



Ordinary Council Meeting

AGENDA

Tuesday 22 June 2021

NOTICE OF MEETING ORDINARY COUNCIL MEETING

Dear Councillors

Notice is hereby given that the next Ordinary Meeting of Council will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Tuesday 22 June 2021 at 6.30pm.**

Rhonda Hardy
Chief Executive Officer
17 June 2021

Our Vision

Connected Communities, Valuing Nature and Creating our Future Together

Core Values

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

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

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

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

Aspirational Values

Creativity We create and innovate to improve all we do.

Courage We make brave decisions and take calculated risks to lead us to a bold and bright future.

Prosperity We will ensure our District has a robust economy through a mixture of industrial, commercial, service and home based enterprises.

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

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

kalamunda.wa.gov.au

City of Kalamunda

Information for the Public Attending

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

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

Ordinary Council Meetings – Procedures

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

Acknowledgement of Traditional Owners

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

Emergency Procedures

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

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

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

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

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1. Official Opening

2. Attendance, Apologies and Leave of Absence Previously Approved

3. Public Question Time

3.1. Questions Taken on Notice at Previous Meeting

3.1.1 Michael Ryan, High Wycombe

Q. Was the impact the change of zoning would have on landowners discussed leading up to the announcement by the State Government?

A. The City has been in on-going discussions with the State Government about the future planning for the subject area since the early 2000s. The planning process considers impacts on employment, the environment, infrastructure, transport, recreation and the community.

There are various correspondences over many years on the City's records in relation to the announcement of the station and land uses around the future station.

3.2. Public Question Time

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

4. Petitions/Deputations

5. Applications for Leave of Absence

6. Confirmation of Minutes from Previous Meeting

6.1 That the Minutes of the Ordinary Council Meeting held on 25 May 2021, as published and circulated, are confirmed as a true and accurate record of the proceedings, subject to the replacement of Attachment 10.5.6.2 (25 May 2021) with Attachment 16.1.1 (22 June 2021) (Final Draft Governance 20: Code of Conduct Complaints Management).

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 25 May."

7. Announcements by the Member Presiding Without Discussion

8. Matters for Which the Meeting may be Closed

- 8.1 Item 10.4.1 Consideration of a Draft Business Case for a New Aquatic Facility for Public Advertising – **Confidential Attachments**
Attachment 1. Needs Assessment - On-Line Survey Results
Attachment 3. Needs Assessment - Recent and Proposed Aquatic Facility Developments

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person."

- 8.2 Item 10.4.3 Consideration of Tenders for the Supply and Implementation of a Customer Relationship Management System – **Confidential Attachment** - Tender Evaluation Report CRM

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."

- 8.3 Item 10.5.4 Provision of Internal Audit Services - Contract RFT 2009 - **Confidential Attachment** - Tender Evaluation Report - Provision of Internal Audit Services

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."

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*.)

9.2. Disclosure of Interest Affecting Impartiality

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

10. Reports to Council

10.1. Development Services Reports

10.1.1. Response to Motion (AGM 02/21) from Annual Meeting of Electors

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

Previous Items	AGM 2/2021
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	3.009297
Applicant	Nil.
Owner	Nil.
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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 consider resolution AGM 02/2021 from the Annual Electors' meeting held 16 March 2020. The resolution urges Councillors to place a moratorium on the rezoning of all rural zoned land within the City of Kalamunda (City) until such time as Council have had the opportunity to fully consider the draft Local Biodiversity Strategy (LBS), a draft document that at the time of preparing this report has closed for community comment and the feedback is being assessed and finalisation of the documentation considered.
2. Good governance and proper planning processes would suggest that a blanket moratorium denying consideration of a request to rezone rural land in the City is not appropriate, and that each request should be assessed on its merits having regard to the current planning framework, relevant considerations and the desired future for the locality.
3. It is recommended that the Council resolve to not support a blanket moratorium but have due regard to the current and draft LBS when considering any request to rezone land within the City.

BACKGROUND

4. At the 16 March 2021 Annual General Meeting of Electors the following resolution was passed:

*RESOLVED AGM 2/2021:
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.*
5. The LBS was endorsed by Council for the purposes of community consultation at the December 2020 Ordinary Council Meeting (OCM262/2020).
6. Community feedback on the LBS commenced in early 2021 and closed on 13 April 2021. The City is currently reviewing the feedback from the community as well as validating the analysis and is scheduled to report back to Council regarding adoption of the finalised LBS by the end of Q4 2021.
7. There are extensive areas of land in the City district, particularly in the scarp and hills area, zoned Rural in one form or another.

8. A review of the Local Planning Strategy and Local Planning Scheme No. 3 is also currently underway. While it is a lengthy process with a number of steps and touch points with; Council, the State Government and community, the schedule is to finalise the review by July 2022 for Council endorsement. Following endorsement, the documents would be forwarded to the WAPC and Minister for final consideration.

DETAILS AND ANALYSIS

9. It is worthy of note that some recommendations contained within the draft LBS recommend changes to planning matters that may require new Planning Policies, amendments to the Local Planning Scheme or consideration within the new Local Planning Scheme.
10. If the Council adopt the electors' resolution it would mean that the Council would establish a predetermined position and not be prepared to consider or progress any request or proposal to rezone any land within the Special Rural, Rural Composite, Rural Agriculture, Rural Landscape Interest, and the Rural Conservation zoned areas anywhere within the City.
11. It is important to note the resolution is unclear on the duration of a prospective moratorium as it relies on the Council "...having had an opportunity to fully consider..." the LBS. For the purposes of this report, it is assumed the Council will have fully considered the LBS once submissions and responses to those submissions have been considered, as well as validating the analysis as part of the finalisation process and the Council endorsing the final version of the LBS. As noted above, adoption of the LBS is scheduled by Q4 2021.
12. Part 3 Division 1 – General, of the *Local Government Act 1995* (section 3.1) states that the general function of the Local Government is to provide for the good government of persons within its district. Imposing a moratorium as requested would unduly restrict the Council undertaking a key function of the local government on behalf of its community. It is considered Council would not be fulfilling its obligations to provide good governance, in such circumstances.
13. The provisions in the *Development (Local Planning Schemes) Regulations 2015* allow the Council to resolve to not proceed to advertise a proposed amendment to the local planning scheme. It is implied that some documentation has been prepared and considered by the local government. In other words, a resolution to not proceed, on the basis of a previous decision of a blanket moratorium, without considering the merits of the proposal may not be considered sufficient or appropriate.

14. A dissatisfied landowner having made a request for rezoning and the Council resolving not to proceed, may make a “representation” under s76(1) of the *Planning and Development Act 2005* to the Minister to order the local government to prepare and submit for consideration an amendment to a local planning scheme. Such an order would only be to allow the process to commence and would not bind the Council on the future of the rezoning process or its outcome. The point being made, is that this process requires the Council to have given consideration to the request and not determine it on the basis of a pre-determined blanket moratorium.
15. While the Minister may issue an order under Section 76, the related Planning Bulletin (102/2010) provides some criteria that the Minister would apply, including:
- “i. the extent to which, even if the applicant’s representation has some merit, whether there are good grounds for deferring the initiation of the proposed scheme or amendment at this time, notably where:
- i. *the relevant local planning scheme is currently being amended or is proposed to be amended soon in any event (where there is often a moratorium on further amendments being considered during this time); or*
 - ii. *a relevant planning instrument or policy is currently a ‘seriously entertained’ draft proposal, and once finalised, is likely to have a substantial impact on the contents and subject matter of the applicant’s proposed a scheme or amendment (for example, where local government was preparing a draft Activity Centre Structure Plan in relation to the same area), and....”*
16. The City’s strategic environmental framework would be considered, or given due regard through the consideration process of any proposed amendment. The incorporation of any of the recommendations coming out of the City’s broader strategic environmental framework and into the current LPS3 or the new Local Planning Scheme, is not likely for considerable time given the lengthy planning processes involved.
17. It should be noted that there is no right of review (appeal) should the Council resolve not to proceed with an amendment to its local planning scheme or if the Minister refuses to issue an order.

18. It is generally accepted that good planning decisions are made on the basis of the current planning framework, and on the merits of the proposal, at that point in time. Making decisions on the basis of a predetermined moratorium placed over all rural zoned land is not conducive to properly examining a proposal and making a good planning decision for the broader community.
19. The Local Planning Strategy and Local Planning Scheme are currently being considered for review. A report to the Council to formally initiate these processes through the WAPC is anticipated in Q4 2021. At some point in this process, it may be appropriate to place a moratorium on requests for rezoning, however any recommendation of this nature is not likely to occur until after the reviewed scheme has been advertised, and may only be applicable to some proposed scheme amendments. The purpose of a moratorium in these instances is primarily administrative and to allow for the orderly transition of an old local planning scheme to a new one.
20. An alternative, and more appropriate, resolution would be to request that due consideration be given to the City's broader strategic environmental framework (adopted and draft) at the time, if and when, a request to rezone rural land is made.

APPLICABLE LAW

21. Local Government Act 1995 – Section 3.1 Governance.
22. Planning and Development Act 2005 – Section 76
23. Planning and Development (Local Planning Schemes) Regulations 2005
24. Local Planning Scheme No. 3

APPLICABLE POLICY

25. Nil.

STAKEHOLDER ENGAGEMENT

26. Should the Council resolve to proceed with a request to rezone land there is a statutory obligation for the proposal to be advertised for comment.

