approximately 1,000m², subject to consideration and approval under LPS 3 and the R-Codes.
17. The site is approximately 1.1ha (10,601m²) with an approximate 44m frontage to Lawnbrook Road West, 100m frontage to Clianthus Road and 78m frontage to Boronia Road. Lot 301 adjoins land occupied by the Lesmurdie Club Inc. to the south and land managed by the Scouts Association of Australia to the west.
18. The City's records indicate that in 2000-2002 the Lesmurdie Club Inc. expressed an interest in acquiring or leasing part of this site and amalgamating it with their adjoining property. In April 2002, the City wrote to the then Department of Land Administration advising that it supports in principle the proposed transfer of land, subject to approval by the Minister for Lands following the submission of a detailed plan for the future use of the land and an assessment of the impact of the uses on the surrounding land.
19. In 2007, the Lesmurdie Club Inc. contacted the City requesting advice on, and support for, their desire to use and lease Lot 301. The City responded on 20 November 2007 advising that Lot 301 is Unallocated Crown Land and is not under the care and control of the City. Accordingly, the Lesmurdie Club Inc. were advised to direct the request to the then Department for Planning and Infrastructure, State Land Services. It is not evident from the City's records whether the Lesmurdie Club Inc. progressed these discussions further.

20. **Lot 98 (25) Winsor Road, Kalamunda**



Lot 98 Winsor Road, Kalamunda (Lot 98) is a reserve identified for the purpose of “Government Requirements” without a management order, meaning the site is managed by the State Government. The site is approximately 3.5ha (34,995m²) with a 136m frontage to Winsor Road, and is located in a low-density R5 residential area predominantly characterised by approximately 2,000m² lots. The south-west corner of the site is located approximately 40m from a tributary that leads to Whistlepipe Gully.

21. Lot 98 is zoned Residential R5 and could provide for subdivision and development of residential lots of approximately 2,000m², subject to consideration and approval under LPS 3 and the R-Codes.
22. The City has previously received a request from the Department of Planning and Infrastructure to comment on the potential disposal of this Reserve. The proposal was advertised to nearby and affected landowners. A mail-out regarding the proposal was sent to approximately 50 surrounding landowners.
23. At its Ordinary Council Meeting on 17 May 2004, Council resolved as follows (EN BLOC RESOLUTION OCM 31/04):
1. That the Department for Planning and Infrastructure be advised that Council does not support the disposal of Lot 98 (25) Winsor Road, Kalamunda for the following reasons:
 - A number of strong objections were received from the community in respect of the disposal

- The site contributes to the amenity of the locality and has been used for passive recreational purposes for a number of years.
 - Personal funds have [been] used by the community members to clean and maintain this reserve since 1995.
2. That the Department consider changing the reservation to public open space.
 3. That Council resolved to initiate an amendment to the District Planning Scheme No. 2 to rezone Reserve 28532 Lot 98 (25) Winsor Road, Kalamunda from R5 to local reserve, public open space.
24. On 5 November 2010, the Department of Regional Development and Lands advised that it was willing to agree to change the reserve purpose from “Government Requirements” to “Public Recreation” provided that Council is willing to accept management of the Reserve.
25. On 7 January 2012, the City sent correspondence to the Department of Regional Development and Lands advising that the City was willing to accept management of the Reserve for the purpose of “Public Recreation”.
26. The City’s agreement to accept management of the Reserve was not actioned as no management order to the City has been issued and the Reserve Purpose has remained “Government Requirements”.
27. Given Lot 98 is still zoned Residential, it is evident that the Council’s resolution to amend District Planning Scheme No. 2 was not finalised.

DETAILS AND ANALYSIS

28. There are no issues with the proposed disposal of the sites from a statutory planning, community development and health perspective.
29. From a strategic planning perspective, none of the sites are identified for any future investigation for land use change. However, the site to the north of Lot 178 Lawnbrook Road West (Lot 126), which previously contained a television mast and associated buildings (demolished in 2019), is privately owned, zoned Residential R10 and has been identified to be considered as a potential investigation area as part of finalising the City’s draft Local Housing Strategy. The draft strategy is expected to be returned to Council in Q1 for consideration of submissions and final adoption.



30. The City has also made officer level enquiries with the DPLH regarding the need for a structure plan to coordinate future residential development on Lot 126. Notwithstanding the officer recommendation regarding Lot 178 being included as part of the Settlement, in the event that Lot 126 is proposed to be developed for residential purposes, it is considered appropriate to coordinate the future development and subdivision having regard to both lots. Key matters for consideration as part of any future development include tree retention and matters of environmental significance.
31. The City has adopted a draft Local Biodiversity Strategy which is being prepared for community consultation. In this Strategy, reserves were assessed in regards to their priority need for preservation for biodiversity importance, ecological linkages and buffers against development. A prioritised list of areas were identified in regards to delivering upon these needs. The subject sites were not identified as medium or high priority sites for attention.
32. The City has adopted a draft Urban Forest Strategy which is currently undergoing community consultation. This Strategy has as one of its Goals to maintain Tree Canopy Cover in the Darling Scarp and Darling Plateau to the same level as the 2018 baseline measurements. The Strategy proposes that the Environmental Land Use Planning Strategy implements processes regarding retention of trees on private land. Consideration of this matter is relevant if proposed clearing of the sites is to be undertaken.
33. Although the sites are zoned Residential, historical aerial imagery indicates that the vegetation on the land has matured uninterrupted for over 50 years and is significantly established. In addition, the sites are considered to contain values that contribute towards the amenity of adjoining and nearby

residents. Given the land is Crown land and has been historically the responsibility of the State Government, some landowners will view the lots as a form of pseudo-public open space and will have an expectation that the land is retained in its current form.

34. If residential development and subdivision is ultimately proposed, the City would be required to consider the environmental and amenity impacts of the proposal, including impacts as a result of clearing of land. In this regard, it would be possible to retain some vegetation through the approval process, however, significant clearing would be required to facilitate the highest and best use permitted under the Residential zoning and density.
35. From an asset management perspective, it is noted that City assets (road and footpath) cross the southern corner of 51 Lawnbrook Road West, Walliston, as illustrated below. A truncation is required, which should occur before the land is transferred.



APPLICABLE LAW

36. *Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Act 2016*
37. *Land Administration Act 1997*

APPLICABLE POLICY

38. Urban Forest Strategy (Draft)
39. Local Biodiversity Strategy (Draft)

STAKEHOLDER ENGAGEMENT

40. No public consultation has been undertaken by the DPLH in relation to the identification of the subject land in the Settlement.
41. Given that the City does not own or manage the parcels of land being considered for transfer to the Noongar People, it is not considered to be the City's role to undertake public consultation in respect of the proposal.
42. As previous proposals to dispose of Lot 178 (51) Lawnbrook Road, Walliston and Lot 98 (25) Winsor Road, Kalamunda for development were the subject of community concern or strong community objection, the officer recommendation of this report refers to the Council's previous resolution in this regard.

FINANCIAL CONSIDERATIONS

43. If the City were to accept management of Lot 98 (25) Winsor Road, Kalamunda and Lot 178 (51) Lawnbrook Road, Walliston, in accordance with previous proposals, the City will be liable for the maintenance costs of the Reserves.
44. The sites are currently non-rateable. If the land were to be transferred to the Noongar People, the use of the land would need to be investigated in order to determine whether or not the land is rateable.

SUSTAINABILITY

45. If the sites are transferred to the Noongar People, the sites may be developed in accordance with the zoning and residential density under LPS 3, which would likely result in vegetation being cleared from the sites.
46. Should these lots transfer ownership, then the City's Fire Hazard Reduction Notice may take effect.

RISK MANAGEMENT

47.	<p>Risk: Reputational damage to the City if the City provides support to the proposal informing DPLH of the historical consultation and previous recommendations of the City regarding the sites, particularly the strong community objection to the clearing and development of the sites.</p>						
	<table border="1" style="width: 100%;"> <tr> <th style="width: 33%;">Consequence</th> <th style="width: 33%;">Likelihood</th> <th style="width: 33%;">Rating</th> </tr> <tr> <td>Significant</td> <td>Likely</td> <td>High</td> </tr> </table>	Consequence	Likelihood	Rating	Significant	Likely	High
Consequence	Likelihood	Rating					
Significant	Likely	High					
	<p>Action/Strategy</p> <p>The City provides in-principle support for the transfer of the subject sites to the Noongar People, and outline the previous decisions and consultation regarding the sites for the DPLH's further consideration.</p>						

CONCLUSION

48. It is recommended that Council support the transfer of the subject sites to the Noongar People in-principle, and advise DPLH of constraints and community values associated with the sites and relevant consultation background as outlined in the report above for the DPLH's further consideration..

Voting Requirements: Simple Majority

RESOLVED OCM 31/2021

That Council:

1. SUPPORT, in principle, the transfer of the following sites to the Noongar People:
 - a) Lot 178 (51) Lawnbrook Road West, Walliston;
 - b) Lot 301 (75) Lawnbrook Road West, Walliston,

subject to the Noongar People being made aware of the following potential constraints to the possible future development and/or use of the two sites:

- a) the subject sites are considered to contain values that contribute towards the amenity of adjoining and nearby residents;
- b) the vegetation on the subject sites has matured uninterrupted for over 50 years and is significantly established, and constitute a form of pseudo-public open space;

- c) the City of Kalamunda has identified potential environmental values on the subject sites;
 - d) clearing of the subject sites for residential purposes would not be consistent with the objectives of the City of Kalamunda's draft Urban Forest Strategy;
 - e) any proposed use or development of either site would be subject to community consultation and Council determination; and
 - f) the desire for the Council to have the sites reserved to Parks and Recreation under the Metropolitan Region Scheme.
2. SUPPORT, in principle, the transfer of Lot 98 (25) Winsor Road, Kalamunda to the Noongar People and ADVISES that the site was previously identified for the purposes of Public Recreation and the site is subject to the following constraints:
- a) the subject site is considered to contain values that contribute towards the amenity of adjoining and nearby residents;
 - b) the vegetation on the subject site has matured uninterrupted for over 50 years and is significantly established, and constitutes a form of pseudo-public open space;
 - c) the City of Kalamunda has identified potential environmental values on the subject site;
 - d) clearing of the subject site for residential purposes would not be consistent with the objectives of the City of Kalamunda's draft Urban Forest Strategy; and
 - e) the site has been the subject of previous community consultation which has resulted in support for the site to remain as open space.
3. NOTE the proposed responses to be provided to the Department of Planning, Lands & Heritage questions about the subject sites, which are contained in **Attachment 2**.

Moved: **Cr John Giardina**

Seconded: **Cr Janelle Sewell**

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


10.4. Office of the CEO Reports

10.4.1. Customer Service Results 2020

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

Previous Items	
Directorate	Office of the CEO
Business Unit	Customer Service
File Reference	
Applicant	
Owner	
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
 Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.
Strategy 1.3.1 - Support local communities to connect, grow and shape the future of Kalamunda.

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.2 - Build an effective and efficient service based organisation.

Priority 4: Kalamunda Leads

Objective 4.2 - To proactively engage and partner for the benefit of community.

Strategy 4.2.1 - Actively engage with the community in innovative ways.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide an update on the Customer Service Results for 2020, as a part of our Customer Service Strategy.
2. The Customer Service Strategy 2017/2021 is the catalyst for bringing together an ongoing program of initiatives to focus the City of Kalamunda (City) on continually improving the customer service experience in all spaces and outlines the key principles, strategies, actions, and performance measures for improved customer service standards.
3. The recommendation is to note the results of the for 2020 calendar year.

BACKGROUND

4. Council adopted the Customer Service Strategy in November 2017.
5. The key objectives of the Customer Service Strategy are to:
 - a) Strive to achieve a new customer service ethos and deliver on the customer service promise and principles.
 - b) To culturally optimise the organisation to achieve best practice customer service outcomes.
 - c) To support and train staff to feel empowered, be proactive and work collaboratively toward business objectives and customer service excellence.
 - d) To effectively communicate with our customers, internally and externally.
6. The Customer Service Ethos is:

We will focus on a combination of concepts including; cultural change, technological and process improvement, and a centralised service model - with increased self-service options and improvements based on customer feedback.

Our customers are the 'key influencers' in the development, improvement and delivering of our services.

7. The Customer Service Promise is:
“Supported by innovative technology solutions and regular best practice training, staff will be proactive, focus on future planning to meet business objectives and work collaboratively, with the customer experience always in mind.”

“All City interactions with customers will be timely and meaningful.”

8. The adopted City of Kalamunda principles of Customer Service are as follows:

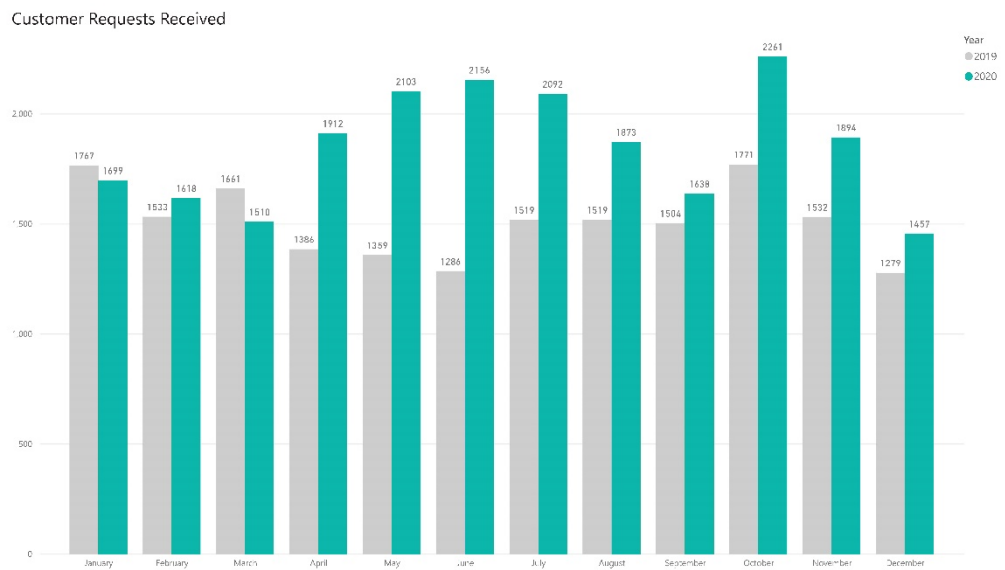
1.	Customers will receive timely responses	<ul style="list-style-type: none"> a) We will always provide an estimation of timeframe for response at each interaction b) We will update customers on the status of their enquiry at regular intervals c) Customers referrals across business units will be as minimal as possible d) We monitor the timeliness of our correspondence
2.	Customer interactions will be meaningful	<ul style="list-style-type: none"> a) We aim to handle enquiries at first point of contact b) All staff will have access to accurate and up-to-date information c) Staff will seek to understand enquiries to the deepest possible level before responding d) All responses to customers will be personalised and professional e) Even when we may need to say ‘we can’t’ we will offer options for things we ‘can do’.
3.	Each customer will be made to feel like the only customer	<ul style="list-style-type: none"> a) We will ask our customers how they like to receive information and deliver it accordingly b) We recognise ‘one-size does not fit all’ and we will be flexible in our service offerings c) We will always do more to exceed expectations d) Complex requests and complaints will be handled with priority
4.	We will help our customers to help themselves	<ul style="list-style-type: none"> a) We offer and promote integrated self-service options b) We explore and use innovative technology solutions that makes accessing information easy c) Online information will be available 24/7 and enabled for mobile devices d) As many transactions as possible will be automated

		e) Develop simple guides and instructions to help customers understand our processes
5.	Our customers are informed and will help inform our services	a) We will consider the customer’s perspective and actively seek feedback often, in different ways b) We will admit when we get it wrong, reviewing and improving our processes each time c) We will communicate on any new service (or fee) or expected change in levels of service as early as possible d) Our people and our customers will be our best advocates

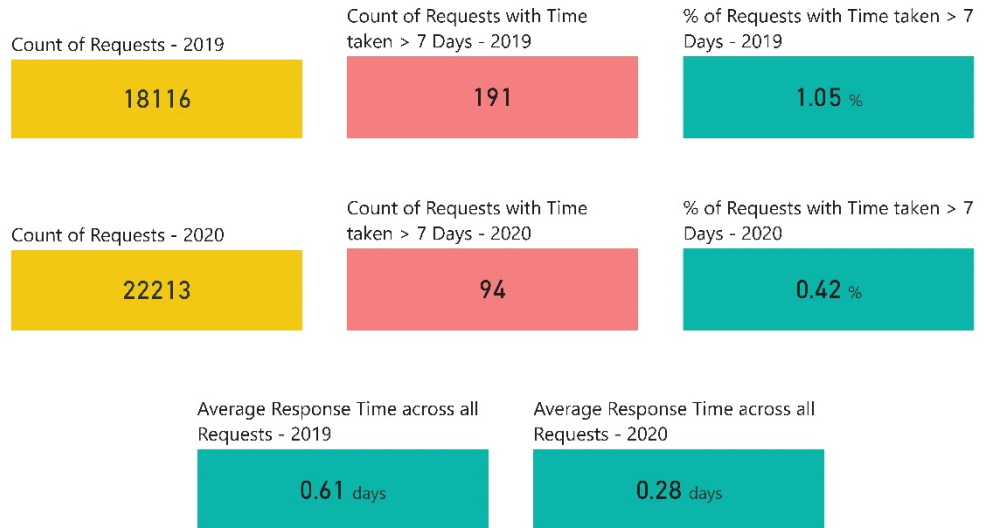
DETAILS AND ANALYSIS

9. The City has now been analysing customer service data since the implementation of the strategy, allowing for an analysis of 2018, 2019 and 2020 results, which has seen considerable and continued improvement in relation to the average response time in particular.