FINANCIAL CONSIDERATIONS

27. N/A

SUSTAINABILITY

- 28. Any request for rezoning to be considered by the Council will include a comprehensive environmental analysis as part of the documentation presented, including consideration of the City's broader strategic environmental framework.
- 29. It is also important to note that any planning proposal is required to be considered against and to comply with the requirements of relevant local, state and federal environmental legislation and assessment requirements.

RISK MANAGEMENT

30.	Risk: Council adopts the electors' resolution and risks reputational damage.		
	Consequence	Likelihood	Rating
	Significant	Possible	High
	Action/Strategy		
	Consider an alternative resolution to satisfy the intent of the electors' resolution and meet the obligations of the local government to consider each planning proposal on its individual merit having regard for the City's strategic environmental framework and in compliance with relevant local, state and federal environmental legislation and assessment requirements.		

CONCLUSION

- 31. While the Council could seek to place a moratorium on the rezoning of all rural zoned land in the City, this is a very broad-brush approach to planning in the City and is not considered to represent good governance, or an appropriate way to deal with planning matters.
- 32. Having regard to the current and proposed planning framework at the time, including the City's strategic environmental framework, for any request made to rezone land, is considered the proper and orderly way to proceed. This approach recognises and respects the intent of the electors' resolution, while maintaining the City's decision-making obligations.
- 33. **Additional Information and Changes Since the 8 June 21 Agenda Briefing**
In addition to the information provided in the initial report published as part of the draft Agenda Briefing, further details are provided below as follows.

34. It is important to note that the City's strategic environmental framework (including of the LBS) seeks to support the City's planning framework. More specifically, the City's strategic environmental framework (including of the LBS) informs the planning process for areas of high biodiversity value that require further detailed assessment and, in some cases, statutory protection through planning processes including but not limited to the introduction of reservations. An example of this further assessment and protection in practice are the areas of high environmental value being reserved by the State Government through the Metropolitan Region Scheme as Parks and Recreation reserves within the Forrestfield North (High Wycombe South) Local Structure Plan area.
35. AGM 02/2021 is unclear as to its justification for a moratorium in the context of the LBS supporting and providing information as part planning assessments that have regard to and consideration of the environment as part of decision-making process. It could be stated that placing a moratorium of any form may actually work counter to the process as the rezoning of rural land and consideration of environmental matters can provide higher levels of protection, as is the case within the Forrestfield North (High Wycombe South) Local Structure Plan area.
36. On the basis of the information above, Point 2 of the Recommendation has been modified to include the phrase "of any form".

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the resolution (AGM 02/2021) of the Annual General Meeting of Electors dated 16 March 2021 and the recommendations contained in this report.
2. NOT place a moratorium of any form on the rezoning of rural zoned lands in the City.
3. NOTE that each planning proposal is required to be considered on the merits of the particular proposal, and due regard will be given, among other matters, to the City's strategic environmental framework (adopted and draft) when considering any future proposals to rezone rural land.

10.2. Asset Services Reports

10.2.1. Zig Zag Cultural Centre Asset Management Plan 2021

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 Planning
File Reference	4.00009549
Applicant	N/A
Owner	N/A
Attachments	1. Zig Zag Cultural Centre Asset Management Plan 2021 [10.2.1.1 - 31 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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 new asset management plan for the Zig Zag Cultural Centre (ZZCC). The Zig Zag Cultural Centre Asset Management Plan (AMP) is an assessment of the building asset and funding forecasts for the management of those assets over the long term. The key focus of this plan is on asset renewals and maintenance and not on the facility operations.
2. The buildings have a current gross replacement cost of \$4,184,000, depreciation \$94,000 per year, average annual renewal expenditure of \$17,000 and average annual maintenance expenditure of \$68,000. Based on detailed building condition inspections, the renewal works over the next 15 years requires average annual funding of \$29,000.
3. Council is requested to endorse the ZZCC AMP 2021, noting the proposed funding levels will be included in the annual budget process and Capital Works Program.

BACKGROUND

4. The facility is broken up into five main functional areas being the visitors centre, art gallery, café, public toilet and seminar room. The café is currently under a five-year lease expiring on 30 May 2021, with a further three by five-year term options available. Under the lease the Lessee is responsible for all maintenance and renewals for painting, fit out and kitchen appliances.
5. Council determined that it required an asset management plan for the ZZCC as a deliverable within the Corporate Business Plan for 2020/21.

DETAILS AND ANALYSIS

6. The AMP includes the following components:
 - a) Current Status of Assets;
 - b) Maintenance and Renewal Works Program;
 - c) Upgrades and Disability Access;
 - d) Financial Summary; and
 - e) Improvements, Monitoring and Review.
7. To inform the plan and forecast renewal works, detailed inspections were undertaken at a component level. These "Level 2" building inspections help to determine the estimated remaining useful life of the individual components. The resulting renewal works have been prioritised by year and included in the Capital Works Program. The resulting financial implications are explained below under Financial Considerations.

8. The preparation of this plan was supported by the Commercial and Cultural Services and the Building Maintenance business units. The Commercial and Cultural Services unit provided details on future upgrades, and the Building Maintenance unit provided the details on the planned and reactive maintenance schedules and reviewed the proposed 15-year renewal program.
9. The future renewal funding has identified and recommended the following major works in the first five years:
 - a) 2022/23 renewal of seminar room and public toilet gas hot water storage unit and ring main for \$20,000;
 - b) 2022/23 internal and external painting for \$75,000;
 - c) 2023/24 renewal of timber decking to the north side of the seminar room for \$25,000;
 - d) 2026/27 renewal of the gallery and seminar room commercial dishwasher for \$10,000; and
 - e) 2027/28 re-oiling of all exterior ceiling lining boards for \$20,000.
10. It is important to note that this AMP is directed towards an optimum refurbishment program that is consistent with the current use requirements of the ZZCC. If the City determined to change the direction that the ZZCC was to be used for then the necessary changes to the building structure, fabric and fit out to enact this new direction would be a new capital works program. The AMP would then need to be revised to reflect the changed asset base.

APPLICABLE LAW

11. The City is required to produce a plan for the future under S5.56 (1) of the *Local Government Act 1995 (WA)* and supporting *Local Government (Administration) Regulations 1996 (WA)*.

APPLICABLE POLICY

12. The AMP has been prepared in line with Service Policy 4: Asset Management.

STAKEHOLDER ENGAGEMENT

13. Internal consultation was undertaken with the Commercial and Cultural Services and the Building Maintenance business units.
14. Being an internal management plan, the AMP is not intended to be consulted with the wider community.

FINANCIAL CONSIDERATIONS

- 15. The building has a gross replacement cost of \$4,184,400.
- 16. Based on the past five years of historical expenditure, the average annual renewal expenditure is \$17,000 with an average annual maintenance expenditure of \$68,000.
- 17. Based on detailed building condition inspections undertaken, the renewal works identified over the next 15 years equates to a required average annual renewal funding of \$29,000. This is an increase of \$12,000 per year over the current level of funding.
- 18. The average annual maintenance budgets are considered appropriate to undertake the required statutory and non-statutory maintenance based on the 15-year average annual renewal funding proposed.

SUSTAINABILITY

- 19. Maintaining the standard of the building will continue to support, encourage and promote the active participation in social and cultural events within the community.

RISK MANAGEMENT

20.	Risk: The lack of effective planning for future renewal of assets leads to inefficient annual budgeting and less than optimal application of funds.		
	Consequence	Likelihood	Rating
	Moderate	Almost Certain	High
	Action/Strategy		
	Ensure asset management activities continue in line with national practice. Continue to improve practices, program funding for renewals and engagement with relevant stakeholders on levels of service.		

CONCLUSION

- 21. The renewal works identified over the next 15 years requires an average annual renewal funding of \$29,000 to maintain the facility in line with current service expectations.
- 22. The capital upgrades, new works and the disability access items will be scoped, estimated and submitted for consideration in future budgets.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council

1. ENDORSE the Zig Zag Cultural Centre Asset Management Plan 2021.
2. NOTE the total future renewal of \$150,000 will be listed for consideration in the annual budgets from 2022/23 to 2027/28.

10.2.2. Hartfield Park Recreation Centre Asset Management Plan 2021

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 Planning
File Reference	4.00009549
Applicant	N/A
Owner	N/A
Attachments	1. Hartfield Park Recreation Centre Asset Management Plan 2021 [10.2.2.1 - 30 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
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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 new asset management plan for the Hartfield Park Recreation Centre (HPRC). The HPRC Asset Management Plan (AMP) is an assessment of the building asset and funding forecasts for the management of those assets over the long term. The key focus of this plan is on asset renewals and maintenance and not on the facility operations.
2. The building has a current gross replacement cost of \$10,657,000, with depreciation \$271,000, historic annual renewal expenditure of \$115,000, and annual maintenance expenditure of \$131,000. Based on detailed building condition inspections, the renewal works over the next 15 years requires average annual funding of \$80,000 (a decrease).
3. Council is requested to endorse the Hartfield Park Recreation Centre Asset Management Plan 2021, noting the proposed funding levels will be included in the annual budget process and Capital Works Program.