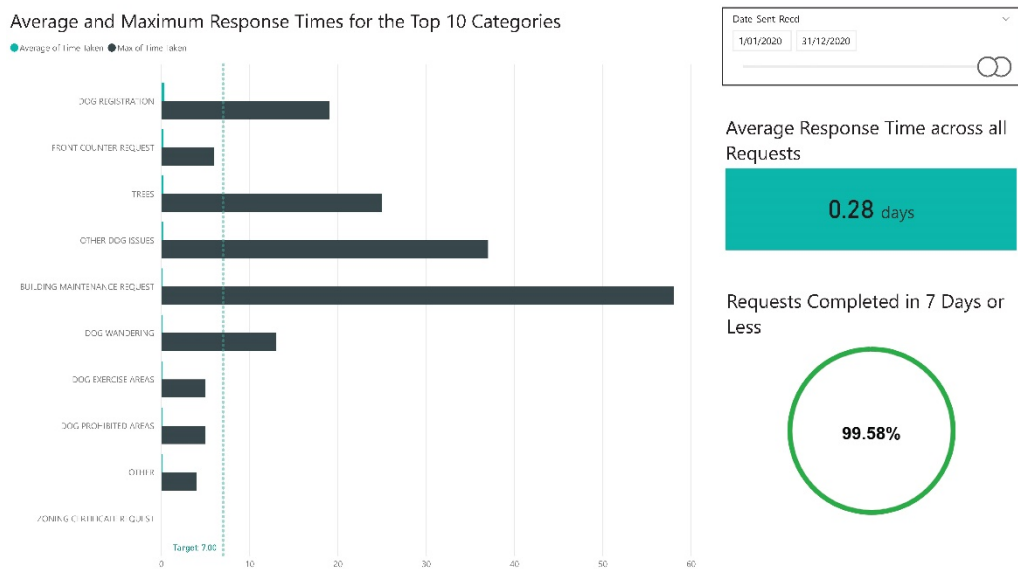
10.



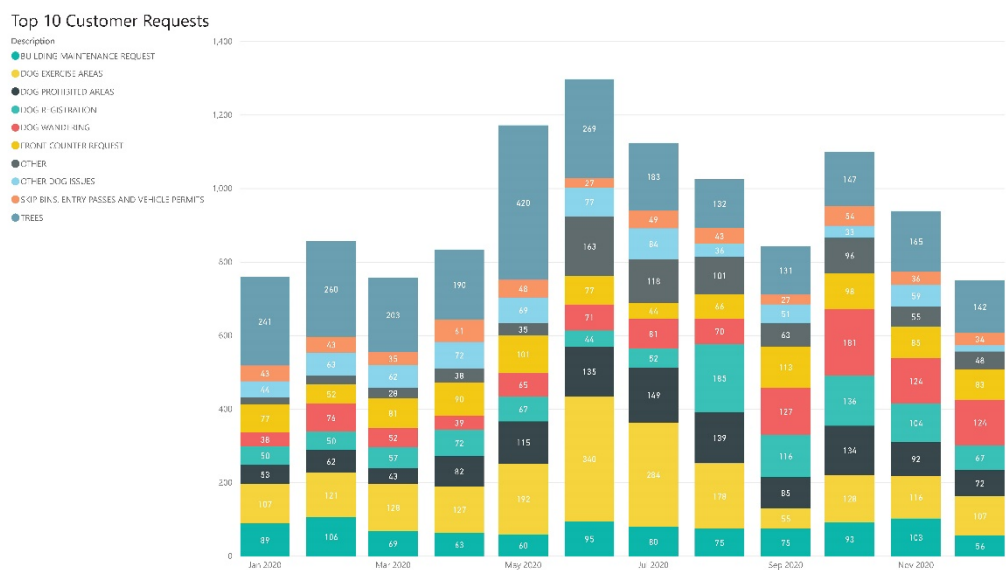
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12.



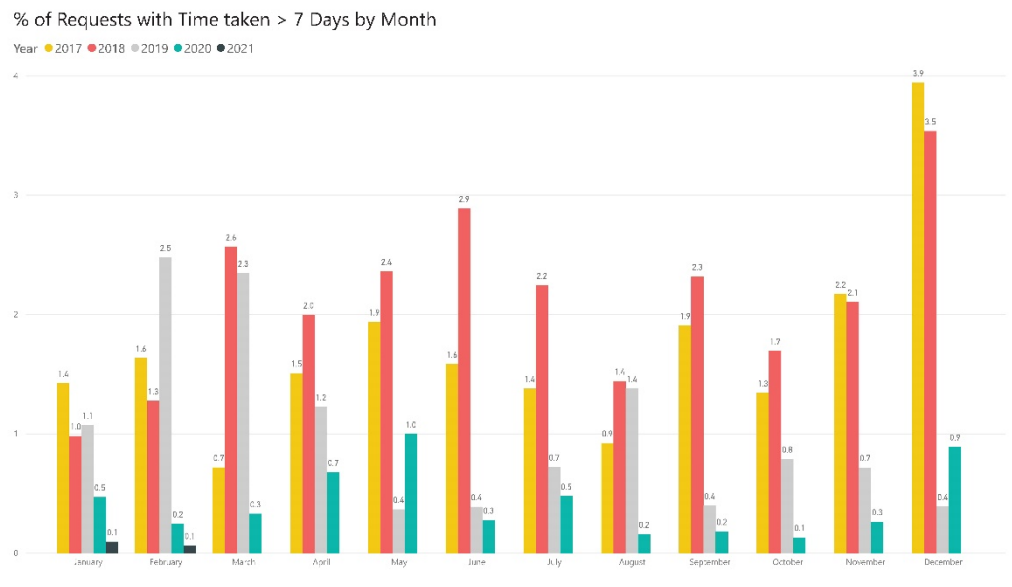
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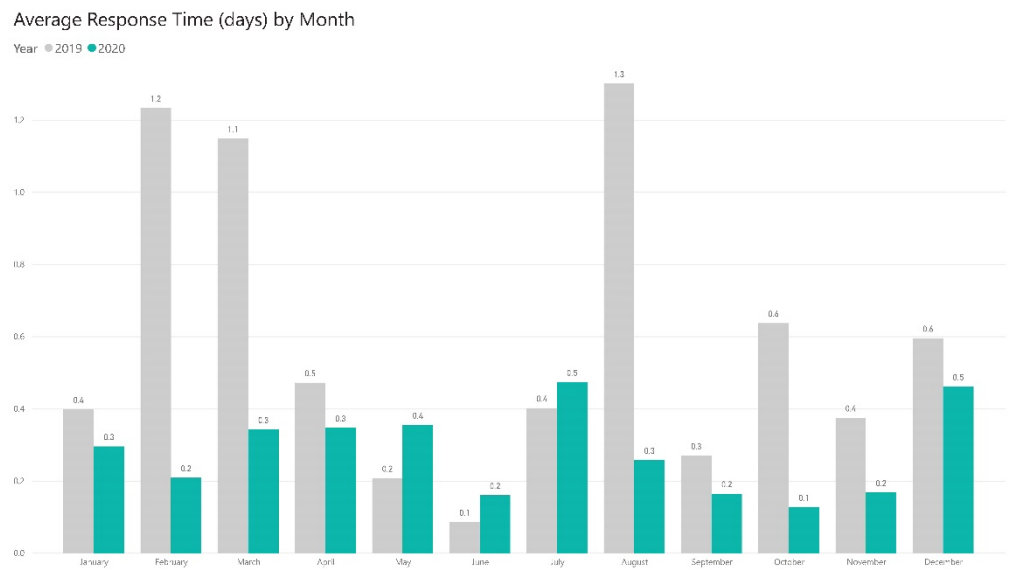
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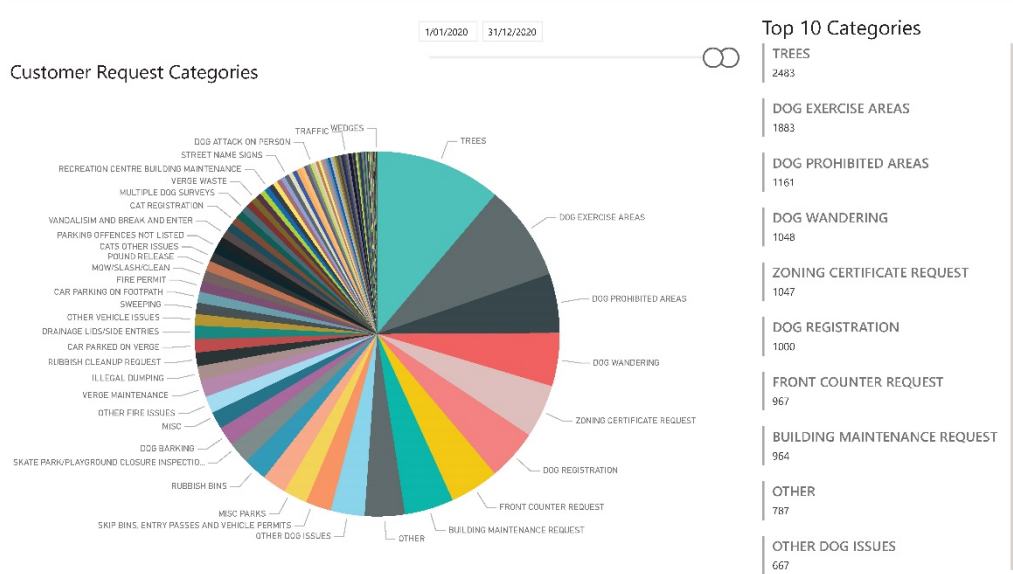
15.



16.



17.

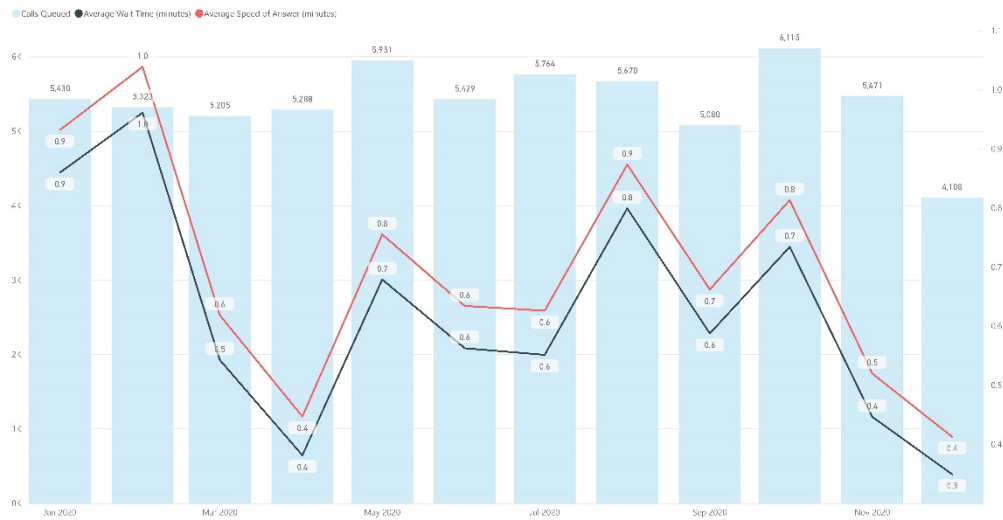


18.

Call Recording also continues to be monitored, with data providing insights into trends, call times and key reasons customers are contacting by phone.

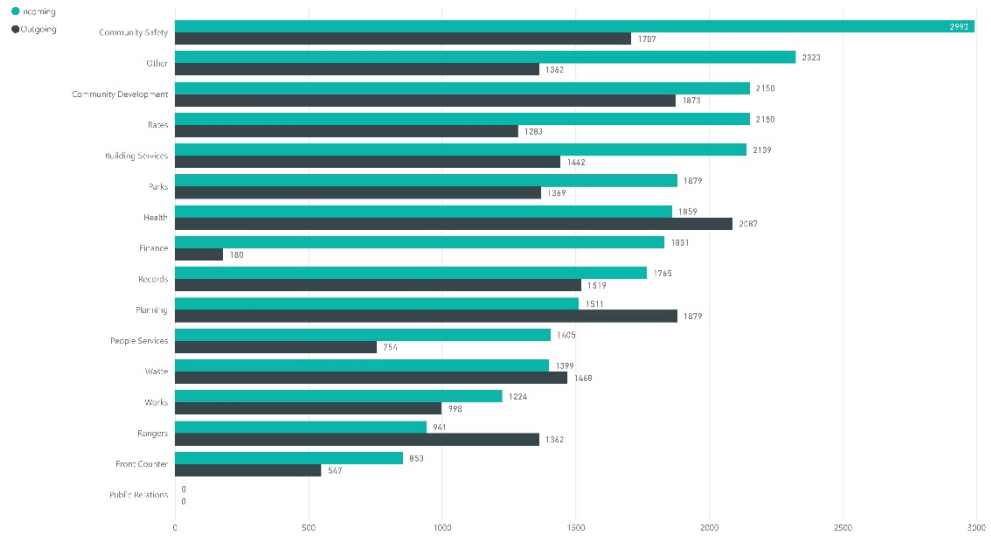
19.

Wait Times vs Number of Calls Queued by Month



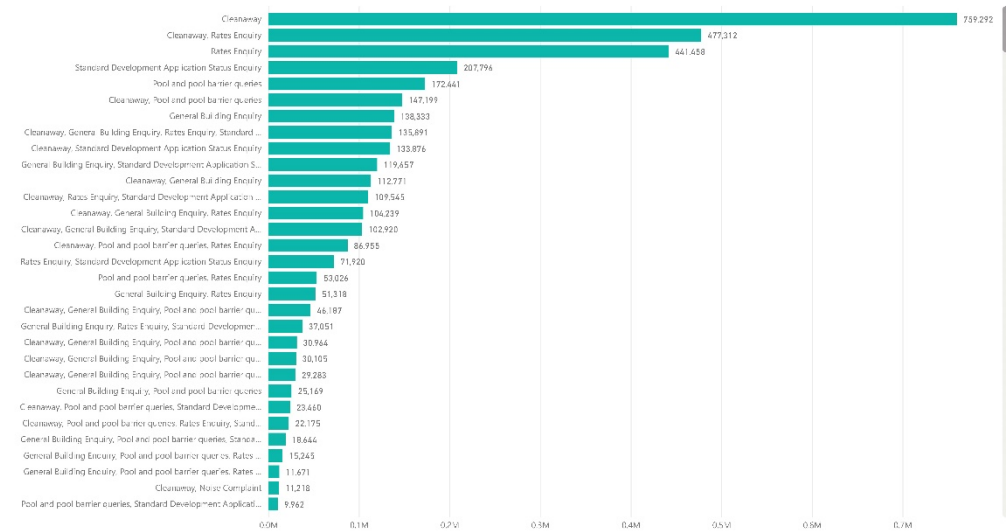
20.

Average Call Length (Seconds)



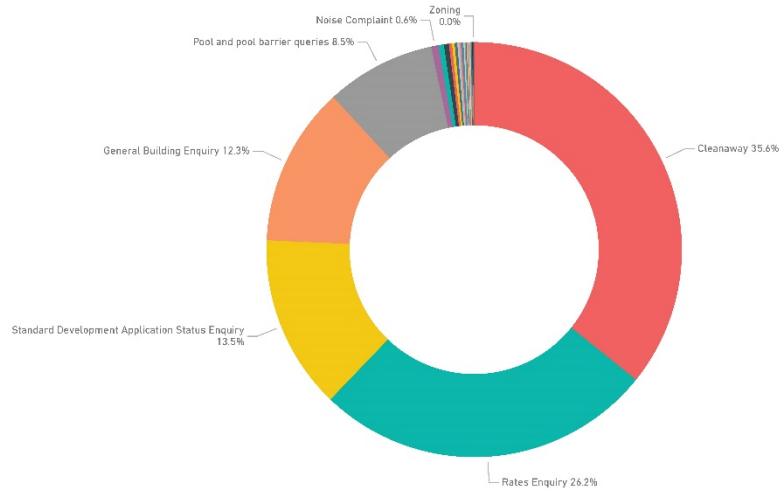
21.

Total duration of calls (seconds) this year by tag (excludes calls with no tag)



22.

Top tags for the year



23.

Top 10 tags for 2020

Cleanaway

17349

Rates Enquiry

12792

Standard Development Application Status Enquiry

6572

General Building Enquiry

6021

Pool and pool barrier queries

4137

Noise Complaint

279

Private Vegetation

201

Dog/Cat - Barking

186

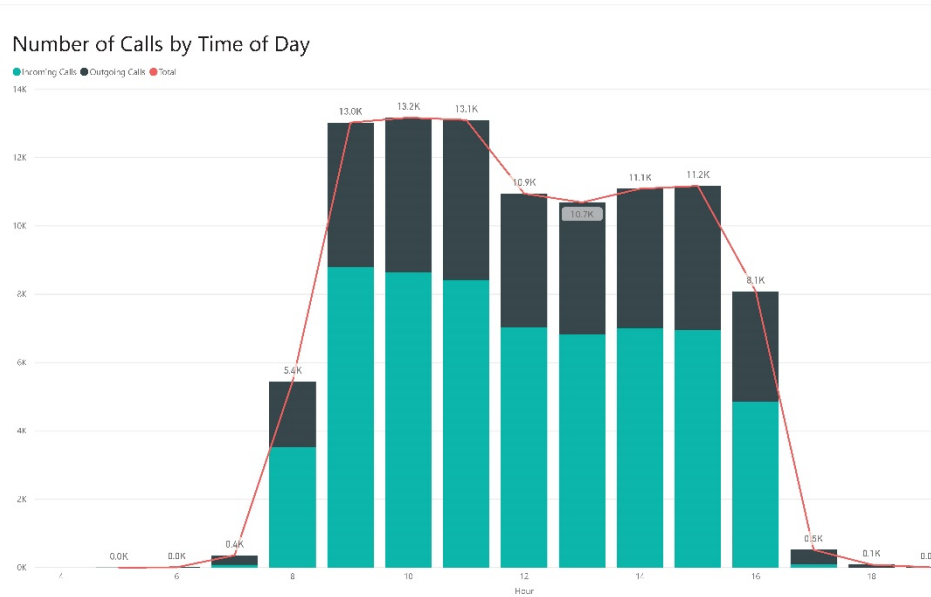
Planning General Enquiry

115

Banner Frame Hire

102

24.



APPLICABLE LAW

25. N/A

APPLICABLE POLICY

26. N/A

STAKEHOLDER ENGAGEMENT

- 27. Results circulated throughout the organisation to all business units as part of an informing campaign.
- 28. The City has a process allowing for continual feedback and suggestions from customers, which are utilised to review customer service opportunities.
- 29. Feedback from residents has continued to have a positive sentiment overall.

FINANCIAL CONSIDERATIONS

30. The Customer Service Strategy Implementation Plan has been undertaken within the current budget parameters.

SUSTAINABILITY

Social Implications

31. N/A

Economic Implications

32. N/A

Environmental Implications

33. N/A

RISK MANAGEMENT

34.	Risk: Customer Service Strategy is not implemented by the due date		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	An annual implementation plan is developed each year and reported against, to ensure that over the lifetime of the strategy all objectives are successfully achieves. 2021 is the final year of the current Strategy with a vast number of initiatives already completed.		

CONCLUSION

35. The success of the Customer Service Strategy Implementation to date is a credit to the entire organisation.

36. There is a strong customer centric focus and culture that is continuing to strengthen.

Voting Requirements: Simple Majority

RESOLVED OCM 32/2021

That Council NOTE the Customer Service results for 2020.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Brooke O'Donnell**

Vote:

For

Cr John Giardina

Cr Janelle Sewell

Cr Geoff Stallard

Cr Mary Cannon

Cr Brooke O'Donnell

Cr Sue Bilich

Cr Lisa Cooper

Cr Dylan O'Connor Cr Cameron Blair

Cr Kathy Ritchie

Cr Margaret Thomas

Against

Cr Lesley Boyd

CARRIED (11/1)

10.5. Audit & Risk Committee Recommendations

10.5.1. Audit & Risk Committee Recommendations

RESOLVED OCM 33/2021

The recommendations of the Audit & Risk Committee A&R9.1.1 to A&R9.1.4 inclusive be adopted by Council en bloc.

Moved: **Cr John Giardina**

Seconded: **Cr Cameron Blair**

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

10.5.2 A&R9.1.1. Information Systems Audit Results for the year ended 30 June 2020

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 33/2021

That Council ACCEPT the Information Systems Audit findings Report for the financial year ending 30 June 2020 (Confidential Attachment 1).

10.5.3 A&R9.1.2. 2020 Compliance Audit Return

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

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 33/2021

That Council ADOPT the Compliance Audit Return for the year ending 31 December 2020 (Attachment 1).

10.5.4 A&R9.1.3. Draft Policy Naming of Parks, Reserves, Streets and Infrastructure

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

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 33/2021

That Council:

1. NOTE the Governance Policy: Naming of parks, reserves, streets and infrastructure will be released for the purposes of public advertising for a period of not less than 28 days.
2. NOTE the requirements of the Policies and Standards for Geographical Naming in Western Australia.
3. REQUEST the Chief Executive Officer write to the Forrestfield Football Club to advise the Policy: Naming of Parks, Reserves, Streets and Infrastructure is to be released for public advertising.

10.5.5 A&R9.1.4. Code of Conduct - Council Members, Committee Members and Candidates

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

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 33/2021

That Council DEFER consideration of the Code of Conduct - Council Members, Committee Members and Candidates until April 2021.


10.6. Chief Executive Officer Reports

10.6.1. Draft Monthly Financial Statements to February 2021

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Statement of Financial Activity for the period ended 28 February 2021 [10.6.1.1 - 2 pages] 2. Statement of Net Current Funding position as at 28 February 2021 [10.6.1.2 - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
 Legislative	Includes adopting Local Laws, Town Planning Schemes, and Policies. When the Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licenses, other permits or licenses issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service-based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the Statutory Financial Statements for the period ended 28 February 2021.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (City) with comparison of the period's performance against the first term budget review adopted by the Council on 27 October 2020 for the 2020/2021 financial year.
3. It is recommended Council receives the draft Monthly Statutory Financial Statements for the period ended 28 February 2021, which comprise:
 - a) Statement of Financial Activity (Nature or Type);
 - b) Statement of Financial Activity (Statutory Reporting Program);
 - c) Net Current Funding Position, note to financial report

BACKGROUND

4. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995 (Act)* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.
5. The opening funding position in the Statement of Financial Activity reflects the audited surplus carried forward from 2019/2020.

DETAILS AND ANALYSIS

6. The Act requires the 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 period ended 28 February 2021

7. This Statement reveals a net result surplus of \$26,124,061 compared to the budget for the same period of \$17,262,126.

Operating Revenue

8. Total Revenue excluding rates is over budget by \$2,213,339. This is made up as follows:

- a) Operating Grants, Subsidies and Contributions are over budget by \$2,052,503. The variance is mainly attributed to:
 - i. Revenue received \$474,576 for “Better Bins Kerbside Collection Program”. The grant programme is managed by the Department of Water and Environmental regulation.
 - ii. Contributions received from CELL 9 trust fund \$1,323,143 for reimbursements of expenditure incurred on behalf of the trust.
- b) Fees and Charges are over budget by \$63,524. This is an aggregate result of minor variances in individual fee categories.
- c) Interest Income is over budget by \$77,477. This is the result of a timing issue.
- d) Other Revenue is under budget by \$6,160. This is an aggregate result of minor variances in individual income categories.

Operating Expenditure

- 9. Total expenditure is under budget by \$1,352,778. The significant variances within the individual categories are as follows:
 - a) Employment Costs are under budget by \$479,751, which is primarily due to vacant positions and the aggregate result of minor variances in various business units.
 - b) Materials and Contracts are under budget by \$1,102,768. The variance is primarily due to;
 - i. Verge maintenance is under budget by \$583,573 and considered to be a timing variance
 - ii. Fire mitigation programmes is under budget by \$277,136 and considered to be a timing variance.
 - c) Utilities are under budget by \$47,889, which mainly relates to street lighting costs which are lower than projected.
 - d) Depreciation, although a non-cash cost, is tracking over budget, reporting a variance of \$165,745.
 - e) Interest and Insurance expenses are tracking below the reportable variance threshold.
 - f) Other expenditure is over budget by \$116,636. The variance is due to the COVID 19 relief payments. These payments are fully funded by the crisis relief reserve fund.

Investing Activities

Non-operating Grants and Contributions

10. The non-operating grants and contributions are under budget by \$517,804. The variance is mainly due to the timing of the capital grants received for the construction of the Kalamunda Community Centre.

Capital Expenditure

11. The total Capital Expenditure on Property, Plant and Equipment and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$3,042,742. This is considered to be a timing issue.
12. Capital works-in-progress expenditure of \$1,229,938 represents the costs expended on Forrestfield Industrial Area Scheme Stage 1 and CELL 9 Wattle Grove development. The relevant expenditure is funded by the Forrestfield Industrial Area Scheme Stage 1 reserve account and the CELL 9 trust account. These assets once constructed will be passed over to the City for management.

Financing Activities

13. The amounts attributable to financing activities show a variance of \$157,924 which is mainly due to the developer contributions and considered to be a timing issue.

Rates Revenues

14. Rates generation is over budget with a variance of \$752,457. The variance is mainly due to the raising of interim rates.

Statement of Financial Activity by Program for the period ended 28 February 2021

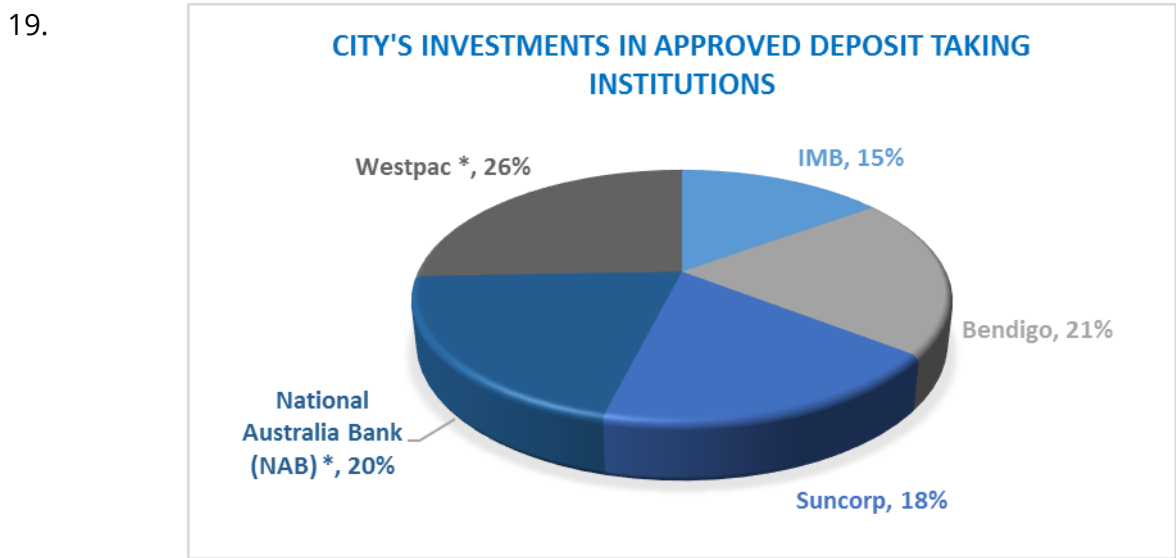
15. Generally, the net result of each Program is within the accepted budget except for 'Recreation & Culture', and 'Community Amenities'. Major variances have been reported by Nature and Type under points 7 to 14 above.

Statement of Net Current Funding Position as of 28 February 2021.

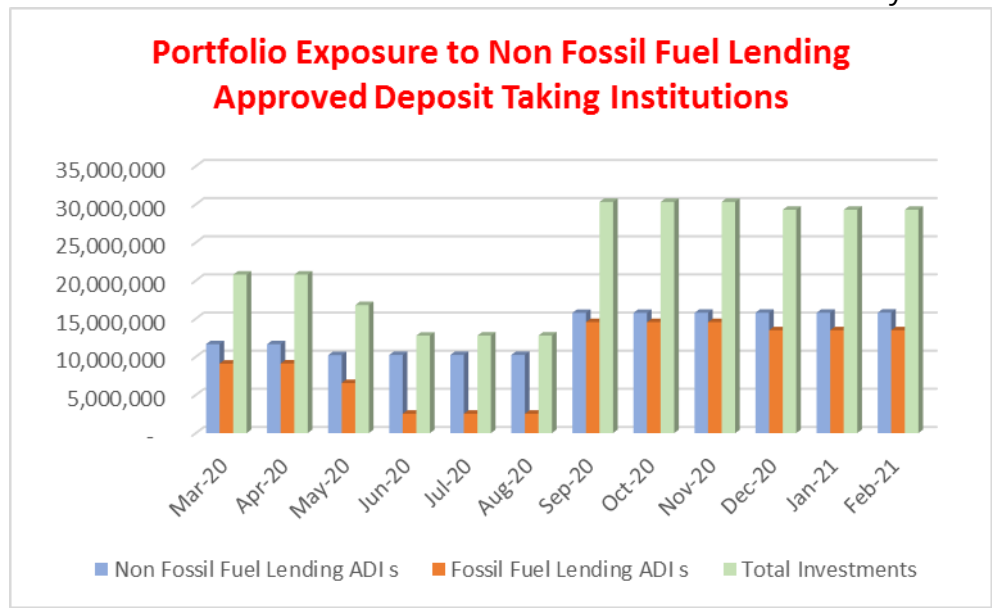
16. The commentary on the net current funding position is based on a comparison of February 2021 to the February 2020 actuals.
17. Net Current Assets (Current Assets less Current Liabilities) total \$39.1 million. The restricted cash position is \$17.1 million which is higher than

the previous year’s balance of \$16.3 million. This is mainly attributed to timing of amounts transferred to the unexpended capital works and unspent grant reserve

18. The following graph indicates the financial institutions where the City has investments as of 28 February 2021;



*Financial Institutions with Investments in the Fossil Fuel Industry



20. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$4.4 million.

21. Sundry debtors have increased from \$348,390 to \$573,179, of which \$301,607 consists of current debt due within 30 days. Details are contained in the Debtors and Creditors Report to Council.

22. Receivables Other represents \$2.5 million including:
a) Emergency Service Levy receivables \$0.6 million;
b) Receivables sanitation \$0.8 million
c) GST receivables \$0.3 million
23. Provisions for annual and long service leave have increased by \$0.8 million to \$4.1 million when compared to the previous year. The increase in leave provisions is mainly due to the 2019/2020 end of the year leave provision adjustments.

APPLICABLE LAW

24. *The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.*

APPLICABLE POLICY

25. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

26. The City's executive and management monitor and review the underlying business unit reports which form the consolidated results presented in this report.

External Referrals

27. As noted in point 24 above, the City is required to present to the Council a monthly statement of financial activity with explanations for major variances.

FINANCIAL CONSIDERATIONS

28. The City's financial position continues to be closely monitored to ensure it is operating sustainably and to allow for future capacity.

SUSTAINABILITY

Social Implications

29. Nil.

Economic Implications

30. Nil.

Environmental Implications

31. Nil.

RISK MANAGEMENT

32.	Risk: Over-spending the budget.		
	Consequence	Likelihood	Rating
	Possible	Moderate	Medium
	Action/Strategy		
	Monthly management reports are reviewed by the City and Council. Procurement compliance is centrally controlled via the Finance Department.		

33.	Risk: Non-compliance with Financial Regulations		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action / Strategy		
	The financial report is scrutinised by the City to ensure that all statutory requirements are met. Internal Audit reviews to ensure compliance with Financial Regulations. External Audit confirms compliance.		

CONCLUSION

34. The City’s Financial Statements as at 28 February 2021 demonstrate the City has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RESOLVED OCM 34/2020

That Council RECEIVE the Draft Monthly Statutory Financial Statements for the period ended 28 February 2021 which comprises:

- a) Statement of Financial Activity (Nature or Type)
- b) Statement of Financial Activity (Statutory Reporting Program)
- c) Net Current Funding Position, note to financial report.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Geoff Stallard**


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

10.6.2. Debtors and Creditors Report for the period ended February 2021

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Creditor Payments for the period ended February 2021 [10.6.2.1 - 29 pages] 2. Summary of Debtors for the month of February 2021 [10.6.2.2 - 2 pages] 3. Summary of Creditors for month of February 2021 [10.6.2.3 - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
 Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the list of payments made from Municipal and Trust Fund Accounts in February 2021, in

accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).

2. The Debtors and Creditors report provides Council with payments made from Municipal and Trust accounts together with outstanding debtors for the month of February 2021.
3. It is recommended that Council:
 - a) Receive the list of payments made from the Municipal and Trust Fund Accounts in February 2021 in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13); and
 - b) Receive the outstanding debtors and creditors report for the month of February 2021.

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures.

At the Special Council Meeting held on 7 April 2020 the Council adopted the City's COVID-19 Financial Hardship Policy.

Effective for 2020/2021 Financial year the following principles are endorsed by the Council in order to provide financial assistance to the community which will have an impact on future income and debt collection.

- a) Waive 2020/2021 food and health inspection fees for targeted small businesses affected by COVID-19 and reduce the anticipated income for this service by approximately \$37,000.
5. In accordance with *the Local Government (Financial Management) Regulations 1996* (Regulation 13) reporting on payments made from Municipal Fund and Trust Fund must occur monthly.

DETAILS AND ANALYSIS

Debtors

6. Sundry debtors as of 28 February 2021 were \$573,179. This includes \$301,607 of current debts and \$1,240 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$27,143, debts of significance:
 - a) Municipal Workcare, \$15,013, Workers Compensation;

- b) Kalamunda District Rugby Union, \$2,402, Operational Expenses Hartfield Park;
 - c) Kalamunda & District Basketball, \$1,874, Operational Expenses Ray Owen Sports Stadium; and
 - d) Taoist Tai Chi Society, \$1,100, Hall Hire.
8. Invoices over 60 days total \$2,762, debts of significance:
- a) Kalamunda District Rugby Union, \$2,102, Operational Expenses Hartfield Park.
9. Invoices over 90 days total \$242,907, debts of significance:
- a) El Dujmovic Pty Ltd, \$209,700, Development Contribution;
 - b) Department of Education, \$21,985, Kostera Oval Expenses;
 - c) Kalamunda & Districts Junior Football Club, \$3,807, Floodlights; and
 - d) Department of Education, \$2,768, Reimbursement – KPAC.

Creditors

10. Payments totalling \$4,121,576 were made during the month of February 2021.

Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.

11. Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Electricity Networks Corp T/A Western Power	Streetlight installation at Dundas Road, High Wycombe & Hale Road – Stage 1 - \$420,570* Dundas Road – install LED lighting - \$50,819	471,389.00
Australian Tax Office	PAYG payments	383,167.80
Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	364,153.58
Cleanaway	Waste/ recycling and bulk bin disposal service fees	362,700.62
AWARE Super Pty Ltd	Superannuation contributions	202,374.00
WA Hino Sales & Service	Purchase of two new trucks	199,999.70
Data#3 Limited	Microsoft software licences	166,242.96

Fulton Hogan Industries Pty Ltd	Road materials for various locations	150,053.43
Synergy	Power charges – various locations	144,589.06
John Hughes Group	Purchase of new vehicle	71,271.33
Moddex Group Pty Ltd	Supply and installation of balustrade inground mounted on Canning Road	68,822.85
Dowsing Group Pty Ltd	Supply and install footpaths – various locations	62,377.68
Hill Top Group Pty Ltd	Building maintenance works at various locations	60,758.36
Market Creations	Marketing and technology service fees & cloud hosting fees	55,971.66
Entire Fire Management	Fire break maintenance at various locations	51,471.20
Hydroquip Pumps	Drill and equip new bore with pump at Woodlupine Creek	50,933.30

These payments total \$2,866,276.53 and represent 69.5% of all payments for the month.

* - The amounts paid relate to CELL 9 infrastructure works reimbursed from the CELL 9 trust account (excluding GST component) during February 2021.

Payroll

12. Salaries are paid in fortnightly cycles. A total of \$1,218,785.50 was paid in net salaries for the month of February 2021.
13. Details are provided in (Attachment 1) after the creditor’s payment listing.

Trust Account Payments

14. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
 - a) CELL 9 Trust;
 - b) POS Trust;
 - c) NBN Tower Pickering Brook Trust

15. The following payments (GST exclusive) were made from the Trust Accounts in the month of February 2021.

CELL 9		Amount (\$)
Date	Description	
01/02/2021	Western Power – Hale Road, Wattle Grove Stage 1 Street lighting	420,570.00

APPLICABLE LAW

16. Regulation 12(1) of the *Local Government (Financial Management) Regulations 1996*.
17. Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

APPLICABLE POLICY

18. Debt Collection Policy S-FIN02.
19. Register of Delegations from Council to CEO.

STAKEHOLDER ENGAGEMENT

Internal Referrals

20. Various business units are engaged to resolve outstanding debtors and creditors as required.

External Referrals

21. Debt collection matters are referred to the City’s appointed debt collection agency when required.

FINANCIAL CONSIDERATIONS

22. The City will continue to closely manage debtors and creditors to ensure optimal cash flow management.

SUSTAINABILITY

23. Nil.

RISK MANAGEMENT

Debtors

24.	Risk: The City is exposed to the potential risk of the debtor failing to make payments resulting in the disruption of cash flow.		
	Consequence	Likelihood	Rating
	Possible	Insignificant	Low
	Action/Strategy		
	Ensure debt collections are rigorously managed.		