BACKGROUND

4. The Hartfield Park Recreation Centre (HPRC) is broken up into five main functional areas: Main Basketball Stadium, Gymnasium, Squash Courts, Group Fitness Room and Creche. The adjoining Forrestfield United Soccer Club is not covered under this AMP.
5. Council determined that it required an AMP for HPRC as a deliverable within the Corporate Business Plan for 2020/21.

DETAILS AND ANALYSIS

6. The AMP includes the following components:
 - a) Current Status of Assets;
 - b) Maintenance and Renewal Works Program;
 - c) Upgrades and Disability Access;
 - d) Financial Summary; and
 - e) Improvements, Monitoring and Review.
7. To inform the plan and forecast renewal works, detailed inspections were undertaken at a component level. These "Level 2" building inspections help to determine the estimated remaining useful life of the individual components. The resulting renewal works have been prioritised by year and included in the Capital Works Program. The resulting financial implications are explained below under Financial Considerations.

8. The preparation of this plan was supported by the Community Development and Building Maintenance business units. The Building Maintenance unit provided the details on the planned and reactive maintenance schedules and reviewed the proposed 15-year renewal program.
9. The future renewal funding has identified and recommended the following major works in the first five years:
 - a) 2022/23 external painting of \$80,000;
 - b) 2023/24 internal painting of \$50,000, air conditioning renewals in creche, and spin cycle room of \$17,000, renew change room hot water storage units for \$20,000, and renovate squash court one for \$20,000;
 - c) 2024/25 renovate creche bathrooms for \$52,200, and renovate squash court two for \$20,000;
 - d) 2025/26 renew basketball court exhaust extraction fans for \$20,000, renew main foyer / creche evaporative air conditioning for \$40,000, and renovate squash court three for \$20,000; and
 - e) 2026/27 renew roof sheeting to group fitness and spin cycle roof for \$45,000 and renovate squash court four for \$20,000.
10. HPRC contains a minimal amount of asbestos material and is in the following building components:
 - a) External building eave sheeting – All 5m above ground level and painted with a risk rating of 9 (condition of material “Good” and probability of disturbance “Low”) being the safest rating within the Asbestos Risk Rating Matrix.
 - b) Vinyl Floor tiles in one small room currently used by staff for the Hartfield Park Irrigation computer (old first aid room). These tiles are also rated as a 9 (condition of material “Good” and probability of disturbance “Low”) being the safest rating within the Asbestos Risk Rating Matrix.

Funds of \$15,000 have been allocated in 2029/30 of the plan for removal of this asbestos.
11. It is important to note that this AMP is directed towards an optimum refurbishment program that is consistent with the current use requirements of HPRC. If the City determined to change the direction that HPRC was to be used for then the necessary changes to the building structure, fabric and fit out to enact this new direction would be a new capital works program. The current AMP would then need to be revised to reflect the changed asset base.

APPLICABLE LAW

12. The City is required to produce a plan for the future under S5.56 (1) of the *Local Government Act 1995 (WA)* and supporting *Local Government (Administration) Regulations 1996 (WA)*.

APPLICABLE POLICY

13. The HPRC AMP has been prepared in line with Service Policy 4: Asset Management.

STAKEHOLDER ENGAGEMENT

14. Internal consultation was undertaken with the Community Development and the Building Maintenance business units.
15. Being an internal management plan, the HPRC AMP is not intended to be consulted with the wider community.

FINANCIAL CONSIDERATIONS

16. The building has a gross replacement cost of \$10,657,000 and annual depreciation of \$271,000.
17. Based on the past five years of historical expenditure, the average annual renewal expenditure is \$115,000 with an average annual maintenance expenditure of \$131,000.
18. Based on detailed building condition inspections undertaken, the renewal works identified over the next 15 years equates to a required average annual renewal funding of \$80,000 (a reduction).
19. The proposed 2021/22 Maintenance Budget of \$107,000 is considered appropriate to undertake the required statutory and non-statutory maintenance based on the 15-year average annual renewal funding proposed.

SUSTAINABILITY

20. Maintaining the standard of the building will continue to support, encourage and promote the active participation in social and cultural events within the community.

RISK MANAGEMENT

21.	Risk: The lack of effective planning for future renewal of assets leads to inefficient annual budgeting and less than optimal application of funds.		
	Consequence	Likelihood	Rating
	Moderate	Almost Certain	High
	Action/Strategy		
	Ensure asset management activities continue in line with national practice. Continue to improve practices, program funding for renewals and engagement with relevant stakeholders on levels of service.		

CONCLUSION

- 22. The renewal works identified over the next 15 years requires an average annual renewal funding of \$80,000 to maintain the facility in line with current service expectations.
- 23. The current listed upgrade works have been scoped, estimated, and submitted for consideration for inclusion through the Capital Works Program for the 2021/22 Annual Budget. Nil disability access upgrades or improvements were identified as part of the building renewal inspections.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council

- 1. ENDORSE the Hartfield Park Recreation Centre Asset Management Plan 2021.
- 2. NOTE the total future renewal of \$587,700 will be listed for consideration in the annual budgets from 2022/23 to 2027/28.

10.2.3. Tonkin Highway / Hale Road Interchange: Status Update

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

Previous Items	OCM 242/2020; OCM 27/2021
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	3.009322; 3.009280
Applicant	N/A
Owner	N/A
Attachments	1. MRWA Response - Hale Road and Tonkin Highway [10.2.3.1 - 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 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

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

EXECUTIVE SUMMARY

1. The purpose of this report is to advise Council of the outcomes of a request to the State Government regarding the design of the proposed Tonkin Highway / Hale Road interchange.

2. The City sought from the State Government an alternate plan to their current plan to remove 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 of Roe Highway / Tonkin Highway ramps.
3. The State Government has advised that they will not be undertaking such alternate planning.
4. It is recommended that Council receive the response from the State Government noting their rationale for their decision and no further action be taken.

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. This matter was then progressed and a subsequent report provided to Council at the 23 March 2021 Ordinary Council Meeting. Council determined that (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.

7. This report now considers the outcome of item 2 of the March OCM decision.

DETAILS AND ANALYSIS

8. Currently vehicles turning from Hale Road onto Tonkin Highway have direct connection and do not need to leave and re-enter Tonkin Highway at Roe Highway.
9. The current planning design once the interchange project is completed for the northbound access from Hale Road onto Tonkin Highway will require vehicles from Hale Road to travel along an exit ramp on Tonkin Highway to the Roe Highway overpass and travel through a signalised intersection back onto a Tonkin Highway on ramp from Roe Highway.
10. The City wrote to the Minister for Transport; Planning and the Managing Director of Main Roads WA (MRWA) in December 2020 and April 2021 seeking an alternate plan for the northbound access that removed this inefficient access from Hale Road onto Tonkin Highway.
11. The acting Managing Director of MRWA responded to the Mayor and CEO on 12 May 2021. The response is provided as Attachment 1 to this report.
12. The specific rationale from MRWA is that their current design “offers the best balance between traffic efficiency, environmental considerations, local amenity and cost.”
13. It was noted that Council in reaching their decision regarding southbound access issues noted the Private Property and Bush Forever matters. It would appear for consistency’s sake that Council considers these issues regarding the northbound access issue.
14. It is acknowledged that the proposed northbound arrangements appear to provide increased travel time to access Tonkin Highway from Hale Road. It is also noted that far greater benefits to many more road users in reducing traffic congestion will result once the grade separated interchange of Hale Road and Tonkin Highway occurs.
15. It is disappointing that MRWA did not even provide the City with a simple sketch of any alternate arrangement supporting their view of why it was not preferred. However, it appears unlikely that continuing to advocate on this matter will provide any meaningful improvements.

APPLICABLE LAW

16. The following Acts would be referenced in any further consideration of this matter:
- a) *Planning and Development Act 2005;*
 - b) *Main Roads Act 1930;* and
 - c) *Land Administration Act, 1997.*

APPLICABLE POLICY

17. Communication and Engagement (Service 5).

STAKEHOLDER ENGAGEMENT

18. No formal or informal community engagement has been undertaken in response to MRWA's letter.

FINANCIAL CONSIDERATIONS

19. Nil.

SUSTAINABILITY

20. MRWA's position reflects that removal of trees and vegetation in a Bush Forever area would be required to consider any alternate plan. This would be viewed as having a negative sustainability outcome.

RISK MANAGEMENT

- 21.
- | | | |
|---|-------------------|---------------|
| Risk: That the City is exposed to reputational impacts for not being able to achieve improved traffic flow from Hale Road onto Tonkin Highway in a northerly direction compared to the current proposal of MRWA. | | |
| Consequence | Likelihood | Rating |
| Moderate | Likely | Medium |
| Action/Strategy | | |
| The City provides MRWA's response to the matter as required for the community. | | |

CONCLUSION

22. On the balance of matters surrounding this issue, it is recognised MRWA's consideration of environmental, private land and financial imposts upon the community at large has led them to their decision not to explore alternates and share these with the City. It is felt that it would be a fruitless exercise to continue pushing this issue.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVE the response from the State Government noting their rationale for their decision and no further action be taken.

10.2.4. Consideration of Potential Solar Farm Location

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

Previous Items	OCM 262/2019; OCM 200/2020
Directorate	Asset Services
Business Unit	Asset Services
File Reference	3.009592; DW-02/120
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	1. Community Engagement Report - Pioneer Park Future Use [10.2.4.1 - 86 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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 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.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek endorsement that the preferred location for a solar farm for the City of Kalamunda (City) would be within the contaminated site known as Pioneer Park.
2. The basis of this report comes from further community consultation specific to the proposed site stemming from 2019 consultation regarding the support of the community to the general idea of a solar farm.
3. It is recommended that Council note the next steps in this project including Expressions of Interest for a project partner and further development of the contaminated site management plan.

BACKGROUND

4. At the October 2020 Ordinary Council Meeting, a feasibility study into a solar farm was received by Council. It was resolved (OCM 200/2020) that Council:
 1. *RECEIVE the report (Attachment 1) regarding the feasibility of a solar farm at Pioneer Park.*
 2. *ENDORSE the following actions to be undertaken by the City:*
 - a) *develop and implement a community engagement plan regarding the concept of a solar farm at Pioneer Park;*
 - b) *consult at senior level with WAPC to seek their approval in principle or otherwise for a solar farm to be located at Pioneer Park;*
 - c) *complete the studies to resolve the status of the contaminated site or otherwise for Pioneer Park; and*
 - d) *seek Expressions of Interest from the market into the potential for development of the site at Pioneer Park for a solar farm.*
 3. *RECEIVE a subsequent report on the subject at an appropriate time.*
5. The City has completed Item 2a) and can report progress on items 2b) and 2c).

DETAILS AND ANALYSIS

6. The 2020 Catalyse Community Engagement Survey produced a strong response regarding the community’s view as to the City’s role in leadership and advocacy in terms of climate change and sustainability as shown in the following extract -



- 7. The Solar Farm initiative has been undertaken by the City partially in response to the Community sentiment regarding sustainability leadership by the City.
- 8. Between June and July 2019, the City undertook community engagement regarding sustainability in general and solar power specifically. A total of 371 responses were received during this period reflecting strong support for a solar farm initiative.
- 9. During March 2021, the City undertook further community consultation regarding the potential for a solar farm specifically located at Pioneer Park. A total of 121 responses were received with 98 (81%) responding that Pioneer Park was a suitable location for a solar farm.
- 10. Within this engagement phase was specific letter box drops to nearby residents and schools to ensure that they were aware of the proposal.
- 11. The community engagement report is included as Attachment 1 to this report.
- 12. Specific matters raised during the community engagement, such as access, suitability of the site, amenity and the loss of open space will be taken up as the project progresses.
- 13. Regarding the WAPC consultation, the advice provided to the City was that WAPC would only consider the proposal if a genuine Development Application was lodged and would not be providing any ‘in principle’ support or advice.
- 14. This matter whilst it is a risk to the project viability can be dealt with later and as such is not a barrier to continuing the project planning.

15. The City is continuing investigations into the necessary remediation or other treatment of Pioneer Park (and Brand Road tip site) in terms of contaminated sites. This work will continue through 2021/22.
16. Based on the above findings, it is proposed that the project continues to the Expression of Interest phase.

APPLICABLE LAW

17. *Local Government Act 1995*
Planning and Development Act 2005
Contaminated Sites Act 2003

APPLICABLE POLICY

18. Governance 8: Risk Management.

STAKEHOLDER ENGAGEMENT

19. As detailed in Attachment 1 to this report.

FINANCIAL CONSIDERATIONS

20. The current 2020/21 budget provides resources for contaminated site investigations and works, including Pioneer Park.
21. The draft 2021/22 budget provides \$5,000 to develop and undertake the Expression of Interest process.

SUSTAINABILITY

22. This project if developed will see a significant increase in the renewable energy component of the City's overall electricity consumption.
23. The selection of Pioneer Park for the solar farm is likely to be the best and highest use given the nature of the contaminated site.

RISK MANAGEMENT

24.

Risk: The City is unable to find project partners willing to invest in the project within suitable terms resulting in project delays whilst alternatives are considered.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Evidence exists of many suitable partnerships underway in this area.		

CONCLUSION

25. The community sentiment is in favour of Pioneer Park being firmed up as a potential solar farm site. Planning should now continue on that basis.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE this report into the progress of the Solar Farm project.

10.3. Corporate Services Reports

10.3.1. City of Kalamunda Creative Communities: An Arts Strategy Consideration of modifications

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

Previous Items

Directorate Corporate Services

Business Unit Commercial and Cultural Services

File Reference

Applicant City of Kalamunda

Owner N/A

Attachments 1. Creative Communities Summary of Findings [6ZKG]
[10.3.1.1 - 4 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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.

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 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.

EXECUTIVE SUMMARY

1. The purpose of this report to consider and endorse for community consultation proposed modifications to the City of Kalamunda Arts Strategy 2019.
2. The proposed modifications have been identified through comprehensive consultation with all internal stakeholders.
3. It is recommended that Council REQUEST the Chief Executive Officer to undertake community consultation in response to the internal Arts Strategy review and provide a report to Council with the consolidated findings and a new draft strategy.

BACKGROUND

4. The City of Kalamunda, through its Arts Advisory Committee, endorsed Creative Communities: An Arts Strategy in 2019. This three-year Arts Strategy identified four objectives:

- a) Diversify the economy of the City by ensuring that the contribution by the arts is well-recognised for its value enabling this part of the economy to continue growing;
 - b) Increase engagement by residents to become more involved in the many disciplines of the arts as creators, audience and source of ideas;
 - c) Increase arts investment to the City from diverse external sources;
 - d) Improve the visual appeal of communities and public places across the City so that they are used and valued by residents and so that visitors want to return to explore the City.
5. Three Key Focus Areas were identified, with actions to be implemented 2019-2021.
- a) Place-making and Identity: Urban and commercial developments and renewal.
 - b) Community Enrichment, Creativity and Pride: Shared experiences created by and for residents and visitors to Kalamunda City;
 - c) The Kalamunda City Economy: The Arts growing, diversifying and recognised as a valued part of local life.
6. At the Ordinary Council Meeting of 15 December 2020, Council resolved:
- That Council:
1. NOTE the advice received from the Kalamunda Arts Advisory Committee.
 2. REQUEST the Chief Executive Officer undertake a comprehensive review of the Arts Strategy 2019 to address the following matters:
 - a) Ensuring any City projects designated as requiring an art component, are identified by the City, and submitted to Council for approval during annual budget deliberations.
 - b) The creation of a volunteer panel of artists to provide advice to the City during the development of concept designs of projects requiring artistic input as designated by Council.
 - c) Any other matters within the Arts Strategy identified as requiring adjustment or clarification.

DETAILS AND ANALYSIS

7. A staged approach to reviewing the Strategy has commenced with the following methodology undertaken:

Stage 1: Consultation with internal stakeholder departments (listed below).

Stage 2: Review findings of Internal Review and present Council with draft findings and modifications and seek endorsement to proceed to Community Consultation.

Stage 3: Conduct Community consultation (3 in person workshops proposed, 1 online workshop proposed).

Stage 4: Prepare draft Arts Strategy and present to Council for endorsement of referral to Advisory committees.

Stage 5: Prepare Final Strategy for presentation to Council.

8. The internal consultation involved stakeholder departments including Arts and Culture, Tourism and Economic Development, Community Development, Community Engagement, Events, Planning, Assets, People Services and the Executive Management Team has been completed. (Full commentary listed in Appendix 1).
9. The key themes and findings of the Internal review are summarised below:
 - a) The role of the Arts Advisory Committee within the framework of the strategy is unclear and needs to be reviewed.
 - b) As a city led strategy, a stronger link to the Strategic Community Plan is required. This includes a timeframe alignment and strong connection to the City's priority areas. Additionally, a welcome to country and CEO or Mayor's forward is desired.
 - c) The strategy could be more inclusive with stronger representation of our Culturally and Linguistically Diverse (CALD) community, Seniors, Families and Youth. Several strategic documents don't appear to be included such as the Youth strategy.
 - d) Current cultural facilities and activities should become a feature of the strategy and actions to enhance and improve. The Zig Zag Gallery and the Kalamunda Performing Arts Centre are pivotal to our creative community and play a minimal role in the focus of the Strategy (focus areas to be redeveloped).
 - e) References to built form and planning related matters should be removed. Planning strategies, urban design and commercial

developments are addressed through planning policy and covered in the Public Art Policy.

10. It is now proposed that community consultation be undertaken on the proposed modifications to develop a new Arts Strategy for Council Consideration.
11. The recommended community consultation process includes at least three in person workshops being held together with one “online” workshop to maximise community input.

APPLICABLE LAW

12. *Local Government Act 1995*

APPLICABLE POLICY

13. Not applicable.

STAKEHOLDER ENGAGEMENT

14. A staged approach to reviewing the Strategy has commenced with the following methodology undertaken:

Stage 1: Consultation with internal stakeholder departments including Arts and Culture, Tourism and Economic Development, Community Development, Community Engagement, Events, Planning, Assets and People Services. The Executive Management Team were also consulted (Findings listed in Appendix 1).

Stage 2: Review findings of Internal Review and present Council with draft findings and modifications and seek endorsement to proceed to Community Consultation.