Creditors

25.	Risk: Adverse credit ratings due to the City defaulting on the creditor.		
	Consequence	Likelihood	Rating
	Possible	Insignificant	Low
	Action/Strategy		
	Ensure all disputes are resolved in a timely manner.		

CONCLUSION

26. Creditor payments are within the normal trend range.

Voting Requirements: Simple Majority

RESOLVED OCM 35/2021

That Council:

1. RECEIVE the list of payments made from the Municipal Accounts in February 2021 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).

2. RECEIVE the outstanding debtors and creditors report (Attachment 2 and 3) for the month of February 2021.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Cameron Blair**


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

10.6.3. Rates Debtors Report for the Period Ended February 2021

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A
Attachments	1. Rates Report February 2021 [10.6.3.1 - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service-based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with information on the rates collection percentage and the status of recovery actions.

2. The City of Kalamunda (City) levied rates for 2020/2021 on 1 July 2020 totalling of \$37,570,982. As at 28 February 2021 \$36,433,890 has been collected for current and outstanding rates for the 28 February 2021 period.
3. It is recommended that Council receive the Rates Debtors Report for the month of February 2021 (Attachment 1).

BACKGROUND

4. Rate Notices were issued on 13 July 2020 with the following payment options available:

Options	Payment Dates			
Full payment	17 August 2020			
Two instalments	17 August 2020	22 December 2020		
Four instalments	17 August 2020	19 October 2020	22 December 2020	23 February 2021

DETAILS AND ANALYSIS

5. Rates Levied and Collectable for the 2020/2021 Financial Year currently total \$40,803,674.
6. As at 28 February 2021 a total of \$36,433,890 has been collected since Rates Notices were released, representing a collection rate of 91.23%.
7. Herewith the selected payment option taken up by ratepayers:

Option	Description	Number
Option 1 on Rate Notice	Payment in full by due date	15,754
Option 2 on Rate Notice	Two instalments	1,572
Option 3 on Rate Notice	Four instalments	6,598
A Smarter Way to Pay	Pay by Direct Debit over a mutually agreed period of time.	1,142
Direct Debit	Payment to be received by April 2021	208
Total	Ratepayers on payment options	25,274

This is comparable with last year; however, more ratepayers have elected to pay over longer periods of time.

Noting the table excludes ratepayers that are outstanding to date and have made no attempt to pay their rates.

8. Interim rating has commenced for 2020/2021. A total of \$604,213 has been raised thus far.
9. Call recording software has been utilised in the Rates Department since 2015, primarily for customer service purposes, as it allows calls to be reviewed for training and process improvements. For the period 01 February 2021 to 28 February 2021 there was a total of 244 incoming calls and 48 outgoing calls, equating to 13.28 hours call time.

APPLICABLE LAW

10. The City collects its rates debts in accordance with the *Local Government Act 1995* Division 6 – Rates and Service Charges under the requirements of subdivision 5 – Recovery of unpaid rates and service charges.

APPLICABLE POLICY

11. The City's rates collection procedures are in accordance with the Debt Collection Policy S-FIN02.

The Financial Hardship Policy adopted by Council on 7 April 2020 enables the provision of Financial Assistance to those seriously impacted by Covid-19.

STAKEHOLDER ENGAGEMENT

Internal Referrals

12. The City's Governance Unit has been briefed on the debt collection process.

External Referrals

13. The higher-level debt collection actions have been undertaken by Kott Gunning.

FINANCIAL CONSIDERATIONS

14. The early raising of rates in July allows the City's operations to commence without delays improving cashflow, in addition to earning additional interest income.

SUSTAINABILITY

Social Implications

- 15. Debt collection can have implications upon those ratepayers facing hardship and the City must ensure equity in its debt collection policy and processes.
- 16. The City has introduced “a smarter way to pay” to help ease the financial hardship to its customers. This has proved very effective with a growing number of ratepayers taking advantage of this option. A “Smarter Way to Pay” allows ratepayers to pay smaller amounts on a continuous basis either weekly or fortnightly, helping to reduce their financial burden.

Economic Implications

- 17. Effective collection of all outstanding debtors leads to enhanced financial sustainability for the City.

Environmental Implications

- 18. The increase in take up of eRates and BPay View, as a system of Rate Notice delivery, will contribute to lower carbon emissions due to a reduction in printing and postage.

RISK MANAGEMENT

19.

Risk: Failure to collect outstanding rates and charges leading to cashflow issues within the current year.		
Likelihood	Consequence	Rating
Likely	Moderate	Medium
Action/Strategy		
Ensure debt collections are rigorously maintained.		

CONCLUSION

- 20. With a current collection rate for the financial year of 91.23 % (compared to 92.02 % last year). The City continues to effectively implement its rate collection strategy

Voting Requirements: Simple Majority

RESOLVED OCM 36/2021

That Council RECEIVE the Rates Debtors Report for the Period ended 28 February 2021 (Attachment 1).

Moved: **Cr Janelle Sewell**

Seconded: **Cr Lesley Boyd**


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

10.6.4. Budget Review for Eight Months to February 2021

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Budget Review Amended Financial Activity Statement (Nature or Type) [10.6.4.1 - 1 page] 2. Budget Review Amended Financial Activity Statement (Program) [10.6.4.2 - 1 page] 3. Budget Review Composition of Net Current Assets [10.6.4.3 - 1 page] 4. Budget Review Cash Backed Reserves [10.6.4.4 - 1 page] 5. Budget Review Reconciliation of Variances 2020-2021 [10.6.4.5 - 2 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking is substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2028

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider and approve amendments to the 2020/2021 Adopted Budget as identified in the 2020/2021 Statutory Mid Term budget review.
2. It is recommended that Council:
 - a) Notes the 2020/2021 Mid Term Budget Review Explanation and Summary (Attachment 5).
 - b) Amends the 2020/2021 current budget to reflect the changes summarised in the Amended Financial Activity Statement (Attachment 1), pursuant to section 6.8 (1) (b) of the *Local Government Act 1995*.

BACKGROUND

3. Regulation 33a (1) of the Local Government (Financial Management) Regulations 1996 requires that a local government is to conduct a formal review of its adopted budget between 1 January and 31 March.
4. In pursuit of improved fiscal management and accountability, the City of Kalamunda undertakes an additional first term budget review which was approved by Council in October 2020. The Mid Term Budget Review is the statutory review and was conducted covering the eight months to February 2021.
5. The primary objective of regular budget reviews is to ensure that the City is closely monitoring its revenue and expenditure to mitigate the risk of the City posting a deficit at the end of this financial year.
6. This paper provides the City with the opportunity to monitor and implement strategies to ensure that the City's Current Ratio and Untied Cash to Unpaid Trade Creditors Ratio will be further improved upon for the year ending 30 June 2021.

DETAILS AND ANALYSIS

Closing Surplus position (Attachment 1)

7.

Summary of Movements from the Amended Financial Activity Statement			
Description	September Budget Review \$	Proposed Revised Budget \$	Variance \$
Opening Surplus Position	3,470,822	6,619,571	3,148,749
Operating Revenue Excluding Rates	19,401,789	20,564,031	1,162,242
Operating Expenditure	(59,542,631)	(61,921,534)	(2,378,903)
Non-Cash Movements	9,928,841	10,413,668	484,827
Investing Activities	(23,079,037)	(23,846,927)	(767,890)
Financing Activities	12,292,243	9,980,019	(2,312,224)
Rates Revenue	37,574,617	38,240,564	665,947
Closing Surplus Position	46,643	49,392	2,749

8. A brief synopsis of the budget variances (Attachment 5) are as follows:

Opening Surplus Position:

The opening surplus position has been adjusted to reflect the audited position for the financial year 2019/2020 which has been finalised. The \$3.1 million increase in closing funds over the estimate of \$3.5 million includes:

- i. Operating Grants, subsidies and contributions revenue higher than budget by \$2.0 million, mainly due to \$2.2 million for Food Organics Garden Organics (FOGO) funding received and the advance payment of \$1.3 million of Financial Assistance Grants 2020/2021.
- ii. Lower expenditure on Infrastructure and Property Plant and Equipment by \$3.1 million.
- iii. These increases to the closing funds are offset by a reduction of equity in the Eastern Metropolitan Regional Council of \$2.3 million, mainly due to the funds released for FOGO.

Operating Revenue:

Operating Revenue excluding rates is higher than the revised budget by \$1.16 million. Areas of significant increase are:

- a) Higher Operating grants, subsidies and contributions due to the receipt of Better Bins Program funding of \$474K and an insurance reimbursement anticipated for the tree damage sustained at the History Village of \$191K.
- b) Higher Fees and Charges for increased development activity amounting to \$50K and increased building and planning applications of \$54K.

Operating Expenditure:

Operating Expenditure is higher than the revised budget by \$2.4 million. Areas of significant changes are as follows:

- a) Although the increase in Employee costs is below the reporting threshold, it is important to note that the increase is offset by increases in revenue.
- b) Materials and Contracts expense is higher by \$1.3 million mainly due to continued maintenance through COVID-19 requiring a budget reinstatement of \$280K for Parks and reserves and \$103K for building maintenance, insurance expenditure for the History Village of \$191K and additional works being carried out on contaminated sites of \$113K funded through the WARR Levy.
- c) Other Expenditure has increased by \$680K which includes \$450K for the Forrestfield Industrial Area Scheme Stage 1 Land Purchase for Nardine Close cul-de-sac and emergency access way funded through the Developer's Contribution Plan (DCP) and \$230K of COVID-19 crisis relief payments to the community.
- d) The rest of the expenditure types are within the budget thresholds of 10%.

Non-cash movements:

- e) Non-Cash Movements remain in line with the first term budget review, other than an adjustment to contract liabilities of \$400K netting off with a reduction in Non-operating grants for the exact amount.

Investing activities:

- f) Investing activities increased by \$768K. The main areas affected were:

- i. Non-operating grants income decreased by \$259K mainly due to an adjustment of the non-cash item of \$400K and an increase in State funding for the Ray Owen Master Plan design of \$200K.
 - ii. Purchase property, plant and equipment decreased by \$200K due to savings in completed works.
 - iii. Purchase and construction of infrastructure increase of \$711K, mainly due to CELL 9 Hale Road Widening of \$700K funded through the DCP.
 - g) Financing activities show a net decrease of \$2.3 million mainly due to the following items:
 - i. An increase in transfer to reserves of \$4.2 million due to the FOGO and Better Bins Program funding received, replenishment of funds previously expended in the Land and Property Enhancement and maintenance reserve of \$850K and EDP IT equipment reserve of \$300K;
 - ii. An overall increase in transfer from reserves due to funds released from the Crisis relief fund and the Service reinstatement reserve and for the Forresterfield Industrial Scheme Stage 1.
 - h) Rates revenue increased with general and Ex-gratia rates of \$86K, as well as interim rates processed during the financial year to the value of \$627K.
9. The City's is expected to end the year on a closing surplus position of 49,392. The expected closing balance for Reserves on 30 June 2021 will be \$11.8 million (Attachment 4).
10. The City will continue to closely monitor income and expenditure budgets to ensure a surplus is in place at 30 June 2021 to strengthen the City's financial capacity and reserves.
11. In light of this Budget Review, all future Financial Reports presented to Council for adoption will include adjustments to the current Budget.

APPLICABLE LAW

12. Section 6.8 (1)(b) of the *Local Government Act 1995* requires an absolute majority decision by the Council for any budget amendments.
13. Section 6.16(3) (b) of the *Local Government Act 1995*, fees and charges may be amended from time to time during a financial year.

APPLICABLE POLICY

14. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

15. During this period the executive closely reviewed the integrity of budget projection, with the results now available for Council consideration in March 2021.

External Referrals

16. A briefing to Council was held on the 16th of March 2021.

FINANCIAL CONSIDERATIONS

17. The Amended Financial Activity Statement shows the City is projected to be in a surplus position at the end of the financial year.

SUSTAINABILITY

Social Implications

18. Nil.

Economic Implications

19. Nil.

Environmental Implications

20. Nil.

RISK MANAGEMENT

21.	Risk: Expenditure exceeds budgeted allocation resulting in negative impact on closing funds position.		
	Consequence	Likelihood	Rating
	Possible	Moderate	Medium
	Action/Strategy		
	<ul style="list-style-type: none"> • Monthly management reports are tracked by business unit managers to ensure that they are operating within budget parameters. • Introduction of budget KPIs for all managers, which are strictly monitored • Introduction of scalable reports which are scrutinised by Executive on a monthly basis. • Budget reviews and forecasting of expenditures against potential revenues are monitored closely. 		

22.	Risk: Funds spent without a budget allocation		
	Consequence	Likelihood	Rating
	Unlikely	Significant	Medium
	Action/Strategy		
	<ul style="list-style-type: none"> • Electronic purchasing system in place which tracks and allows authorisation of purchase orders only if a budget is available. • Increased segregation of duties between purchasing business unit with responsibility for the issue of purchasing orders now with Finance basically centralizing compliance aspect of purchasing. 		

CONCLUSION

- 23. The amended Financial Activity Statement following the Mid-Term budget review in Column e (Attachment 1) reveals a balanced budget estimate for 30 June 2021 with a surplus of \$49,392.
- 24. It should be noted that the Reserves overall are still maintained at a high level with an amount of \$11,761,028 as shown in (Attachment 4).
- 25. The key to pro-actively managing the City's finances will be to diversify its revenue streams and continuing to monitor closely revenues and expenditure against allocated budgets. The City will also continue to monitor service delivery to align resources with strategic priorities.

26. It is critical that the Council is committed to this strategy in order to meet service level and management requirements in a financially sustainable manner.
27. The City is focussed on sound financial management practices and is constantly looking at improving its financial sustainability.

Voting Requirements: Absolute Majority

RESOLVED OCM 38/2021

That Council:

1. NOTE the 2020/2021 Mid Term Budget Review Explanation and Summary (Attachment 5).
2. AMEND the 2020/2021 current budget to reflect the changes summarised in the Amended Rates Setting Statement (Attachment 1), pursuant to Section 6.8 (1) (b) of the *Local Government Act 1995*.

Moved: **Cr Cameron Blair**

Seconded: **Cr Geoff Stallard**

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


10.6.5. Consideration of the Pickering Brook and Surrounds Working Group and Taskforce Recommendations (Part 1) and Proposed Metropolitan Region Scheme Amendment Request

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

Previous Items	D&I 22/2016
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-STU-034
Applicant	City of Kalamunda
Owner	N/A

Attachments	1. Proposed Metropolitan Region Scheme Amendment Map [10.6.5.1 - 1 page]
	2. Pickering Brook Taskforce Report - Part 1 [10.6.5.2 - 49 pages]
	3. Pickering Brook Taskforce Report - Part 1 - Bushfire Management Plan [10.6.5.3 - 145 pages]
	4. Pickering Brook Taskforce Report - Part 1 - Soil and Land Capability Assessment [10.6.5.4 - 26 pages]
	5. Pickering Brook Taskforce Report - Part 1 - Sustainability Assessment [10.6.5.5 - 82 pages]
	6. Pickering Brook Taskforce Report - Part 1 - Traffic Impact Assessment [10.6.5.6 - 81 pages]
	7. Pickering Brook Taskforce - Correspondence from Working Group Chair [10.6.5.7 - 3 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
 Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the opportunity to request the Western Australian Planning Commission (WAPC) initiate a Metropolitan Region Scheme (MRS) Amendment to rezone approximately 14ha of Rural land to an Urban zone to expand the Pickering Brook townsite (refer Attachment 1).
2. The proposed MRS Amendment request is based on the recommendations of the Pickering Brook Taskforce and Working Group established by the Minister for Planning in 2018 (refer Attachments 2-7). Specifically, this report addresses Recommendation 2 as follows:

The City of Kalamunda to prepare a Metropolitan Region Scheme (MRS) Amendment report and plans proposing to rezone the land identified in Plan 1 from Rural to Urban and submit a request for the rezoning to the Western Australian Planning Commission (WAPC) for its consideration.

3. The Officer Recommendation is to request the WAPC initiate an amendment to the MRS.

BACKGROUND

4. The proposed MRS amendment request is the result of a long and complex history of planning for the Pickering Brook townsite expansion. The City of Kalamunda (the City) Local Planning Strategy 2010 (LPS), endorsed by the WAPC in 2013, recommended the investigation of an area of land within Pickering Brook for a potential townsite expansion.
5. The LPS includes the following relevant strategies:

“Review the Pickering Brook Townsite with the intention of consolidating the uses and giving it a focus.”

“Undertake comprehensive planning analysis of the Pickering Brook Townsite and surrounds to investigate potential for the creation of new lots.”