Stage 3: Conduct Community consultation (3 in person workshops proposed at locations throughout the City, 1 online workshop
During this time members of the community unable to attend a workshop also encouraged to have their say online or submit a feedback form.

Stage 4: Prepare draft Arts Strategy and present to Council for endorsement of referral to Advisory committees.

Stage 5: Prepare Final Strategy for presentation to Council, to be complete by September OCM to align with appointment of new Advisory committee in October 2021.

FINANCIAL CONSIDERATIONS

15. Several activities and programs references within the Draft Arts Strategy have a financial implication and will be subject to Council budgeting processes. All activities and programs will be considered in the context of the City's strategic priorities.
16. Successful implementation of the Arts Strategy will be impacted by both the availability of operational funds for program delivery as well as staffing resources and capacity.
17. Costs associated with the proposed community consultation and preparation of documentation are met through the current Cultural Services annual budget.
18. 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

19. A thriving Arts and Cultural Community can provide local employment, local creative opportunity and opportunity for social connection and inclusion. Additionally, Arts and Cultural engagement stimulates intrinsic responses such as increased self-belief, self-empowerment, sense of belonging and other outcomes that contribute to the improved social wellbeing of people and their communities.

Economic Implications

20. Expansion of Cultural Hubs and creative activity will increase economic output to the city. In 2017, the Bureau of Communications and Arts Research released figures to indicate that the cultural and creative activity in Australia contributed \$117 billion dollars to the economy.

Environmental Implications

21. An engaged arts and cultural community are a powerful tool to implement and influence positive social change particularly in relation to environmental issues.

RISK MANAGEMENT

22.

Risk: The community disagrees with the strategic direction and actions of the strategy.		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Undertake community engagement and appropriately respond to submissions received and adjust the document as part of the finalisation of the Strategy.		

23.

Risk: Lack of coordination in the development of the Art Strategy results in an uncoordinated and reactive approach to delivery of the Strategy.		
Consequence	Likelihood	Rating
Likely	Moderate	Medium
Action/Strategy		
Adopt the draft strategy for the purposes of community consultation.		

24.

Risk: Expectations for the delivery of Arts and Cultural activities are too high and cannot be achieved or funded.		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Undertake community engagement and appropriately respond to submissions received and adjust the document as part of the finalisation of the Strategy.		

CONCLUSION

25. A review of the Creative Communities: An Arts Strategy was resolved by Council on 15 December 2020 with a staged approach (Details and Analysis).

Internal consultation has highlighted several themes in relation to the current strategy which include:

- a) Strategic alignment to the Community Strategic Plan is not evident and needs to be revised.

- b) The revised Arts Strategy will inform the future growth of the Arts and Cultural sector and ensure future success for the City of Kalamunda.
- c) It is noted that the Strategy will be influenced by Community Consultation which will assist in refining opportunities, strategies, and actions for focus areas.
- d) A city led, inclusive Arts Strategy that aligns with the strategic direction of the city will ensure the high-level objectives of the current and renewed strategy are realised.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council

1. ENDORSE the full review and revision of the Creative Communities: An Art Strategy.
2. REQUEST the Chief Executive Officer undertake a community consultation to review the Creative Communities: An Art Strategy.

10.4. Office of the CEO Reports

10.4.1. Consideration of a Draft Business Case for a New Aquatic Facility for Public Advertising

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

Previous Items	OCM23/2013
Directorate	Office of the CEO
Business Unit	Community Development - Leisure Planning
File Reference	
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	<ol style="list-style-type: none"> 1. Attachment One - Needs Assessment For New Aquatic Facility [10.4.1.1 - 77 pages] 2. Attachment Two - Needs Assessment - Potential Aquatic Centre Sites [10.4.1.2 - 49 pages] 3. Attachment Three - Business Case For New Aquatic Facility - Final Report - Part Two [10.4.1.3 - 59 pages]
Confidential Attachments	<ol style="list-style-type: none"> 1. Attachment One - Needs Assessment - On-Line Survey Results 2. Attachment Three - Needs Assessment - Recent and Proposed Aquatic Facility Developments

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person."

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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 2027

Priority 1: Kalamunda Cares and Interacts

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

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

Strategy 1.2.2 - Advocate and promote healthy lifestyle choices by encouraging the community to become more physically active.

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 3.1 - 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.

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 for Council to endorse the needs assessment report and the draft business case for new aquatic facilities (the Business Case) for the purpose of seeking public comment.
2. The Business Case outlines investigations and recommendations in terms of aquatic facility provision within the City of Kalamunda (City), to meet the current and future needs of the community, in a sustainable manner. Given the level of detail and complexity of the Business Case it is recommended an extended community comment period be considered.

3. It is recommended that Council endorses the Needs Assessment (Attachment One and Two) and the draft Business Case proposal for new aquatic facilities (Attachment Three) for the purposes of a minimum 90-day public advertising period.

BACKGROUND

4. The City has previously undertaken several studies on the future of the Kalamunda Water Park including:
 - a) Aquatic Feasibility Study 2007
 - b) Future of Hartfield Park Recreation Centre 2013
 - c) Community Facilities Plan 2011 - 2031.
5. In 2013, Creating Communities completed a study into the "Future of Hartfield Park Recreation Centre". The study identified an opportunity to provide an aquatic's component to the existing dry facilities at Hartfield Park Recreation Centre. A major constraint for this opportunity is the removal of significant natural vegetation on a Bush Forever site. Due to this constraint the site was not progressed any further leaving the City at that time with no specific site for a future aquatic centre.
6. At the March 2013, Ordinary Council Meeting, the following resolution was carried:

That Council:

 1. *Receives the report for the Future of Hartfield Park Recreation Centre Study.*
 2. *Agrees to the development of a comprehensive business case for a collocated Aquatic/Recreation facility within the Shire by 2023, once the decision of the amalgamation has been finalised.*
7. The City currently operates the Kalamunda Water Park (KWP), located on Canning Road, Kalamunda through a Management Agreement with Belgravia Leisure. The facility is operated seasonally, through the months of November to March each year. The facility currently provides an unheated outdoor 50m pool, learn to swim pool, toddlers pool and water slides that is supported by a kiosk, administration area and semi-enclosed changerooms.
8. The KWP has serviced the community well for over 55 years, however the facility is now nearing the end of its useful life and the original design of the facility is no longer considered adequate for the contemporary needs of the community.

9. Over the last few years, the KWP main pool shell has experienced numerous water leaks due its age and subsequent condition. Suitably qualified experts have advised that these issues will continue, and likely increase in frequency and severity. In essence, the main pool shell requires a complete replacement, as it is nearing the end of its useful life and repairs are no longer a practical or a viable long-term option for the City.
10. Similarly, the water slides are also nearing the end of their useful life and require replacement in the near term.
11. In 2018, the City undertook preliminary investigations into the costs of simply replacing the 50m outdoor unheated pool with a new 50 outdoor unheated pool. This preliminary investigation indicated a replacement cost in the order of \$3.5m. These exclude any improvements to the user facilities (i.e. changerooms, kiosk).
12. In the 2020/21 financial year, the KWP had a total of over 37,000 visitors. The visitation rates over the last two years have been reduced due to COVID-19 restrictions such as lockdowns. Prior to COVID-19 the KWP was averaging around 42,000 visitors a season. The annual net subsidy for the KWP is \$230,000.
13. For several years now, the City has regularly received feedback from the community that the KWP no longer meets their expectations, primarily due to the water being cold (heating required); the need for year-round access to heated water and improved amenities, such as enclosed showers and hot water. These factors can strongly be attributed to a stagnant visitation rate that has been experienced for many years.
14. In response to the KWP nearing the end of its useful life and the previous Council resolution (OCM23/2013), the City engaged Complete Community Solutions (CCS) Strategic in September 2019 to develop a Needs Assessment report and Business Case. The Business Case is now presented to Council for consideration and endorsing for the purposes of seeking public comment.

DETAILS AND ANALYSIS

15. **Business Case for New Aquatic Facility within the City**
The Business Case provides the City with a framework and staged strategy to deliver adequate aquatic infrastructure to the community now and into the future.

16. The Business Case has involved a detailed analysis into the community's needs and desires, current and projected demographics, potential sites, industry trends, development options and implications, staging and financial modelling.
17. The Business case provides insight into the costs of provision of aquatic facilities under the various options. It is not a firm cost estimate given the preliminary concept nature of the report. The City will be required to undertake further detailed analysis and costings once a preferred model and site or sites have been determined by Council.

Community Consultation

18. In November 2019, the City undertook a detailed community consultation process including:
 - a) Two community workshops which attracted over 50 participants.
 - b) A community visioning survey which attracted over 680 responses.
 - c) One on one discussions with relevant stakeholders including local sporting clubs and State Sporting Associations.
19. In summary, the community consultation process identified a strong community need for modern and contemporary aquatic facilities within the City with over 85% of respondents indicating support for a new aquatic facility.
20. In particular, the community expressed a desire for both indoor and outdoor heated aquatic facilities, access to facilities year-round, be accessible for the entire community and be within proximity to residents. This confirmed the regular feedback received from the community prior to the study commencing. The local community also viewed aquatic facilities as providing an essential service for undertaking physical activity (lap swimming), teaching the essential skill of swimming, cooling off during summer and providing fun activities for all ages.
21. Respondents to the survey indicated a preference for a new aquatic facility to be developed at the existing KWP site and/or in the foothills as it is currently underserved by aquatic facilities, however it should be noted that a higher number of hills residents participated than foothills residents in the survey.

Trends in Contemporary Aquatic Facility Provision

22. The provision of aquatic facilities has evolved from being predominately outdoors and seasonal (i.e. KWP) to year round multifunctional facilities that provide a mix of outdoor and indoor pools and are collocated with other community facilities such as indoor sports courts, libraries and communities centres. It is also becoming more common for these multifunctional facilities to be collocated with health and education services, to create a community hub.
23. Community hubs are effectively a one stop shop to service a range of social, recreational, health and wellbeing needs of the community. The community hub approach is also an effective method of land use planning, can increase service delivery opportunities, increase facility utilisation, activate town centres and improve operational efficiencies of community facilities.

Community Needs Assessment

24. The community consultation process, demographic, trends and facility planning analysis informed a detailed community needs assessment that identified the following:
- a) The KWP is reaching the end of its useful life and does not meet the contemporary needs of the City's entire community.
 - b) The City's projected population of 71,400 residents by 2041 (1d Forecast) supports the need for a district level aquatic facility within its locality, according to community facility planning guidelines (Facility to population ratio - 1:75,000).
 - c) An aquatic facility catchment analysis identified a service gap in the foothills area (including the suburbs of Forrestfield, Wattle Grove, High Wycombe and Maida Vale), where the majority of the City's population resides and is forecasted to grow from 37,648 residents to 46,337 residents by 2041 (1d Forecast).
 - d) There is no privately or publicly operated aquatic centre within the City that meets all of the needs espoused by the Community.
 - e) There is limited number of alternative smaller aquatic facilities within the City that are privately operated however they do not meet all of the needs. The nearest publicly accessible facilities of any size for the foothills community is generally beyond a 5km catchment, which supports the service gap identified. The hills suburbs are currently serviced by the KWP, however apart from KWP the nearest publicly accessible facilities are up to 10km away.
 - f) The City has a strong demand from the community for a new contemporary aquatic facility and that such a facility would provide significant health and wellbeing benefits.

- g) Trend in contemporary aquatic facility provision support the community hub approach to maximise the social, economic and wellbeing benefits for the community.
- h) The three swimming clubs based in the City, who have a combined membership of over 400 persons and their associated State Sporting Associations are all supportive of improving aquatics infrastructure within the City, presenting an opportunity to work with these organisations to maximise usage and sustainability of any development.

Site Analysis and Rationale

- 25. The Business Case identified a total of 19 sites within the City that may potentially be able to locate an aquatic facility. Most of these sites were ruled out due to private ownership, insufficient size, proximity to other facilities or significant known development constraints.
- 26. In summary, two potential sites have been recommended in the Business Case, namely the existing KWP site and the community purposes site within the Forrestfield North District Structure Plan (FNDSP) (commonly referred to as High Wycombe South). These sites were the only sites to be of sufficient size, are well located near transportation links and have manageable site constraints.
- 27. In the case of the FNDSP, a further opportunity is presented as the potential aquatic facility could be collocated with the draft planned district level community centre and library as per the Forrestfield North Community Infrastructure Plan, which was endorsed by Council as part of the FNDSP.

State Government Community Facility Planning

- 28. METRONET has developed a concept for a multi-purpose community hub and aquatic centre adjacent to the new High Wycombe Station, however it is currently unfunded with efforts to secure commonwealth contributions planned.

Potential Development Opportunities

29. Based on the community needs assessment the Business Case finalised the following four potential development options for further consideration being:

Development Opportunities	Key Facility Components
Kalamunda Option 1a - Existing KWP	<ul style="list-style-type: none"> • Heated outdoor 50m pool. • New water slides. • Upgraded administration and changerooms.
Kalamunda Option 1b - Existing KWP	<ul style="list-style-type: none"> • Heated indoor 25m pool and indoor learn to swim pool. • New administration and changerooms. • New water slides. • Creche.
High Wycombe Option 2a - Foothills Aquatics Facility	<ul style="list-style-type: none"> • Heated indoor 25m pool and indoor learn to swim pool. • Spa, Sauna, steam room and hydrotherapy pool. • Fitness centre including gymnasium and group fitness studios. • New administration and changerooms. • Café and Creche.
High Wycombe Option 2b - Foothills Aquatics Facility	<ul style="list-style-type: none"> • Same as option 2a, plus heated outdoor 50m pool and new water slides.

30. During the development of the Business Case, the full redevelopment of KWP site (Option 1a and 1b together as one build) was not deemed appropriate due to:

- a) community facility planning analysis indicating that the most feasible location for a large aquatic and leisure facility is in the foothills where the largest portion of the City's population resides now and into the future.
- b) potential facility duplication and over servicing of the community reducing the financial performance of both facilities with increased costs for two large scale facilities in operation at the same time.

31. The Business Case recommends that subject to detailed feasibility, the City develop two aquatic facilities being:
- a) Option 1a – KWP heated outdoor 50m pool (seasonal operation); and
 - b) Option 2b – Foothills Aquatic Facility.

If a two aquatic facility model is not deemed financially affordable for the City, then the Business Case recommends investment in only Option 2b – Foothills Aquatics Facility. This is deemed to be the preferred facility, given:

- a) the level of service it is proposed to offer the entire City as part of the multifunctional community hub approach.
- b) being close to the majority of the City's population base, therefore likely attracting the greatest utilisation.
- c) being close to major transportation links, that can best service the entire City.
- d) offering activation opportunities for the FNDSP; and
- e) the opportunity to attract external advocacy funding, given the preliminary study being undertaken by the State Government.

APPLICABLE LAW

32. Local Government Act 1995.

APPLICABLE POLICY

33. Risk Management (Governance 8) ensures consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.
34. Disability, Access and Inclusion (Service 3) ensures an inclusive community through compliance with the Disability Services Act 1993 and Regulations 2004.
35. Asset Management (Service 4) ensures assets reflect a sustainable approach to service delivery and meet the current and future needs of the community.
36. Communications and Engagement (Service 5) to guide the community engagement process and strategy for the Public Advertising period.

STAKEHOLDER ENGAGEMENT

37. In the development of the Business Case, the Consultant undertook a detailed community consultation process including:
- Two community workshops in November 2019 which attracted over 50 participants.

- A community visioning survey in November 2019 which attracted over 680 responses: and
 - One on one discussions with relevant stakeholders including local sporting clubs and State Sporting Associations.
38. The Consultant obtained input and feedback from within the various service areas within the City including: Planning, Finance, Economic Development, Development Services, Library Services, Asset Services and Asset Delivery.
39. The Consultant and City Officers have liaised with the State Government through multiple agencies including DPLH, DWA and METRONET in the development of the City's Business Case and provided input into the State's business case for a community hub within the FNDSP.
40. The Consultant presented outcomes of the Needs Assessment, consultation, and initial concepts to a Council strategy session in July 2020. The key findings of the Business Case and the proposed development options were then workshopped with Council at a strategy session in October 2020.
41. City Officers further presented the Business Case to Councillors in February 2021. Councillors then attended an aquatic facilities study tour to Armadale Aquatic and Fitness Centre and Cannington Leisureplex in March 2021.
42. As a result of discussions on the 8 June 2021 at the Councils, Public Agenda Briefing session, further consideration has been given to extending the Public Advertising period from 60-days to a minimum 90-days. An extension of time will ensure the community can adequately consider the Business Case.
43. It is now proposed that the community consultation process commence for a minimum 90-day Public Advertising period and be promoted through:
- a) A copy of the Needs Assessment and the Business Case being provided to relevant user groups and stakeholders.
 - b) The City's website and other social media channels.
 - c) Published on *Engage Kalamunda*.
 - d) A copy of the Needs Assessment and the Business Case being located at key City of Kalamunda locations.
 - e) A media release and advertisement will be placed in the local newspaper.
 - f) A feedback survey be developed to solicit which of the options the community would support, if the community will support the proposal that capital funding will need to be provided from external

funding sources through advocacy effort and if the community is prepared to fund the ongoing operating costs through a rate increase for any of the options provided.

FINANCIAL CONSIDERATIONS

Existing Net Subsidy KWP

- 44. The existing net subsidy to operate the KWP, under a management agreement with Belgravia Leisure, is approximately \$230,000 per annum. This is assessed as being a relatively efficient model for the City, however it is noted that the facility no longer meets the contemporary needs and expectations of the community.