6. Further to technical studies and community engagement carried out by planning consultants, at the March Ordinary Council Meeting in 2016, the Council resolved to request the WAPC to initiate an amendment to the MRS, rezoning the identified Pickering Brook Townsite Expansion Area from Rural to Urban, and requesting that the WAPC concurrently rezone the Pickering Brook Townsite Expansion Area from Rural Agriculture to Urban Development under Local Planning Scheme No. 3 (LPS 3).
7. The WAPC declined to initiate the amendment in October 2017, citing the following reasons (summarised):
 - a) The proposed amendment area was not identified for urban expansion in the draft North-East Sub-regional Planning Framework;
 - b) It does not comply with the requirements of State Planning Policy 3.7 (SPP 3.7) - Planning in Bushfire Prone Areas as an extreme bushfire hazard exists making the location unsuitable and inappropriate for intensification; and
 - c) A District Water Management Strategy has not been approved by the Department of Water and Environmental Regulation.
8. However, in response to community advocacy for the area, the North East Sub-Regional Planning Framework (Framework), adopted by the State Government in March 2018, identified the Pickering Brook Townsite as a 'Planning Investigation Area'. Table 3 of the Framework identifies the key considerations as follows:
 - a) Identification and protection, where appropriate, of priority agricultural land;
 - b) Impacts on public drinking water resources including Middle Helena Catchment - Priority area 2;
 - c) Bushfire Risk, and;
 - d) Availability of reticulated and wastewater infrastructure.
9. In October 2018, the City received a letter from the Department of Planning, Lands and Heritage (DPLH) announcing the formation of a Working Group to support a Taskforce to develop a Sustainability and Tourism Strategy for Pickering Brook and the surrounding area. The letter included the taskforce terms of reference and identified two objectives:
 - a) Investigate the possible expansion of the Pickering Brook Townsite; and
 - b) Develop a strategy for economic development initiatives including growth of tourism activities in the hill's rural areas.
10. The Strategy is comprised of two separate reports:

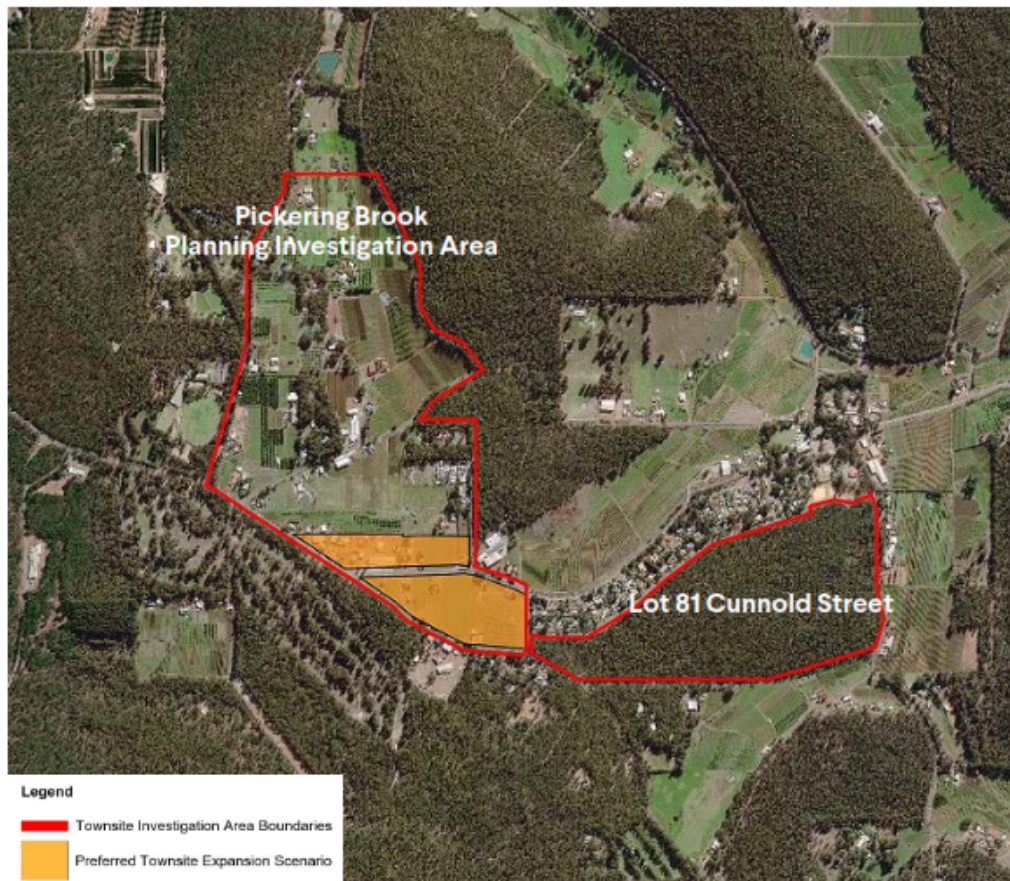
- a) Part 1 - Pickering Brook Townsite
 - b) Part 2 - Pickering Brook and Surrounds
 - c)
11. A Working Group was established to undertake investigations and make a recommendation to the Pickering Brook and Surrounds Sustainability and Tourism Strategy Taskforce.
12. The Working Group is made up of:
- a) State Member for District of Kalamunda (Working Group Chair)
 - b) One elected representative from City of Kalamunda
 - c) One elected representative from City of Armadale
 - d) Department of Planning, Lands and Heritage;
 - e) Department of Jobs, Tourism, Science and Innovation;
 - f) Department of Primary Industries and Regional Development;
 - g) Department of Water and Environmental Regulation
 - h) Department of Fire and Emergency Services
 - i) One senior technical officer from City of Kalamunda
 - j) One senior technical officer from City of Armadale
13. The Taskforce is made up of the:
- a) Minister for Planning (Chair)
 - b) Minister for Agriculture
 - c) Minister for Tourism
 - d) Western Australian Planning Commission (WAPC) Chair
14. The City's Council nominated the City's Director Development Services and then Councillor Michael Fernie to the working group. Councillor Michael Fernie completed his term on Council and then transitioned to a Community Representative on the working group with Councillor John Giardina filling the Councillor vacancy.
15. In progressing the Part 1 report, the Working Group led by DPLH commissioned a number of technical studies to address matters regarding the expansion of the townsite. These studies included:
- a) Bushfire Management Plan
 - b) Tourism Gaps Analysis
 - c) Soil and Land Capability assessment
 - d) Traffic Impact Assessment
 - e) Sustainability Assessment

Copies of the technical studies are provided in Attachments 3-7.

16. The Working Group report summarising the outcomes and recommendations for Part 1 was published in November 2020 and is included as Attachment 2.
17. A letter from the Local Member for Kalamunda (and Working Group Chair) received by the City on the 24 November 2020 outlined the recommendations of the Part 1 Report that require action from the City and Council, including submitting an MRS Amendment request to the WAPC for consideration. A copy of the letter is provided in Attachment 8.

DETAILS AND ANALYSIS

18. The key recommendation from the Part 1 report is that the townsite can support a modest expansion of approx. 14ha. The report recommends that the City prepare and submit an MRS amendment request, so that the WAPC may consider rezoning the supported land area from Rural to Urban.



19. The Working Group thoroughly analysed the relevant considerations in relation to the expansion of the townsite. The key considerations included:
- a) Community engagement
 - b) Tourism
 - c) Soil and land capability
 - d) Agricultural production
 - e) Servicing infrastructure
 - f) Environmental considerations
 - g) Water catchment considerations
 - h) Traffic and transport
 - i) Bushfire
20. In balancing the various considerations relevant to the townsite expansion, it was decided to undertake a sustainability assessment to assist with determining the appropriate expansion area.
21. Section 3 of the Part 1 report provides an outline of the various considerations (including the sustainability assessment) with specific details available within the specific technical studies undertaken (Attachments 2-7).
22. Throughout the preparation process, the City and relevant State Government agencies reviewed and provided comment on the various technical reports that led to the Part 1 report recommendations.
23. Having regard for the boundary recommended by the Part 1 report, the following key matters are noteworthy:
- a) Community engagement
 - b) Agricultural production
 - c) Environmental considerations
 - d) Water catchment considerations
 - e) Traffic and transport
 - f) Bushfire
24. **Community Engagement:**
Key issues raised relating to potential townsite expansion included a need for retirement/ aged housing, additional short-stay accommodation, more housing choice, finding uses for unproductive rural land and infrastructure upgrades. Some concerns related to the potential loss of productive agriculture land and rural amenity, land use conflicts, potential impacts on the Middle Helena catchment drinking water resource and the need to manage bushfire risk.

25. **Agricultural production:**
The Department of Primary Industries and Regional Development (DPIRD) has undertaken a detailed land capability survey involving a property level soil, land and water assessment within the recommended expansion area. The area recommended for expansion is identified as 'high' or Class 2 capability land for agriculture.
26. Notwithstanding the area being identified as 'high' or Class 2 capability for land agriculture, it was also concluded that water availability is the major physical limitation to horticulture in the Perth Hills and that other fruit growing areas within WA such as Gingin and Donnybrook have significantly greater volumes of water available for irrigation.
27. The use of 'high' or Class 2 capability land for the townsite expansion was balanced against the other considerations as part of the Part 1 report recommendations and specifically during the sustainability assessment under economic development considerations.
28. **Environmental considerations:**
The flora report prepared in 2014 identified that most of the subject area was cleared for agriculture and contained no protected flora. In addition, hydrological and land capability mapping has identified the parts most suitable for urban expansion.
29. **Water management and catchment considerations:**
A significant portion of the Pickering Brook and Surrounds study area is located within the Middle Helena Catchment Area which drains to the Water Corporation's Helena Pump-back Dam. This surface water catchment and dam provides water for drinking and irrigation including for pumping back to the Mundaring Weir (C Y O'Connor Lake) source which supplies the Goldfields and Agriculture Water Supply Scheme, including over 33,000 households, and also contributes to the Perth Integrated Water Supply Scheme.
30. The WAPC Middle Helena Catchment Area – Land Use and Water Management Strategy 2010 (MHLUWMS) assigns three levels of priority classification (Priority 1, 2 and 3 source protection areas) to land within the catchment to protect the quality of the water resource, in accordance with the WAPC's State Planning Policy 2.7 – Public Drinking Water Source.
31. The proposed expansion area land is classified as a Priority 2 area to ensure there is no increased risk of pollution to the water source. Priority 2 areas generally have existing low intensity development, such as rural land uses, and are managed in accordance with the principle of 'risk minimisation' with some limited development permitted.

32. Although the existing residential dwellings in the townsite are serviced by individual on-site sewerage systems, current relevant Government policies, strategies and guidelines require any new urban areas and associated development within public drinking water source areas such as the Middle Helena Catchment to be classified Priority 3 and to be connected to a reticulated sewerage system.
33. Having regard to these policy requirements, any future urban development within the Priority 1 and 2 areas should meet related criteria including the urban proposal being considered by the Government to meet a strategic need, be reclassified under the relevant Government policies to Priority 3, and be connected to a reticulated sewerage system.
34. Connection to a reticulated sewer system is not considered to be feasible so any future urban development would require on-site effluent disposal systems. There have been considerable advances in on-site effluent disposal technologies in recent years, including some types of aerobic treatment units having secondary treatment systems that are approved by the Health Department in some circumstance.
35. As demonstrated through other development approvals issued for intensified land uses within the Middle Helena Catchment, the City considers that the risk of contaminating the water resource from urban development can be minimised through the introduction of related local planning scheme provisions that require a construction management plan for effluent disposal that is applied at the subdivision or development stages. An exemption from the Minister for Health under the Public Health Act 2016 that future urban development is to connect to reticulated sewerage may also be required.
36. The following key recommendation relevant to the City were presented and accepted by the Taskforce in respect to water management and wastewater:

Recommendation 5:

Subject to the MRS Amendment being initiated through the WAPC and Environmental Protection Authority, the City of Kalamunda to review its draft Pickering Brook District Water Management Strategy (PBDWMS) in consultation with the Department of Water and Environmental Regulation to relate to a townsite expansion for land identified in Plan 1 and include requirements for future urban development to utilise high-performance on-site effluent disposal systems that have secondary treatment capability and are Health Department approved.

37. **Traffic and transport:**
A transport impact assessment of key roads, including sections of Canning Road, Welshpool Road East and Pomeroy Road, and intersections was undertaken for the townsite expansion scenarios for AM and PM peak traffic hour periods to identify the capacity of the road network and determine the relative impacts of expected increases in traffic from future urban development.
38. The transport assessment generally concluded that the existing road network has capacity to accommodate the predicted additional traffic from urban development associated with the potential expansion scenarios and it is not expected that additional intersection upgrades would be necessary.
39. **Bushfire:**
The Pickering Brook locality is within an area classified as bushfire prone by the Department of Fire and Emergency Services Commissioner and a comprehensive bushfire risk analysis was undertaken for the townsite expansion scenarios, in accordance with relevant national emergency risk guidelines and Australian standards.
40. The assessment considered the likelihood and consequential impact of a potential bushfire that may threaten the townsite, and drew upon historical bushfire information for the area. The assessment identified that a bushfire was likely to occur on average every five years and that the consequence could be catastrophic with fatalities and loss of buildings to be expected unless exposure is managed successfully. Based on the assessment the current overall risk rating for the existing Pickering Brook townsite and expansion scenario areas is considered 'extreme'.
41. The assessment has identified multiple road access options that are available for early safe evacuation, namely Canning Road to the south, Canning Road-Welshpool Road East to the west, and Patterson Road-Walnut Road to the north. These roads are considered to meet the relevant bushfire guidelines and the bushfire management plan recommends careful management of these roads and associated verges, particularly Canning Road which has been identified as a key recovery road, to ensure they remain available and open in the event of a passing bushfire.
42. Tolerance of bushfire risk is a fundamental issue that needs to be considered when determining support for an expansion of the townsite. Despite implementing any detailed control measures that are identified and recommended in the bushfire management plan, the assessment concluded that a 'medium' level risk for the townsite would remain.

43. New buildings would be required to be constructed to specific bushfire-resilient standards and with appropriate building setbacks and separations as required in the relevant bushfire policy and guidelines. The assessment concluded that lots of a minimum of 2000m² for the expansion area can potentially accommodate buildings that meet the acceptable construction level of BAL 29.
44. A comprehensive Bushfire Management Plan has been prepared for the potential townsite expansion that recommends the implementation of a broad range of bushfire protection measures to reduce the overall bushfire risk to the community to as low as considered to be reasonably practicable. This aims to reduce ignition, minimise community exposure to bushfire, and managing bushfire risk which will require actions and responsibilities by State and local government, and landowners.
45. The Department of Fire and Emergency Services (DFES), including the Office of Bushfire Risk Management, does not support a proposed expansion of the townsite due to concerns with the bushfire risk assessment and the recommendations of the bushfire management plan. DFES considers the bushfire risk level for the townsite will remain 'high' to 'extreme' even if all recommendations of the BMP are implemented.
46. The bushfire risk assessment and Bushfire Management Plan acknowledged it is not possible to reduce bushfire risk in Pickering Brook to zero regardless of implementation of all recommended protection and management measures, and that implementation of the measures would have benefit to the existing Pickering Brook community.
47. The City and Council as the proponent of the proposal and State Government, as the decision-maker for approving an expansion of the townsite through the rezoning process, needs to balance consideration of the remaining bushfire risk with potential benefits of any proposal to the local community.
48. In considering the Part 1 report, the City and Council representatives and community member proposed a slightly larger extension (additional 4ha) of the townsite area linking the proposed townsite expansion to the existing focal point of the community, being the Pickering Brook Sports Club. Further information on the City's extended area is outlined in Table 2 of the Part 1 report.



49. The larger area was recommended for following key reasons:
- a) The City considers it represents a logical extension from the townsite entrance along the main road to connect with the working group's recommended Scenario 3.
 - b) The additional land is within walking distance of the General Store and is located close to the Pickering Brook Sports Club.
 - c) The land is primarily cleared and not used for agriculture.
 - d) The land will have access to infrastructure (water main, telecommunications, and power) and the local road network for multiple egress routes.
 - e) The area was contemplated by the City for expansion under its Local Planning Strategy.
 - f) It is a natural urban expansion along the main road as opposed to an arbitrary boundary north of Pickering Brook Road.

50. Notwithstanding the justification provided above, the Working Group Chairman in Table 2 of the Part 1 report outlined the following response:

"The proposal to include an additional 4ha of land adjacent to Scenario 3 is outside of the scope of the recommendations supported by the Working Group for land proposed for rezoning.

The City of Kalamunda, in preparing its detailed MRS Amendment report and plans proposing to rezone land in Plan 1 from Rural to Urban for submission to the Western Australian Planning Commission (WAPC), would need to

demonstrate that including the additional 4ha is justifiable on planning grounds.”

51. In the context of facilitating the recommendations of the Part 1 report in the timeliest manner possible, it is considered appropriate to defer consideration of the recommended extended area to other strategic planning processes.
52. In consultation with the DPLH and WAPC Chairman on the recommendations, the City has been advised that the Framework, which provides strategic land use guidance to future development areas, will soon be reviewed and will be released for public advertising. The review of the Framework provides the City other strategic planning processes to request consideration of a further extension of the townsite area. This further request can be made through a formal submission on the review of the Framework. The WAPC will then consider the merits of the City's request for inclusion as part of the Framework review.
53. The City in considering this approach, has had regard for the need to progress with the recommendations supported by the Working Group and Taskforce in order to facilitate the expansion of the townsite at the earliest possible opportunity. It is considered a noteworthy risk that if the City advocates strongly for the inclusion of the additional 4ha at this point in time, it may result in a protracted rezoning process. This is primarily due to the fact that the recommended expansion area has been supported at a Taskforce (including Ministerial) level and other State Government agency recommendations (i.e. sewer exemption) have been acted upon by those agencies based on the Working Group recommended expansion area.

APPLICABLE LAW

54. Planning and Development Act 2005
Outlines the procedure for requesting an MRS Amendment and information required.
55. Local Planning Scheme No. 3 (LPS3)
The LPS3 is required to be consistent with the MRS Zoning and will subsequently be required to be amended should there be any change to the zoning, or Public Drinking Water Source Area classifications.

APPLICABLE POLICY

56. An array of State Government policies have been considered in the context of the Working Group and Taskforce recommendations. Where relevant, these are outlined in the Part 1 report.

STAKEHOLDER ENGAGEMENT

57. Public consultation was undertaken as part of the Pickering Brook Working Group in August 2019 – September 2019.
58. The Part 1 report provides a summary of submissions received and integrated comments from submissions where applicable (refer Attachment 2).
59. Subject to Council endorsement, if the DPLH accepts the proposed MRS Amendment it will be initiated and released for public advertising by the WAPC in accordance with the *Planning and Development Act 2005* s 43 – Publicising proposed scheme or amendment.

FINANCIAL CONSIDERATIONS

60. All advertising costs will be borne by the WAPC.
61. Should the MRS Amendment be supported further technical studies will be required. Technical studies required include but are not limited to engagement of an external consultant to update the District Water Management Strategy. This document is estimated to cost 159pprox.. \$20,000.
62. Subject to approval of a related MRS Amendment to rezone the land from Rural to Urban, the City of Kalamunda will be required to prepare a detailed Local Planning Scheme Amendment and plans proposing to rezone the land identified in Attachment 1 from Rural Agriculture to Residential, with an appropriate density coding, for submission to the WAPC for consideration. This subsequent body of work is estimated to cost approx. \$30,000 and will be considered as part of future budgeting processes and at the time the MRS Amendment is considered significantly progressed.
63. Appendix 1 of the Part 1 report outlines a series of recommended bushfire mitigation protection measures to support the expansion of the townsite. Some of these measures are assigned to the City and will require resources to be allocated to ensure they're fulfilled. On review of the recommendations, the City is satisfied that the recommended actions can be assimilated into the City's operational procedures and absorbed through usual resource and yearly budgeting allocations.