Operational Financial Modelling

- 45. The Consultant has developed financial models for the proposed developments within the Business Case. The financial models are based on a series of industry benchmarks, projected attendances (incorporating the anticipated impact of one or two facilities), existing performance of KWP and existing market conditions.
- 46. The financial model provides both a conservative and optimistic approach. It does not include corporate overheads and depreciation. The financial models are also based on the assumption of mature facility operations which may not be the case in early years of operations which may result in lower than forecast revenues in early years. These matters will need to be fully identified during detailed feasibility stage once an option or options have been selected.
- 47. Section 10.3 of the Business Case identifies estimated revenues and costs of the two preferred options operating at the same time as follows:

	Option 1a		Option 2b	
Key Components	Hills Facility KWP Stage 1 50m pool + LTS + new slides		Foothills Aquatic Facility - 900m ² Fitness indoor 25m - LTS = hydro + slides + 50m outdoors	
Capital Outlay	\$7,555,946		\$31,907,585	
Operating Scenarios	Conservative	Optimistic	Conservative	Optimistic
Annual Attendance	45,000	60,000	370,000	415,000
Operating Income	\$361,985	\$509,398	\$3,387,930	\$3,953,510

Operating Expenditure	\$1,081,114	\$1,088,564	\$4,715,883	\$4,725,348
Operating Loss	\$719,129	\$579,186	\$1,327,953	\$771,838
Subsidy per patron	\$15.98	\$9.65	\$3.59	\$1.86

48. Section 10.4 of the Business Case shows a slightly more favourable projected operating model if option 2 (b) only was operated by the City. This is shown by the following table:

	Option 2b	
Key components	HWCH complete - 900m2 fitness + indoor 25m + LTS + Hydro	
	+ Slides + Outdoor 50m	
CAPEX	\$31,907,585	
OPEX Scenarios	Conservative	Optimistic
Attendance	400,000	465,000
OPEX Income	\$ 3,723,800	\$ 4,398,200
Opex Expenditure	\$ 4,720,497	\$ 4,739,015
Corporate O'heads	\$ -	\$ -
Operating loss	\$ 996,697	\$ 340,815
Total net cost	\$ 996,697	\$ 340,815
User subsidy	\$ 2.49	\$ 0.73

49. Moreover, as the City undertakes large scale capital investments such as these, there is an increase in the value of assets under City management. The City undertakes annual asset renewal programs which are geared towards not only maintaining these assets in good order but also demonstrate prudent financial management required by the State Government through the Integrated Planning and Reporting Framework. This Framework has Asset Sustainability targets for each Local Government measured as a ratio of annual investment in asset renewals compared to the annual depreciation of these assets.

50. In essence this means that as the City grows its asset base it also needs to grow its recurring annual capital investment in asset renewals. The quantum of this recurring annual capital investment will depend on what facility or facilities are developed and their capital value. Development of KWP Option 1a would necessitate an increase of \$135,000 in the City's asset renewal annual spend whilst development of Foothills Aquatic Facility Option 2b would necessitate an increase of \$576,000 in the City's asset renewal spend and both centres together would necessitate an increase of \$711,000 in the City's asset renewal annual spend.
51. It is important to note that the any operating loss incurred & increase in asset renewals will be a charge against total rates revenue. Should these costs not be able to be absorbed within the total rates revenue of the City, rates will be required to be increased as a one-off step increase once the preferred aquatic centre outcome is constructed to cover the immediate increase in operating expenses and asset renewal costs. Year on year thereafter, the operating cost increases and asset renewal projects would be included as part of the necessary annual budget processes to determine the year-on-year rate increases.
52. The operational financial modelling will need to be continually analysed and updated by relevant industry experts during the next planning and facility detailed design stages. At the appropriate stage the City will also further consider the management arrangements for each facility, i.e. operated by the City or externally outsourced to professional aquatic facility operators.

Impact on Operational Financial Capacity

53. The financial modelling indicates that operating only one facility within the City is the most sustainable approach.
54. All financial models considered within the Business Case effectively result in a necessary increase in rate funded subsidy to operate aquatic facilities as there does not appear to be any scenario where the aquatic facilities will operate without some.
55. A two aquatic facility model (in the conservative option analysis) may result in an equivalent one-off rate rise (operating loss and asset renewal uplift) of approximately 6.8%, while Foothills Aquatic Facility by itself may conservatively result in an equivalent one off rate rise of approximately 3.6%, both with ongoing cost increases annually to be covered by rate subsidies unless alternative funding can be sourced.

56. While rate rises are one option to meet the estimated increased net subsidies, alternative measures such as the review and rationalisation of assets that are no longer functional, outdated and underperforming and / or a reduction in service levels of existing services may assist.
57. It is also noted in the Business Case that for the Foothills Aquatics Facility could be collocated with the community hub component (Library and Community Centre) this would require an additional \$16 million. The estimated total project cost for this combined facility is \$48 million. This would only be able be realised through external funding from State or Federal Government.
58. It should be noted that at this stage these figures are high level cost estimates, inclusive of preliminaries, escalation, public art policy, contingencies, and professional fees. Detailed capital and whole of life costings will be developed prior to the implementation of each project identified within the draft Business Case.
59. The implementation of the Foothills Aquatic Facility (Option 2b) project will form part of the City's advocacy strategy to both State and Federal Governments, given the potential significant community benefits gained across the City's entire community.
60. Pending the outcome of the City's advocacy efforts for the Foothills Aquatic Facility and determination of feasibility in respect of ongoing costs a potential funding strategy for Option 1a (KWP heated outdoor pools) may include:
- Consideration through the annual budget deliberation processes.
 - Loan funding; and
 - Grant funding through the State Governments, Community Sporting and Recreation Facilities Fund program.
61. It is reasonable to expect that a 10-20 year timeframe, in line with development that will occur as an outcome of the FNDSP, will be required to complete the implementation of the Business Case, with the schedule of works needing to be staged in such a manner that will ensure maximum opportunity for the City to leverage external funding and advocacy.
62. **Land for the Foothills Aquatic Facility**
Discussions with senior staff within the State Government indicate that the land for the future community hub at High Wycombe should be a community purpose reserve under ownership of the Crown with appropriate management orders to the relevant authority.

SUSTAINABILITY

Social Implications

63. The Business Case has identified a strong need within the City for improved community facilities that deliver contemporary health and wellbeing benefits. Contemporary aquatic facilities are the preferred manner to achieve this need. A healthy and active community can result in:
- a) improved physical activity levels, therefore reducing common health issue amongst the community (i.e. diabetes, heart disease);
 - b) improved mental wellbeing of the community, as physical activity can reduce mental stress and anxiety.
 - c) an activated community that will improve its social cohesion and networks; and
 - d) reduced reliance on the health system.
64. National sports participation data indicates that passive sporting pursuits such as the swimming, running, walking and gymnasiums are amongst the most popular activities in Australia, and likely to continue to grow into the future. This increase in popularity is likely attributed to society becoming more time poor. Swimming is also known for being a lifelong healthy lifestyle activity for all ages and abilities.
65. Community hubs exposes a community to the full spectrum of services, resulting increased community awareness and usage of these services and greater accessibility and throughput.
66. Contemporary aquatic and community facilities require good public transport connections to ensure accessibility for the entire community. The best opportunity for the City to achieve this is for the proposed Foothills Aquatic Facility to be located within the FNDSP area adjacent to the High Wycombe train station.

It is understood that the Public Transport Authority (PTA) is currently reviewing bus services throughout the City in preparation for the new train station.

The City will continue to advocate for improved bus accessibility to the area, which will ensure the Foothills Aquatic Facility is well connected to the entire City.

A key focus for the City in working with the PTA will be ensuring key activity centres are linked through servicing (i.e. Kalamunda Town Centre – High Wycombe Station Precinct)

Economic Implications

67. The implementation of the Business Case will assist in providing local job opportunities and provide increased economic activity to the City of Kalamunda during the construction phase and post construction. It is estimated the economic multiplier effect of a \$32 million investment would be five times that or \$160 million circulating into the local economy.
68. It has been estimated that implementation of the Business Case will result in local job creation both during the construction phase as well as the ongoing operational requirements for staffing such facilities.
69. The Foothills Aquatic Facility is proposed to be located adjacent to the High Wycombe train station which is envisaged to be a mixed use residential and commercial area. Development of the Foothills Aquatic Facility will highly likely activate the train station precinct and become a vibrant destination for the community. This type of development may even stimulate additional commercial and residential development within the Transit Oriented development area.

Environmental Implications

70. The conceptual building design process for the Foothills Aquatic Facility is envisaged to be an environmentally sustainable facility and the City will aim for the development to be an exemplar of sustainability and low carbon footprint performance. This would be achieved through robust investigations into energy systems, building construction and landscaping to achieve these outcomes.
71. One of the primary areas where energy consumption and carbon footprint is impacted is within the pool heating systems. Specific studies will be need to identify and model costs and carbon footprint for the various technologies that may be able to be deployed including:
- a) Geothermal
 - b) Evacuated Solar Tube heating
 - c) Gas boilers
 - d) Heat pumps
 - e) Electrode Boilers
 - f) Gas Cogeneration Plant

RISK MANAGEMENT

72.

Risk: Existing KWP fails prior to any new aquatic centres/s being available leading to a community without aquatic facilities for some time.		
Consequence	Likelihood	Rating
Critical	Possible	High
Action/Strategy		
If KWP is selected as part of the preferred development, consideration be given to having design ready for construction tender to minimise the overall time before a new pool is available.		
City enters into agreements with other aquatic centres providers to facilitate resident access as an interim measure.		

73.

Risk: The City is unable to justify a clear advocacy plan due to not being able to determine a preferred aquatic centre outcome thus losing funding opportunities.		
Consequence	Likelihood	Rating
Critical	Likely	Extreme
Action/Strategy		
Given the City is reliant of external capital funding the City requires an adopted Aquatic Facilities Business Case to ensure advocacy opportunities can be pursued.		

74.