SUSTAINABILITY

64. A sustainability assessment prepared by Macroplan considered a range of environmental, social and economic factors relating to six potential townsite expansion scenarios (Attachment 5). Scenario 3 was the preferred option.

RISK MANAGEMENT

65.

Risk: The Pickering Brook townsite expansion proposed MRS Amendment is refused by the Minister.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Recommend the proposed MRS amendment request in accordance with the Part 1 report recommendations and defer consideration of an extended area beyond the Part 1 report recommendations to other strategic planning processes (i.e. review of the Framework).		

Risk: The proposal results in environmental degradation.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
The flora report in 2014 identified that most of the subject area was cleared for agriculture and contained no protected flora. In addition, hydrological and land capability mapping has identified the parts most suitable for urban expansion.		

Risk: The MRS Amendment is refused and the townsite remains the same size and population.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
Request the MRS Amendment be initiated in accordance with the Working Group and Taskforce preferred Scenario 3 as identified in the Part 1 Report and defer consideration of the recommended extended area to other strategic planning processes.		

Risk: The MRS Amendment does not capture properties of community members who wish to subdivide.		
Consequence	Likelihood	Rating
Moderate	Almost certain	High
Action/Strategy		
Explain to landowners that the MRS Amendment request is guided through the Part 1 report recommendations and further areas may be considered as part of the City’s submission on the Framework.		

Risk: A major bushfire occurs within or in close proximity of the Pickering Brook townsite.		
Consequence	Likelihood	Rating
Critical	Possible	High
Action/Strategy		
Ensure compliance with the recommendations of the Bushfire Management Plan and any subsequent development complying with contemporary bushfire standards and guidelines. Continue to progress investigations into the establishment of a Fire Station within or in proximity of the Pickering Brook townsite.		

Risk: Development of the Pickering Brook townsite results in contamination within the public drinking water source area.		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
Acknowledge the advancements in aerobic treatment units. Minimise risk through the introduction of related local planning scheme provisions at subsequent phases of the planning process that require a construction management plan for effluent disposal and ensure there is sufficient information and investigations supplied at the subdivision or development stages.		

CONCLUSION

- 66. The expansion of the Pickering Brook townsite aligns with the City’s LPS and has been a strategic planning project that the City and previous Council’s of the City have supported for a significant period of time.

67. In considering the Part 1 report, the City and Council representatives and community member proposed a slightly larger extension (additional 4ha) of the townsite area linking the proposed townsite expansion to the existing focal point of the community, being the Pickering Brook Sports Club. Further information on the City's extended area is outlined in Table 2 of the Part 1 report.
68. For the reasons outlined in the Details and Analysis section of this report and in the context of facilitating the recommendations of the Part 1 report in the timeliest manner possible, it is considered appropriate to defer consideration of the recommended extended area to other strategic planning processes and request the WAPC initiate an MRS Amendment in accordance with the finalised recommendations outlined in the Part 1 report.

Voting Requirements: Simple Majority

RESOLVED OCM 37/2021

That Council REQUEST the Western Australian Planning Commission amend the Metropolitan Region Scheme to rezone approximately 14ha of land as shown on Attachment 1 from a Rural Zone to an Urban Zone in accordance with Part 4, Div.2; s.37 of the Planning and Development Act 2005.

Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**


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

10.6.6. Submissions for the 2022-2023 Metropolitan Regional Roads Group Roads Rehabilitation Projects Program

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

Previous Items	OCM 34/2020
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	4.00010195
Applicant	N/A
Owner	N/A
Attachments	1. Metropolitan Regional Roads Group Program 2022 2023 Summary of Projects [10.6.6.1 - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek endorsement of submissions for funding as part of the 2022/2023 Metropolitan Regional Roads Group (MRRG) Road Rehabilitation Projects Program.
2. The MRRG program provides the opportunity for local governments to seek a grant from the state government of two thirds of the cost of projects for road rehabilitation projects. Funding is capped at \$750,000 per local government authority. The City has undertaken technical assessments across the road network and identified suitable projects that meet the grant criteria.
3. Council endorsement is requested for the six projects being parts of Canning Road (two projects), Welshpool Road East, Berkshire Road, Daddow Road and Hale Road.

BACKGROUND

4. Each year, Main Roads WA (Main Roads) invites project submissions for funding consideration as part of the MRRG Road Rehabilitation Projects Program. This report is to consider projects for the 2022/2023 financial year.

DETAILS AND ANALYSIS

5. Road Rehabilitation Projects are those proposed for existing roads where a failed road section is to be brought back to pre-existing physical condition. This can be through milling, resealing, reconstruction, and resurfacing.
6. The City prepares grant submissions using the MRRG scoring system that includes the technical assessment of road condition (roughness, cracking, deformation and other road defects). Due to the need for technical condition assessment, the City engages specialist consultants to prepare the submissions.
7. When received by the MRRG, the submissions are reviewed and a priority listing of all metropolitan local government authority projects are prepared. The list of projects is then reviewed by a sub-group of the MRRG and final list returned to Main Roads. Main Roads then makes recommendations to the State Road Funds to the Local Government Advisory Committee. The Cities of Kalamunda, Swan and Bayswater, Shire of Mundaring and Town of Bassendean form the eastern sub-group.

8. It is practice to submit bids for projects which exceed the cap allowable on the basis that during assessment each Council ultimately is usually funded for projects within the cap allowed, and those that don't receive funding are held in reserve if further funding becomes available during the relevant year.
9. The Minister for Transport and Planning ultimately approves the funding for the projects.
10. Funding is capped at \$750,000 per local government authority. Funding for projects is on the basis of two thirds from the state and one third from the City, however the project estimates are based on 'core' construction costs only and not ancillary costs or overheads. The City would therefore be required to fund at least \$375,000 (with a notional total project value of approximately \$1,125,000) prior to application of overheads.
11. The following six road rehabilitation projects have been prepared for submission to Main Roads, with further details in Attachment 1:
 - a) Canning Road, Mead Street to Recreation Road;
 - b) Welshpool Road East, 400 metres of the east bound lanes, Tonkin Highway to Lewis Road;
 - c) Berkshire Road, Ashby Close to 100 metres northwest of Bonser Road;
 - d) Canning Road, Lesmurdie Road to Glyde Road;
 - e) Daddow Road, from City boundary to Dundas Road; and
 - f) Hale Road, Morris Drive to Stringybark Drive.
12. The proposed treatments are all "mill and fill". This is where the existing surface and some pavement material is milled out using a type of grinding machine, and then new asphalt layers placed. In Attachment 1, the abbreviations used are:
 - a) PMB - polymer modified bitumen, a type of bitumen with elastic properties;
 - b) DGA - dense graded asphalt, an asphalt designed for high and heavy traffic loads;
 - c) SMA - stone mastic asphalt, an asphalt with a higher bitumen content for flexibility; and
 - d) SLK - straight line kilometre, a distance measure for roads.
13. Council's endorsement of these proposed projects is required to support the submissions for funding consideration. Submissions are due 23 April 2021.

14. Advice on the successful projects for the 2022/2023 financial year is normally issued early in the calendar year, in this case early 2022. The City will then list the projects in the capital works program for consideration with the 2022/2023 budget.

APPLICABLE LAW

15. There is no relevant legislation.

APPLICABLE POLICY

16. The assessment and renewal of infrastructure assets is undertaken in accordance with policy Service 4 – Asset Management.

STAKEHOLDER ENGAGEMENT

17. Being a technical assessment of road rehabilitation needs, no public consultation is normally undertaken. Owners, residents and businesses directly affected by the project will be contacted in advance of the works.

FINANCIAL CONSIDERATIONS

18. The list of Road Rehabilitation Projects for 2022/2023 outlined in Attachment 1 indicates a total estimated MRRG contribution of \$969,603 to undertake all projects. This exceeds the \$750,000 cap. However, the MRRG grant process requires further assessments and outcomes which result in the submissions being prioritised to fall within the \$750,000 cap.
19. Should the City be successful in achieving grant funding totalling in the order of \$750,000 as part of the 2022/2023 program, then it will need to contribute in the order of \$375,000 plus overheads from municipal funding.
20. The 2022/2023 and future years of the City's Capital Works Program include the maximum grant of \$750,000 and the City's contribution of \$375,000.

SUSTAINABILITY

Social Implications

21. There are no direct social implications arising from the projects.

Economic Implications

22. Well maintained roads contribute to transport efficiency and reduce economic cost to the community.

Environmental Implications

23. Milled old asphalt is commonly reused as pavement materials in other projects.

RISK MANAGEMENT

24.

Risk: The City fails to secure grant funding leading to additional rates funding needs.		
Consequence	Likelihood	Rating
Major	Unlikely	Medium
Action/Strategy		
The City continues to plan in a timely fashion for submissions for grant funding under the MRRG program.		

25.

Risk: The City fails to receive grant funding and is unable to rehabilitate the roads. The projects identified for the grants are reaching the end of their life and are expected to fail within a few years. This would have a significant economic impact on the community and reputational impact on the City.		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
The City continues to plan in a timely fashion for submissions for grant funding under the MRRG program.		

CONCLUSION

26. As part of an ongoing, annual process, the City has assessed six projects for consideration with the MRRG Road Rehabilitation Project Program. The projects required specialist technical assessments of road condition such as rutting and deformation.

27. The resulting projects all meet the criteria for funding and will be shortlisted by the MRRG Eastern Sub-group with formal advice ultimately received from the Minister for Transport and Planning. Council endorsement is required for the submissions, with the final list of projects to be considered as part of the 2022/2023 capital works program budget.

Voting Requirements: Simple Majority

RESOLVED OCM 39/2021

That Council ENDORSE the City of Kalamunda submission of projects for the 2022/2023 Metropolitan Regional Roads Group Road Rehabilitation Projects Program, as set out in Attachment 1.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Brooke O'Donnell**


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

10.6.7. Local Roads and Community Infrastructure - Phase 2 Funding

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Delivery
File Reference	OR-IGR-025
Applicant	N/A
Owner	N/A
Attachments	1. LRCI Phase 2 Book of works - Application [10.6.7.1 - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council endorsement of a series of projects proposed to be funded by the Commonwealth Government under the Local Roads and Community Infrastructure (LRCI) Phase 2 grant scheme.

2. The LRCI is part of a \$500m nationwide stimulus scheme to support jobs and resilience of local economies. The City of Kalamunda (City) was allocated \$2,056,435 of funding subject to the City undertaking works and projects in line with the conditions set out by the Commonwealth.
3. It is recommended that Council endorse the list of projects proposed that meet the criteria.

BACKGROUND

4. As part of the COVID 19 relief stimulus packages undertaken by the Commonwealth Government, Local Governments were afforded the opportunity of grant funding under the LRCI schemes. Phase 1 of this scheme was announced in 2020 and the City was provided \$760,081 of grant funding for projects, all of which are underway.
5. In November 2020, the City was advised by the Commonwealth that it had been allocated \$2,056,435 under Phase 2 of the LRCI program with details to follow.
6. In January 2021, the Commonwealth released the guidelines and conditions under which Phase 2 projects would be funded. A potential list of projects was discussed at the Councillor's Strategic Retreat on 20 February 2021.

DETAILS AND ANALYSIS

7. The purpose of the LRCI is aimed at supporting communities through fast tracking of Local Government initiatives in the roads and community infrastructure space.
8. The City consulted with the Commonwealth to clarify issues regarding the application of the grant funding. In general terms, these issues are:
 - a) The City has been allocated \$2,056,435 in Phase 2 and this can be used for one or more projects nominated by the City;
 - b) Each project proposed will need specific approval by the Commonwealth;
 - c) The potential projects which would be approved are generally for roadworks, park improvements, community building improvements, other community infrastructure, fencing projects and landscaping projects
 - d) Upon approval, the funding for each project must be spent by 31 December 2021;

- e) The City can apply the funding for 100% of any proposed, approved project or as a contribution to a project with other funding sources;
 - f) The City can apply funding for projects that extend beyond 31 December 2021 as long as the LRCI component is acquitted by 31 December 2021 and the entire project completed by 30 June 2022;
 - g) The funding cannot be used to defray approved Municipal funding or potential Municipal funding for works in 2020/21 and 2021/22.
9. Within these guidelines, a potential list of projects were discussed with Councillors at the Strategic Retreat on 20 and 21 February 2021. This list needed to be reduced to remain under the \$2,056,435 cap after allocation of overheads.
10. The proposed list of projects is provided as Attachment 1 to this report.

APPLICABLE LAW

11. Nil.

APPLICABLE POLICY

12. Council Policy Service 5 "Communication and Engagement" applies.

STAKEHOLDER ENGAGEMENT

13. In line with Council Policy Service 5, it is appropriate that the Community be informed of this decision.

FINANCIAL CONSIDERATIONS

14. This grant is in addition to anticipated Municipal and other funded schemes in 2020/21 and 2021/22. Sufficient resources exist to deliver the projects to required deadline.

SUSTAINABILITY

15. Positive impacts upon the community in terms of social benefit.

RISK MANAGEMENT

16.	Risk: That the City fails to deliver the projects on time and budget potentially leading to the need for funding to make up any lost funding.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Proposed list of projects have been assessed, in part, for their ability to be delivered on time and on budget.		

CONCLUSION

17. This opportunity from the Commonwealth presents the City with the capability to deliver more community infrastructure in the short term than planned.

Voting Requirements: Simple Majority

RESOLVED OCM 40/2021

That Council ENDORSE the proposed list of projects as shown as Attachment 1 to this report for funding under Phase 2 of the Local Roads and Community Infrastructure scheme.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Lesley Boyd**

<p>Vote: <u>For</u></p> <p>Cr John Giardina</p> <p>Cr Janelle Sewell</p> <p>Cr Geoff Stallard</p> <p>Cr Lesley Boyd</p> <p>Cr Mary Cannon</p> <p>Cr Brooke O'Donnell</p> <p>Cr Sue Bilich</p> <p>Cr Lisa Cooper</p> <p>Cr Cameron Blair</p> <p>Cr Kathy Ritchie</p> <p>Cr Margaret Thomas</p>	<p><u>Against</u></p> <p>Cr Dylan O'Connor</p>
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CARRIED (11/1)

10.6.8. Endorsement of the Strategic Community Plan for the purposes of Public Advertising

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

Previous Items

Directorate

Business Unit


File Reference 3.009297

Applicant

Owner

- Attachments
1. Kalamunda Advancing Strategic Community Plan 2021 2031 [**10.6.8.1** - 32 pages]
 2. Strategic Community Plan - Community Engagement Report [**10.6.8.2** - 124 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.1 - To be a community that advocates, facilities and provides quality lifestyles choices.

Strategy 1.1.1 - Facilitates the inclusion of the ageing population and people with disability to have access to information, facilities and services.

Strategy 1.1.2 - Empower, support and engage and with young people, families and our culturally diverse community.

Strategy 1.1.3 - Facilitate opportunity to pursue learning.

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.

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.1 - Support local communities to connect, grow and shape the future of Kalamunda.

Strategy 1.3.2 - Encourage and promote the active participation in social and cultural events.

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.

Priority 2: Kalamunda Clean and Green

Objective 2.2 - To achieve environmental sustainability through effective natural resource management.

Strategy 2.2.1 - Facilitate the appropriate use of water and energy supplies for the City.

Strategy 2.2.2 - Use technology to produce innovative solutions to reduce power and water usage.

Priority 2: Kalamunda Clean and Green

Objective 2.3 - To reduce the amount of waste produced and increase the amount of reuse and recycling of waste.

Strategy 2.3.1 - Identify and implement strategies to reduce waste.

Priority 2: Kalamunda Clean and Green

Objective 2.4 - To ensure contaminated sites are safe and managed to ultimate use.

Strategy 2.4.1 - Identify, examine and manage risk associated with contaminated sites.

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 3.2 - To connect community to quality amenities.

Strategy 3.2.1 - Optimal management of all assets.

Strategy 3.2.2 - Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

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.

Priority 3: Kalamunda Develops

Objective 3.4 - To be recognised as a preferred tourism destination.

Strategy 3.4.1 - Facilitate, support and promote, activities and places to visit.

Strategy 3.4.2 - Advocate and facilitate diversification options for the rural properties to flourish.

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service based organisation.

Priority 4: Kalamunda Leads

Objective 4.2 - To proactively engage and partner for the benefit of community.

Strategy 4.2.1 - Actively engage with the community in innovative ways.

Strategy 4.2.2 - Increase advocacy activities and develop partnerships to support growth and reputation.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the draft Strategic Community Plan 2021- 2031 for the purposes of Public Advertising.
2. The City of Kalamunda Strategic Community Plan - Kalamunda Advancing 2031 is the highest-level plan the City prepares. Its purpose is to document the community's main priorities, expectations and aspirations for the City over a 10-year time period and to plan strategies for achieving them.

3. The recommendations is to receive the Community engagement report and to endorse the City of Kalamunda Strategic Community Plan - Kalamunda Advancing 2031 for the purposes of public advertising.

BACKGROUND

4. In 2017 the City published Kalamunda Advancing: Strategic Community Plan To 2027 and in 2020 completed another major strategic community plan review involving extensive engagement with the community and Council on the Plan's Vision, Priorities and Outcomes.
5. Integrated planning and reporting gives local governments a framework for establishing local priorities and to link this information to operational functions.
6. Three major parties are involved in the development of an integrated plan: the local government administration, the Council and the community. Each party has a unique role and responsibilities for effective and sustainable integrated planning and reporting, with the Local Government (Administration) Regulations 1996 requiring each local government to endorse a Strategic Community Plan and a Corporate Business Plan.
7. The Strategic Community Plan outlines community long term (10+ years) vision, values, aspirations and priorities, with reference to other local government plans, information and resourcing capabilities. The Strategic Community Plan is not static. A full review is required every four years with a desktop review every two years.

DETAILS AND ANALYSIS

8. The Strategic Community Plan:
 - Establishes the community's vision for the local government's future, including aspirations and service expectations.
 - Drives the development of local government area/place/regional plans, resourcing and other informing strategies, for example workforce, asset management and services, and
 - Will ultimately be a driver for all other planning.
9. The integration of asset, service and financial plans means the local government's resource capabilities are matched to their community's needs.

10. The City will use Kalamunda Advancing 2031 to structure its daily business activities, specific area plans, resourcing and other informing strategies, including annual budgets, workforce plans, asset management plans and service plans. Together these plans will enable and allow for meaningful progress, monitoring and reporting.
11. The Vision for the Strategic Community Plan is “Connected Communities, Valuing Nature and Creating our Future Together.”
12. Priority areas in the plan include:

Priority 1 - Kalamunda Cares and Interacts - Looking after our people and providing our people with social and cultural enjoyment

Priority 2 - Kalamunda Green and Clean - Delivering environmental sustainability and maintaining the integrity of the natural environment
Priority 3 - Kalamunda Develops - Using our land and assets diversely and effectively. Supporting our local economy.
Priority 4 - Kalamunda Leads - Providing good government and leadership.
13. Our Core Values

Service: We demonstrate a ‘can do’ attitude, we listen, we understand, and we go above and beyond when we serve others.

Professionalism: We look, speak, act & do what it takes to show others we are reliable, respectful and competent.

Quality: We think clearly, plan mindfully, act decisively, measure carefully and review regularly everything we do.
14. Our simple guiding principle will be to ensure everything we do will make the City of Kalamunda socially, environmentally and economically sustainable.
15. The draft Strategic Community Plan (Attachment 1) is proposed to be endorsed for the purposes of public advertising, following extensive community consultation.

APPLICABLE LAW

16. *Local Government Act 1995 - s. 5.56*

Local Government (Administration) Regulations 1996 - s. 19C, 19D

APPLICABLE POLICY

17. Service 5: Communication and Engagement

STAKEHOLDER ENGAGEMENT

18. A Community Perception Survey was conducted in May 2020 with more than 400 responses returned.

Targeted consultation ran from 1 September 2020 to 31 October 2020, including:

- A community survey with 338 submissions.
 - Two (2) open face-to-face Community Workshops
 - Kalamunda Workshop Wednesday 23 September 2020 (2 Hours)
 - Forrestfield Workshop Wednesday 14 October 2020 (2 hours)
 - One (1) online Open Community Workshop
 - Via Microsoft Teams Friday 23 October 2020 (2 hours)
 - Consultation with the following Advisory Committees:
 - Kalamunda Arts Advisory Committee 26 October 2020
 - Kalamunda Aged Care Advisory Committee 4 November 2020
 - Disability and Carers Advisory Committee 9 November 2020
 - Community Safety and Crime Prevention Advisory Committee 11 November 2020
 - Kalamunda Tourism Advisory Committee 18 November 2020
 - Kalamunda Environmental Advisory Committee 26 November 2020
 - Local Emergency Management Committee 26 November 2020
19. The Community Engagement Report (Attachment 2) is provided for information and has been utilised in the development of the Draft Strategic Community Plan.

FINANCIAL CONSIDERATIONS

20. The Strategic Community plan has been developed in accordance with the current Budget parameters.

SUSTAINABILITY

21. There is a strong focus on sustainability in the plan.

RISK MANAGEMENT

22.

Risk: Strategic Community Plan is not endorsed by 30 June 2020.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
Ensure clear timeline for the development and public advertising of the plan, to ensure finalization by June 2020.		

CONCLUSION

23. It is recommended the draft Strategic Community Plan is endorsed for the purposes of public advertising.

Voting Requirements: Simple Majority

RESOLVED OCM 41/2021

That Council ENDORSE the Strategic Community Plan 2031 for the purposes of public advertising.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Brooke O'Donnell**


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

10.6.9. Perth Hills Future - Request for Letter of Support

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	Office of the CEO
File Reference	
Applicant Owner	Perth Hills Future inc. Community Peak body
Attachments	1. Perth Hills Future - Letter of Support [10.6.9.1 - 2 pages] Request Letter

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.1 - Support local communities to connect, grow and shape the future of Kalamunda.

Priority 3: Kalamunda Develops

Objective 3.4 - To be recognised as a preferred tourism destination.

Strategy 3.4.1 - Facilitate, support and promote, activities and places to visit.

Priority 4: Kalamunda Leads

Objective 4.2 - To proactively engage and partner for the benefit of community.

Strategy 4.2.1 - Actively engage with the community in innovative ways.

Strategy 4.2.2 - Increase advocacy activities and develop partnerships to support growth and reputation.

EXECUTIVE SUMMARY

1. To consider a request from Perth Hills Future Inc. for a letter of support from the City of Kalamunda (City).
2. Perth Hills Future is a newly formed community body that seeks to consult and engage with local communities to re-imagine and design the future of the Perth Hills.
3. This report recommends a letter of support is provided to Perth Hills Future Inc, subject to agreement from Perth Hills Future that:
 - a) the City is to be consulted with on all facets of future engagement processes and has detailed input into commentary regarding recommendations or advocacy programs to ensure there is no conflict with City based objectives; and
 - b) Perth Hills Future undertake comprehensive stakeholder engagement with the City, Department of Planning, Lands and Heritage (DPLH), the Western Australian Planning Commission (WAPC) and any other relevant or related State Government agency regarding any land use planning objectives, strategies, or recommendations.

BACKGROUND

4. The Perth Hills spans about 80km of peri urban and regional land that is home to vibrant communities across five local government areas: Swan, Mundaring, Kalamunda, Armadale, and Serpentine-Jarrahdale.
5. The challenges shared across the Perth Hills include but are not limited to wastewater management, bushfire risk, drying climate, limited and ageing community infrastructure as well as transport, power and telecommunication deficiencies.

DETAILS AND ANALYSIS

6. On 21 February 2021, Council received a presentation outlining the objectives and purpose of a community group recently formed known as Perth Hills Future Inc.
7. Perth Hills Future advise that they are a community peak body that seeks to consult and engage with local communities to re-imagine and design the future of the Perth Hills.
8. The Perth Hills Future advise that they actively seek new and consolidated growth strategies to build thriving, diverse economies, aligned with environmental and cultural values, to leave a positive legacy for future generations.
9. Perth Hills Future Inc. state that they hold a vision to build a strong economic future that protects and enhances the environment and culture of the Perth Hills.
10. The Perth Hills Future advise they are seeking to pursue a widespread community consultation process that will include hills communities from Shire of Serpentine Jarrahdale and Mundaring and the Cities of Armadale, Kalamunda and Swan.
11. The Perth Hills Future advise that their intent is to take a deep dive into the known and shared challenges and opportunities for Smart Growth across the Perth Hills. This will be approached through a multi-faceted and intergenerational approach to ensure broad-based consultation and collaboration with established community groups and the local business community to avoid duplication of effort.
12. They advise that the outcomes of the proposed consultation process, supported by data, is intended to form Community Mandates containing solutions focussed recommendations, prepared as the basis of a conversation with government in pursuit of a more integrated planning and investment future for the Perth Hills.
13. Perth Hills Future inc. state that their goals are to:
 - a) To undertake deep and active consultation to amplify the Community Voice.
 - b) To deliver strong, Community Mandates for solutions to challenges that support Smart Growth opportunities.
 - c) To re-imagine growth in terms of quality and value, rather than quantity and cost.
 - d) To develop fit for purpose recommendations capable of harnessing the economic potential of the Perth Hills Lifestyle Economy.

- e) To explore and harness technological innovations with the potential to solve intractable challenges faced by business and the community,
 - f) To build an enduring partnership between government and the Perth Hills community that innovates and invests in a thriving future.
 - g) To build a model circular economy that takes every opportunity to reinvest, reuse and recycle locally.
14. Perth Hills Future inc. state the need for a new approach to planning, development and promoting the Perth Hills has been building since the 1990's, when the growth of Perth began to apply pressure on historical governance structures and the rural and environmental values of residents. This pressure has increased steadily since. Community resistance to major developments has grown with it, both in scale and frequency, and is presently creating significant challenges for local and State government officers and elected members.
15. Perth Hills Future state that they aim to partner with all levels of government to deliver solution focussed recommendations to achieve Smart Growth across the Perth Hills through:
- a) A strategic focus on solutions to priorities shared across the Perth Hills.
 - b) Integrity through strategic, operational, and collaborative excellence.
 - c) Resilient networks through partnerships and investments contributing to a thriving Perth Hills future.
 - d) An agile approach that adapts to evolving investment priorities and challenges.
 - e) Innovative resourcing solutions that deliver value for stakeholders through harnessing the insight, creativity and industry of local people, enterprises, and emerging professionals.
 - f) Synergy that enhances sustainability to develop a circular Perth Hills economy.
16. During 2020, Regional Development Australia Perth 2020, funded and produced the Perth Hills Strategic Visioning Report (the Report) which identified key shared challenges across the Perth Hills.

The Report can be found at:

<https://www.perthhillsfuture.org/post/strategic-visioning-report-2020>

Perth Hills Future inc. has formed to pursue the recommendations of the Report with the aim to conduct community consultation processes to address challenges outlined as:

1. Land use planning considerations unique to the Perth Hills require a structural intervention.

The five Perth Hills local governments party to this initiative are characterised by suburban areas on the coastal plain and a peri-urban interior. These areas have significantly different land use and economic development priorities and opportunities. The disconnect between these areas reduces the effectiveness of local planning schemes to guide effective statutory decision-making or to deliver on strategic plans. This is reinforced through similar misalignment of Perth Hills priorities with the primarily urban and suburban land development priorities of the Metropolitan Region Scheme. Community preferences across the Perth Hills are supportive of development, but highly conditional on maintaining rural and environmental assets and values and seek new planning and building standards adapted to the risk of extreme bushfire conditions. A legislative solution is commonly held as a useful means of improving planning and economic development strategy for the Perth Hills. Enabling precedents within Western Australia and other Australian jurisdictions seem to offer the legislative basis for a new Act aligned to Perth Hills development conditions.

17. **2. Telecommunications and power outages are placing people at risk and disrupting business.**

Telecommunications black spots and dropouts and frequent power outages are one of the compromises residents make in return for the open spaces and natural amenities that characterise life in the Perth Hills. However, they create serious impediments for businesses and significant community safety, health, and bushfire risks during emergencies. Emerging remote area technologies may offer a solution. These technologies combine solar energy, batteries, and mobile communications towers to strengthen mobile signals and stabilise local area power networks through microgrids where high rooftop solar generation is prevalent.

18. **3. Public transport frequency and accessibility improvements are long sought after.**

Public transport linking surrounding areas with activity centres is considered inadequate, particularly for segments of the community without personal transportation – those with disabilities, youth, and the elderly. New fit for purpose technologies may offer a cost-effective solution, that could connect the Hills north to south and support tourism growth.

19. **4. Agricultural and bushland areas should be retained, regenerated, and reinvigorated.**

Most respondents agree that retaining agriculture and bushland through improving integration with the lifestyle economy (destination tourism and lifestyle choices) is central to the retaining the character of the Perth Hills. This is in line with the top tourism asset that the community would like to see developed – food and wine trails – along with strongly held conservation preferences.

Perth Hills Future acknowledges the recent establishment of the Perth Hills Tourism Alliance, which is an alliance comprising officers from the Cities of Kalamunda, Armadale and Swan and the Shires of Serpentine Jarrahdale and Mundaring. The Alliance serves as a strategic partnership and driver to provide joint tourism marketing strategies that promote the Perth Hills region.

While Perth Hills Future seeks to explore the economic benefits of the lifestyle economy, they do not wish to duplicate efforts, but rather seek to collaborate and provide relevant data captured during the consultation process to further strengthen the aims of the Perth Hills Tourism Alliance that include:

- a) Having the Perth Hills recognised as a key tourism precinct.
- b) Increasing visitation
- c) Achieving unified marketing
- d) Sourcing appropriate tourism investment funding
- e) Product and industry development
- f) Lobbying, advocacy and facilitating strategic alliances to achieve all the above.

APPLICABLE LAW

20. Nil.

APPLICABLE POLICY

21. Nil.

STAKEHOLDER ENGAGEMENT

22. Perth Hills Future have advised they have support from the Member for Hasluck as well as the Member for Kalamunda.

The City has confirmed this to be the case.

23. **Perth Hills Strategic Visioning Report**

Commentary within the Perth Hills Strategic Visioning Report refers to an engagement workshop and a survey having been undertaken to inform the vision. The extent of the engagement and survey is not clear within the report and the nature of groups represented in the engagement are not explicitly stated. The report does make some references to age and demographics but not how many people responded to the survey and from where they were from.

24. It is normal practice for the City to include an outcomes report from the engagement to detail the source of values, opinions and priorities referenced throughout the report. This has not been included in this report.

25. The City also notes that from the information in the report, State Government agency involvement in the engagement and visioning process does not appear to have taken place. Given the nature and extend of recommendations relating to land use planning, comprehensive engagement should take place with the DPLH and WAPC. Other matters highlighted as a focus in the recommendations such as transport and telecommunications would benefit from engagement with the DPLH/WAPC and other State Government agencies.

FINANCIAL CONSIDERATIONS

26. Should Council decide to engage further with Perth Hills Future and their activities, there will be resource implications regarding the City's participation as outlined in Attachment 1 to the report. Any future actions or resource implications will need to be considered as and when requests are received.

SUSTAINABILITY

27. The proposal presented by Perth Hills Future seeks to build a sustainable future for the Perth Hills region.

RISK MANAGEMENT

28.	Risk: The values and pursuits of Perth Hills Future may conflict with the goals of the City.		
	Consequence	Likelihood	Rating
	Moderate	Possible	
	Action/Strategy		
	Ensure the City works closely with Perth Hills Future to mitigate any recommendations being pursued will not impinge on City defines goals and objectives.		

CONCLUSION

- 29. It appears, on face value, the Perth Hills Future group may be a vehicle for improved community engagement across Perth Hills which may provide the City with new opportunities for the pursuit of sustainability initiatives.
- 30. Economic development, land use planning and community expectations from future growth and development requires careful balancing and consideration. Given the nature and extend of recommendations relating to land use planning, Perth Hills Future should pursue comprehensive engagement with the DPLH and WAPC. Efforts should also be focused towards providing input and submissions on the upcoming review of the various Sub-Regional Planning Frameworks that cover the Perth Hills.
- 31. Other matters highlighted as a focus in the recommendations of the visioning report such as transport and telecommunications would benefit from engagement with the DPLH/WAPC and other State Government agencies.
- 32. It is recommended that Council endorse the request for a letter of support on the proviso that there is agreement from Perth Hills Future that:
 - a) the City is to be consulted with on all facets of future engagement processes and has detailed input into commentary regarding recommendations or advocacy programs to ensure there is no conflict with City based objectives; and
 - b) Perth Hills Future undertake comprehensive stakeholder engagement with the City, DPLH, WAPC and any other relevant or related State Government agency regarding any land use planning related objectives, strategies, or recommendations.

Voting Requirements: Simple Majority

RESOLVED OCM 42/2021

That Council REQUEST the Chief Executive Officer to issue a letter of support to Perth Hills Future Inc, subject to agreement from Perth Hills Future Inc. that:

- a) the City of Kalamunda is to be consulted with on all facets of future engagement processes and has detailed input into commentary regarding recommendations or advocacy programs to ensure there is no conflict with City of Kalamunda based objectives; and
- b) Perth Hills Future Inc undertake comprehensive stakeholder engagement with the City of Kalamunda, Department of Planning, Lands and Heritage, Western Australian Planning Commission and any other relevant or related State Government agency regarding any land use planning related objectives, strategies, or recommendations.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Kathy Ritchie**


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

10.6.10. Annual General Meeting of Electors 2019/20 Report

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

Previous Items	Nil
Directorate	Office of the Chief Executive Officer
Business Unit	Governance and Legal
File Reference	N/A
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
 Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. To consider the outcomes of the 2019/20 Annual General Meeting of Electors (AGM).
2. Two motions were considered at the AGM, with one being defeated and one passed.

3. It is recommended Council notes the decisions made at the AGM and requests the Chief Executive Officer (CEO) to prepare a report with respect to Resolution AGM 02/2021.

BACKGROUND

4. As required by section 5.27 of the *Local Government Act 1995* (the Act), the 2019/20 AGM was held on Tuesday 16 March 2021 to receive the City's Annual Report and consider other General Business which might be raised by those attending the meeting.

DETAILS AND ANALYSIS

5. 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.
6. The following motions were considered at the AGM:
 1. AGM 01/2021
That the 2019/20 Annual Report of the City of Kalamunda be received.
Defeated 10/18
 2. AGM 02/2021
That this meeting of electors urges Councillors to place a moratorium on the rezoning of all rural zoned lands in the City until such time as Councillors have had the opportunity to fully consider the 2020 Kalamunda Local Biodiversity Strategy currently out for public consultation.
Carried 20/2
7. Whilst the motion to receive the Annual Report was defeated, there is no impact on the City, or operations of Council, therefore no further action is required.
8. Before Council makes a decision as to whether or not to support AGM 02/2021, a report by the Administration will be required on the issues and consequences.

APPLICABLE LAW

9. *Local Government Act 1995*

APPLICABLE POLICY

10. None.

STAKEHOLDER ENGAGEMENT

- 11. Community engagement and consultation occurred as part of the AGM.
- 12. There will be additional community engagement if Council endorses resolution AGM02/2021.

FINANCIAL CONSIDERATIONS

13. Costs will be incurred to present a further report to Council, however these will be covered in the normal operational budget.

SUSTAINABILITY

14. No implications directly from this report.

RISK MANAGEMENT

15.	Risk: Council does not consider the resolution passed at the AGM as required by the Act.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	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.		

CONCLUSION

16. It is recommended Council note the resolutions passed at the AGM and requests a report from the Chief Executive Officer with respect to AGM02/2021.

Voting Requirements: Simple Majority

RESOLVED OCM 43/2021

That Council:

1. NOTE Resolutions AGM 01/2021 and AGM 02/2021 passed at the Annual General Meeting of Electors held on 16 March 2021.
2. REQUEST the Chief Executive Officer, in response to AGM 02/2021, prepare a report on the implications for the Council and City of Kalamunda prior to a final decision on the resolution.

In accordance with section 5.33 (2) of the *Local Government Act 1995*, the reasons for the decision of Council are:

1. AGM 01/2021 – Receiving of the 2019/20 Annual Report – although the motion to receive the Annual Report was defeated, there is no impact on the City or operations of Council, therefore no further action is required.
2. AGM 02/2021 – A report from the Administration has been requested to enable Council to be fully informed on this issue, prior to a final decision on the motion carried at the AGM.

Moved: **Cr Cameron Blair**

Seconded: **Cr Dylan O'Connor**

Vote:	<u>For</u>	<u>Against</u>
	Cr Janelle Sewell	Cr John Giardina
	Cr Lesley Boyd	Cr Geoff Stallard
	Cr Mary Cannon	
	Cr Brooke O'Donnell	
	Cr Sue Bilich	
	Cr Lisa Cooper	
	Cr Dylan O'Connor	
	Cr Cameron Blair	
	Cr Kathy Ritchie	
	Cr Margaret Thomas	

CARRIED (10/2)

11. Motions of Which Previous Notice has been Given

11.1. Fire Hazard Mitigation

RESOLVED OCM 44/2021

Voting Requirements: Simple Majority

That Council REQUEST the Chief Executive Officer to:

1. seek quotes from external auditors to undertake an audit of the City's Fire Hazard Mitigation practices including but not limited to;
 - a) Current funding allocation.
 - b) Community engagement strategy/s.
 - c) Community education packages.
 - d) Staff training package.
 - e) Efficacy of timing and method of issuing Fire Hazard Reduction Notices and other communications to residents.
 - f) Benchmarking against the City's practices against other similar Local governments (ie Cities of Armadale, Wanneroo and Swan and Shires of Mundaring and Chittering).
2. include the quotations within the draft 2021/22 operating budget for consideration by Council.

Moved: **Cr Lesley Boyd**

Seconded: **Cr Geoff Stallard**

Vote:	<u>For</u>	<u>Against</u>
	Cr Lesley Boyd Cr Geoff Stallard Cr Mary Cannon Cr Dylan O'Connor	Cr John Giardina Cr Janelle Sewell Cr Brooke O'Donnell Cr Sue Bilich Cr Lisa Cooper Cr Cameron Blair Cr Kathy Ritchie Cr Margaret Thomas

LOST (4/8)

Rationale

1. In 2011, close by we witnessed the Roleystone-Kelmscott Bushfires, and on 1 February this year the Wooroloo Bushfires. 95% of the City of Kalamunda area is prone to bushfire, therefore the risk to residents is high and ensuring mitigation is paramount.

2. Since 2018/19 there has been a 100% increase in the number of properties the City inspects, which has also resulted in an increase in work orders and non-compliance related infringements.
3. Residents understand the importance of fire safety. To ensure the best outcomes and reduced risk it is imperative the residents are brought along the journey and remain engaged positively with the City.
4. It is acknowledged by the City that in response to improved practices and reviews from recent major bushfires, the City's Fire Hazard Reduction Notice has the propensity to change from year to year to remain contemporary. Therefore, the communication strategy and engagement of the community is important to ensure and understand of the changing expectations. Individuals including some of our seniors have expressed difficulty in understanding what is expected of them. Residents need to understand what options are available to them, which many of them do not.
5. The purpose of the audit is to assist provide feedback to the City regarding its processes and strategies. The moderate cost associated to engage an expert far out ways the likely benefits to the community
6. Given the risk to 95% of the City it is vital we are open to external review and if necessary, implementing reviewed practices. An audit will provide an understanding around the City's preparedness and how engaged the community is with the direction and strategies the City has and is taking.
7. In considering the physical location of the City, with the position relative to the scarp and bushland fire mitigation is fundamental, combined with the community's preparedness. This can and will only be achieved through effective education and understanding.
8. While there has been improvement over the years with communication and opportunities for most residents to attain fire safety, questions remain; can we do better, can we look and learn from others, can we do anything different, are there areas we haven't covered. An audit will provide these answers.

Officer Comment:

Fire Hazard Reduction Notice:

1. Pursuant to Section 33 of the Bush Fires Act 1954, the City issues a Fire Hazard Reduction Notice (the Notice) every year to put measures in place to prevent the outbreak, spread or extension of bush fire.
2. In support of the Notice, the City undertakes private property inspections to ensure compliance with the Notice.

3. Whilst over 90% of the City is within a designated Bushfire Prone Area, it is not correct to assume that 95% of the City is at high risk of bushfire. The City's adopted Bushfire Risk Management Plan and associated mapping rates the risks of each part of the City. Some parts are assessed as extreme or high risk while others are lower because of specific area characteristics despite being designated bushfire prone.

Fire Hazard Assessment Plan:

4. To guide the City's private property inspections, the City prepares an annual Fire Hazard Assessment Plan (the Plan). The purpose of the Plan is to outline the manner in which the City will undertake private property inspections.
5. The Plan utilises previous non-compliance, complaints, and a comprehensive risk assessment to determine the priority of assessments throughout the City. The key intent of the Notice and the Plan is to reduce the overall risk profile of the City by ensuring all very high and extreme private 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 assessment program. 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.
7. The Plan is presented to Council every year prior to the commencement of the bushfire season.
8. A comprehensive presentation was also provided to Council at the 2 March 2021 Strategy Session in relation to the Notice, Plan and inspections.

Response to Matters Outlined in the Notice of Motion:

9. In regards to the practices outlined to be audited, the City can advise as follows:
 - a) Current funding allocation: Approx. \$550,000 is allocated to private property fire mitigation every year.
 - b) Community engagement strategies / packages: Extensive community engagement programs are prepared prior to and during the fire season. A copy of the extensive Community Engagement Plan from last fire season is attached. The City welcomes feedback from Councillors as to suggested improvements that can be made in developing next year's Community Engagement Plan having regard for feedback that has been

- received from residents. The City also assimilates findings and improvements with information and feedback received from Councillors.
- c) Staff training package: Section 11 of the Plan comprehensively outlines the City's training processes in relation to private property inspections.
 - d) Efficacy of timing and method of issuing the Notice and other communications to residents: The Notice is issued with the City's rates every year prior to the season commencing. In addition, extensive community engagement programs are prepared prior to and during the fire season. A copy of the Community Engagement Plan from last fire season is attached.
 - e) Local Government benchmarking: Each local government area is different and requires a tailored approach to fire prevention. Feedback received from the Department of Fire and Emergency Services (DFES) indicates that the City of Kalamunda has a comprehensive private property inspection process for ensuring compliance with the Notice.

Statistics from 2020/21 Fire Season (as of 9 March 2021):

Statistics from the 2020/21 Fire Season are outlined below.

No. of Assessments	No. of Work Orders	No. of Infringements	Escalated to Crs
3,944	1027 (26%)	82 (2%)	16 (0.4%)

Estimated Cost & Timeframe:

- 10. To undertake a detailed audit as recommended through the Notice of Motion, it is estimated to cost a total of approx. \$15,000 - \$20,000. That being approx. 60 – 80 hours of audit time by a audit professional with expertise in fire hazard mitigation. There is no budget allocation for this work and approval of unbudgeted funds would be necessary, thus requiring an Absolute Majority decision of Council.
- 11. It is also not unreasonable to consider that preparing an appropriate scope, seeking the necessary quotations, engaging an auditor and having them investigate and prepare a report would not see any further reporting to Council on the audit until after the issue of Fire Hazard Notice for 21/22. As such, any potential changes to the City's processes may not occur until 2022/23

Conclusion:

- 12. The City provides comprehensive information and oversight to Council through the following:
 - a) Presentations at Strategy Sessions prior to the fire season commencing and on an as needs basis throughout the season.

- b) A weekly update on infringements and cautions issued through the Councillor Information Bulletin.
 - c) Formal presentation of the Plan to Council for noting prior to each season commencing.
 - d) Providing Councillors detailed information on any specific issues that arise throughout the season.
13. The City is of the view that the statistics outlined above in conjunction with the comprehensive information and oversight provided to Council prior to and during the fire season does not warrant the cost of an independent audit of the City's fire mitigation practices. On this basis, the Notice of Motion is not supported.

Attachments:

- 1. Fire Hazard Reduction Notice 2020/21:
https://kalblob.blob.core.windows.net/kallibrary/docs/default-source/agenda-and-minutes/2020/attachments/ordinary-council-meeting-attachments---27-october-2020/10-1-2-2-fire-hazard-reduction-notice-2020-2021.pdf?sfvrsn=44beaa42_2
- 2. Fire Hazard Assessment Plan 2020/21:
https://kalblob.blob.core.windows.net/kallibrary/docs/default-source/agenda-and-minutes/2020/attachments/ordinary-council-meeting-attachments---27-october-2020/10-1-2-1-fire-hazard-assessment-plan-2020-2021.pdf?sfvrsn=4945b902_2
- 3. Community Engagement Plan 2020/21:
<https://kalblob.blob.core.windows.net/kallibrary/docs/default-source/fire-emergency-docs/preparedness/bushfire-preparedness-community-engagement-plan.pdf>
- 4. Presentation to Council at Strategy Session 2 March 2021:
<https://kalblob.blob.core.windows.net/kallibrary/docs/default-source/fire-emergency-docs/preparedness/fire-prevention.pdf>

Cr O'Donnell presented a motion which received a seconder before being put to a vote.

RESOLVED OCM 45/2021

Voting Requirements: Simple Majority

That Council:

- 1. REQUEST the Chief Executive Officer to:
 - a) engage with the Department of Fire and Emergency Services to seek their acceptance on a collaboration with the City of Kalamunda to undertake a

- review of the City of Kalamunda's Fire Hazard Mitigation practices including but not limited to:
- i. Current funding allocation.
 - ii. Community engagement strategy/s (including contractors, right to enter legislation).
 - iii. Community education packages (including possibility of videos).
 - iv. Staff training package (including a review of uniforms).
 - v. Efficacy of timing and method of issuing Fire Hazard Reduction Notices and other communications to residents.
 - vi. Benchmarking the City of Kalamunda's practices against other similar local governments such as Cities of Armadale, Wanneroo and Swan and Shires of Mundaring and Chittering).

2. AGREE that no funding is to be allocated to this request and should the Department of Fire and Emergency Services not agree then Council would reconsider its position.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Sue Bilich**

Vote:

For

Cr Brooke O'Donnell
Cr Sue Bilich
Cr Lisa Cooper
Cr Margaret Thomas

Against

Cr Lesley Boyd
Cr John Giardina
Cr Geoff Stallard
Cr Janelle Sewell
Cr Mary Cannon
Cr Dylan O'Connor
Cr Cameron Blair
Cr Kathy Ritchie

LOST (4/8)

11.2. Asset Sustainability Ratio

MOTION

Voting Requirements: Absolute Majority

That Council Request the Chief Executive Officer, as part of the Budget 2021/22 and Long-Term Financial Plan deliberation, to consider strategies that enables the City to continue to provide new assets to the community, whilst acknowledging that this will have detrimental impact upon the standard asset sustainability ratio as prescribed by the Department of Local Government, Sport, and Cultural Industries.

Moved:

Seconded:

Vote: **Motion Withdrawn**

Rationale

1. The benchmark target for the assets sustainability ratio (ASR) is between 90% and 110% as prescribed by the Department of Local Government, Sport, and Cultural Industries (DLGSCI). The City of Kalamunda is in a growth phase and more funds are invested in new assets. Under these circumstances, a lower than the average ASR is expected. This is due to funding preference to spend on new capital works projects rather than renewal capital works projects.
2. City of Wanneroo in their Long-Term Financial Plan (LTFP) 2019/20 – 2038/39 determined that the City would not meet the standard for the ASR.
3. City of Joondalup equally in their LTFP 2018/19 – 2038/39 mentioned the City will not achieve the ASR.

Officer Comment:

1. This motion must be considered in the context of the risk and risk appetite. Council must be fully aware of the risks associated with agreeing to accept any ratio performing under regulated standards.
2. These risks are outlined as follows and refer to relevant statements within Councils' adopted Risk Appetite Statement.

Financial Risk Appetite

3. Council's adopted Risk Appetite Statement states *'the City has no appetite for any actions that are known, or upon reasonable investigation, ought to be known, to unacceptably threaten the long-term financial sustainability of the City'*. To achieve financial sustainability, the City may undertake investigation into alternate revenue streams hence there is a moderate appetite for activities that are likely to provide economic and revenue growth opportunities.
4. Should Council, in the future, agree to accept an under-benchmark asset sustainability ratio, it will be recommended that Council modify its Risk Appetite Statement.

Reputational Risk Appetite

5. The City has a low appetite for actions or activities that have a sustained adverse impact on the City's reputation, where those risks are avoidable through the application of good governance and practices.

Potential Impact

6. If the Asset Sustainability ratio is maintained below the Department of Local Government, Sport and Cultural Industries (DLGSCI) standard over a long period of time it will result in further deterioration of assets and the risks associated with that. This in turn will require increased future financial investment to bring assets back to the required service level conditions.
7. The Council has also adopted Asset Management Plans for all classes of its assets which sets out required level of annual re-investment ("Asset Renewals"). The target asset renewal spend annually is aimed at allowing assets to deteriorate to an agreed condition rating prior to the requirement for renewal funding. These agreed condition ratings are generally at the lower end of the quality scale.
8. If, due to finite funding availability, that funding was diverted away from asset renewal to fund new assets, the City will find in some circumstances assets will deteriorate beyond the level of intervention which will lead to dissatisfaction from the community and user groups. As stated above, pursuing increased alternate revenue sources may be a better way to manage the issues of providing new assets and ASR implications.
9. When considering this motion Council must consider its Risk Appetite and recognise the financial and reputational risks associated with making decisions to plan for and or accept below benchmark ratios.

10. Ratios underpin the City's Financial health Indicator, and this indicator is published each year. It has become the prominent assessment indicator for the community to determine how well its local government is tracking against all other Local Governments.

Other Factors

11. In support of such a motion, Council must also recognise the City of Kalamunda has become an outer metropolitan growth council and with a growing population comes the demand for new and modern community facilities. The City has plans for many new community facilities and these facilities, once built, will all have a detrimental effect upon the asset sustainability ratio.
12. It should be noted that other Councils have made similar decisions to the one proposed in this motion. For example, the City of Wanneroo in their Long-Term Financial Plan 2019/20 – 2038/39 determined that the City would not meet the standard for the Asset Sustainability Ratio. It is further stated that this is due to the City growing rapidly and the vast majority of assets are in near new condition.
13. The City of Joondalup equally in their LTFP 2018/19 – 2038/39 mentioned that the City will not achieve the Asset Sustainability Ratio. The main reason stated is due to the young age profile of the City's assets.
14. The City of Kalamunda does not have the same asset profile as the City of Wanneroo or Joondalup, with a much more mature asset base and this point also needs further consideration.
15. The decision must be balanced between the risks and how soon the Council wishes to bring online new facilities. The City has many new facilities in the early planning phases that still need to be agreed upon by Council, as well as funding sources secured for those new assets.
16. In summary, the intent of this motion is worthy of further consideration by the Council, as part of the update of the Long-Term Financial Plan process which is currently underway.

The Presiding Member adjourned the meeting for a short break. The meeting adjourned at 8:14pm and resumed at 8:20pm.

12. Questions by Members Without Notice

12.1 Issue from Annual Electors Meeting – Cr Stallard

Q. I was informed that after the Annual General Meeting an elderly member of the community was followed and verbally harassed by another member of the public in attendance. What can the Council do to protect the safety of residents who attend council meetings?

A. The Chief Executive Officer advised the City will make arrangements for when there are contentious issues presented to council. Vigilance is the best defence and may assist with this not occurring again.

12.2 Recording of addresses – Cr Boyd

Q. Where is the requirement for members of the public to state their address when asking questions or giving a deputation? This raises safety concerns.

A. The City is happy to cease this practice.

12.3 Representation of Business & Developers – Cr Sewell

Q. How is it noted if the person a has a vested interest in giving a deputation or is representing a developer? This information is helpful when making a decision.

A. A register is provided to the presiding member and representation is included.

12.4 Zig Zag Scenic Drive – Cr O'Connor

Q. When will the Zig Zag Survey results be presented to Council.

A. The report will be presented to the April round of meetings.

12.5 Work Orders – Fire Mitigation – Cr O'Connor

Q. When a resident has a work order, and it is completed is it practice to reinspect and provide a clearance notification.

A. Taken on Notice.

13. Questions by Members of Which Due Notice has been Given (Taken on Notice 23 February 2021)

13.1 Vacancies Town Centre - Cr Sewell

Q. In relation to vacant land and shops in the town centre what is the City's responsibility and what can the City do?

A. So long as the buildings are appropriately secured and the land is not causing any amenity or health impacts, the City's influence over the redevelopment of buildings and development of land is limited. The City's core responsibility, from a planning perspective, is to assess any proposed development against the relevant state and local planning framework.

From an Economic Development perspective we continue to reach out to landlords and encourage them to activate spaces via "pop up shops and events". We are through the Economic Development Advisory Committee investigating the opportunities for investment attraction within the City of Kalamunda.

13.2 Falls Road Primary School – Cr O'Connor

Q. Progress on pedestrian improvements at Falls Rd Primary School

A. The City does not have any project approved in the 2020/21 Budget to undertake pedestrian improvements at Falls Rd Primary School. The draft 2021/2022 Capital Works program currently lists this project for consideration by Council at Budget adoption.

13.3 Progress on Street Trees – Cr O'Connor

Q. The City has budgeted \$166,000 on a Street Tree Planting Progress. Can the break down of how many have been planted to date and where be provided.

A. The City adopted a budget of \$166,632 inclusive of overheads in the 2020/21 Budget for street tree planting. As at end January 2021, it has spent \$102,693 with trees being planted in the following suburbs:

Forrestfield – 65
Gooseberry Hill – 7
High Wycombe – 47
Kalamunda – 33
Kewdale – 16

Lesmurdie – 31
Maida Vale – 78
Wattle Grove – 63
Total - 340

The balance of the budget has been generally committed to procurement of trees to be planted in winter.

14. Urgent Business Approved by the Presiding Member or by Decision

14.1 Nil.

15. Meeting Closed to the Public

15.1 RESOLVED OCM 46/2021

That the meeting be closed to the public to consider the confidential report Item 10.2.4.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Brooke O'Donnell**

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

The meeting closed to the public at 8:30pm.

15.2 RESOLVED OCM 48/2021

That the meeting reopened following consideration of the confidential report Item 10.2.4.

Moved: **Cr Cameron Blair**

Seconded: **Cr Janelle Sewell**

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

The meeting reopen to the public at 9.01pm.

16. Tabled Documents

Community Safety Crime Prevention Advisory Committee Minutes – 10 February 2021

Local Emergency Management Committee Draft Minutes – 25 February 2021

Kalamunda Aged Care Advisory Committee Draft Minutes – 3 March 2021

Public Agenda Briefing Forum – Notes – 9 March 2021

17. Closure

There being no further business, the Presiding Member declared the Meeting closed at 9:03pm

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2021.