Risk: The adopted Business Case may raise community expectation for improvements that may not be affordable in the short term.		
Consequence	Likelihood	Rating
Major	Likely	Extreme
Action/Strategy		
Ensure community is informed as part of the communications process that improvements are subject to the final consideration of Council, external funding, and budget availability.		

75.

Risk: The adopted Business Case may service the community with aquatic facility provision which may not be affordable or sustainable for the City.		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
Following the public advertising period, the affordability, sustainability, and development options available in the Business Case Plan can be further considered by Council.		

CONCLUSION

76. In response to the KWP nearing the end of its useful life and the previous Council resolution (OCM23/2013), the City engaged Complete Community Solutions (CCS) Strategic in September 2019, to develop the Business Case.

77. In summary, the community needs assessment process identified a strong community need for modern and contemporary aquatic facilities within the City. Based on over 680 responses received through the community consultation process, over 85% of respondents indicated support for a new aquatic facility within the City.

78. The Business Case recommends that subject to feasibility the City develop two aquatic facilities being:

- Option 1a – KWP heated outdoor 50m pool (seasonal operation); and
- Option 2b – Foothills Aquatic Facility.

If a two aquatic facility model is not deemed feasible for the City, then the Business Case recommends investment in only Option 2b – Foothills Aquatics Facility. This is deemed to be the preferred facility, given:

- the level of service it is proposed to offer the entire City as part of the multifunctional community hub approach.
- being close to the majority of the City’s population base, therefore likely attracting the greatest utilisation.
- being close to major transportation links, that can best service the entire City.
- offering activation opportunities for the HWTS; and
- opportunity to attract external advocacy funding.

79. The key issue the community will need to understand is the cost of the provision of aquatic facilities and provide their feedback on whether ratepayers are prepared to fund such facilities. This will need to be a key question during the comment period.

80. The Business Case is now presented to Council for consideration and endorsing for the purposes of seeking public comment.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ENDORSE the Needs Assessment Report and the draft Business Case shown as Attachment One, Two and Three for a new aquatic facility within the City of Kalamunda for the purpose of a minimum 90-day public comment period.
2. NOTE the Public Advertising period has been increased from 60-days to a minimum 90-days.

10.4.2. Inclusive Kalamunda- Social Inclusion Plan 2021-2025 Draft

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

Previous Items	OCM213/2019 OCM265/2020
Directorate	Office of CEO
Business Unit	Community Development & PR
File Reference	
Applicant	
Owner	
Attachments	Inclusive Kalamunda Social Inclusion Plan 2021-2025

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek endorsement of the draft Inclusive Kalamunda - Social Inclusion Plan 2021-2025 (the Plan) for the purpose of public advertising.
2. The Plan provides a framework to ensure everyone has equal access and equal opportunities, within our community.
3. This report recommends that Council endorse the draft Social Inclusion Plan 2021-2025 for the purpose of advertising for public comment for a period of 28 days, pursuant to the City of Kalamunda Engagement Strategy.

BACKGROUND

4. RESOLVED OCM 265/2020 That Council:
 1. *ENDORSE the results of Community Engagement as per the Community Engagement Report.*
 2. *NOTE the City of Kalamunda Community Directory.*
 3. *ENDORSE the proposal to develop a Community Inclusion Plan which will include deliverables related to the Disability Access and Inclusion Plan, the Age Friendly Plan, Social Inclusion and Kalamunda Connected - Active Citizenship Plan.*

DETAILS AND ANALYSIS

5. Social inclusion is about providing equal opportunities for all in our community. Everyone deserves equal access and equal opportunities to participate in society.
6. The City currently has several Plans and Strategies in place, with objectives, strategies and actions that has a Social Inclusion focal points.

These Plans and Strategies are:

- a) Community Health and Wellbeing Plan (2018-2022)
- b) Community Safety Crime Prevention Plan (2020-2025)
- c) Youth Plan (2017 – 2022)
- d) Age Friendly Plan
- e) Disability Access and Inclusion Plan (2017 – 2022)
- f) Innovate reconciliation Action Plan (2019 – 2021)
- g) Kalamunda Advancing Strategic Community Plan 2017 – 2027
- h) Kalamunda Achieving Corporate Business Plan
- i) Kalamunda Connected – Creating Active Citizens Plan (2018 – 2020)

- 7. The Plan includes deliverables related to, the *Disability Access and Inclusion Plan 2017 – 2022 (DAIP)* and the *Age Friendly Strategy & Action Plan, Social Inclusion and Kalamunda Connected – Active Citizenship Plan*.
- 8. The Plan is divided into seven key goals which currently align to the DAIP, Active Citizens Plan and Age Friendly. Beneath each goal is detailed guiding aims. These aims are broad statements of how the City will include, connect, educate and advocate for Community.
- 9. The City has identified four pillars of social inclusion which are
 - a) **Include**
This pillar encourages thinking about all community when designing and organising events, programs and activities.
 - b) **Connect**
This pillar is about connecting community to local service providers who can assist. The City will create opportunities and support partnerships.
 - c) **Educate**
This pillar is about giving City staff and local community the right information about access and inclusion, ensuring events, programs and projects are welcoming to everyone in the community.
 - d) **Advocate.**
This pillar is about the City's role in making sure the voices of our community are heard and listened to by other organisations and government departments and agencies who impact on the community's access and inclusion needs.
- 10. These pillars have been established to lead the fundamental development of goals and aims to ensure the City contributes towards achieving social inclusion.

APPLICABLE LAW

11. *Local Government Act 1995*
 Disability Services Act 1993 (Amended 2004)
 Equal Opportunity Act 1984
 Australian Human Rights Commission Act 1986 (Cth)
 Disability Discrimination Act 1992 (Cth)
 Racial Discrimination Act 1975 (Cth)
 Sex Discrimination Act 1984 (Cth)
 Disability Discrimination Act 1992 (Cth)
 Age Discrimination Act 2004 (Cth)

APPLICABLE POLICY

12. Disability Access and Inclusion Plan (2017-2022)

STAKEHOLDER ENGAGEMENT

13. The City has undertaken extensive engagement with non-government organisations, other local governments, and the community in regard to social inclusion.
 The types of engagement included surveys, social media platforms, community workshops and one on one conversations. From this feedback and visioning the City created the Plan.

FINANCIAL CONSIDERATIONS

14. N/A

SUSTAINABILITY

15. Enhanced social inclusion will provide an opportunity to connect with the wider community and create opportunities for greater participation in City initiatives, operations and employment.
- The development of the Plan has the potential to recognise the importance of improving the terms for individuals and groups to take part in society and more so in our community.

RISK MANAGEMENT

16.	Risk: Social Inclusion Plan not progressed.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Medium
	Action/Strategy		
	Ensure clear understanding of the benefits of social inclusion, and how a formalized plan at a Local Government level will assist. Progress with advertising the draft Inclusive Kalamunda Plan seeking public comment.		

CONCLUSION

17. The development of the Plan will be a significant step forward in addressing and improving social inclusion in the City. The plan will be inclusive of all the members of the City’s community. Strong community cohesion provides opportunity, promotes social harmony and ensures greater equality.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ENDORSE the draft Kalamunda- Social Inclusion Plan 2021-2025 for the purpose of public advertising.

10.4.3. Consideration of Tenders for the Supply and Implementation of a Customer Relationship Management System

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

Previous
Items

Directorate Chief Executive Officer's Office

Business Unit Customer & Public Relations

File Reference 4.0001004

Applicant
Owner

Attachments 1. The Customer Service Principals Achieved [10.4.3.1 - 5 pages]

Confidential Attachment 1. Tender Evaluation Report

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."

TYPE OF REPORT

- | | |
|------------------------------------|--|
| Advocacy | When Council is advocating on behalf of the community to another level of government/body/agency |
| <input type="checkbox"/> 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, facilitates 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.

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 3.2 - 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 4.1.1 - 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.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the award of a tender for the supply and implementation of a Customer Relationship Management System (CRMS)
2. The City issued a Request for Tender seeking to engage a supplier for the Provision of a Customer Relationship Management System (RFT 2022).
3. It is recommended Council accept the lump sum tender from Telstra Corporation Limited ABN: 33 051 775 556. The total estimated value of this contract is \$1,182,485.

BACKGROUND

4. The tender for a CRM seeks to transform the way in which the City of Kalamunda interacts with its customers, while dramatically improving the tools and processes for our staff that serve the residents of the City of Kalamunda.

5. Council adopted the Customer Service Strategy in November 2017. The Current strategy is due to be completed at the end of 2021. One of the key outcomes of the Customer Service Strategy is the implementation of a CRM.
6. The current SynergySoft Customer Requests system has limited functionality. Its limitations include:
 - a) No field interface, meaning that Customer Requests are either completed via hardcopy, or outside of the system in email.
 - b) No online portal, meaning that there is a poor feedback loop (through email or letter) back to the customer.
 - c) No workflow system to guide a Customer Request through a process, meaning that there can be significant variations in how a job is completed.
 - d) No single view of customer and poor search function for customer requests making it difficult to provide customers updates and to achieve first call resolution.
 - e) No calculation capability for how much each customer request costs the City of Kalamunda.
 - f) Reporting on Customer Requests currently doesn't show the full process.
 - g) Poor integration with other systems, meaning that there is significant duplication of effort.
 - h) Poor Knowledgebase and FAQ access for front line staff, meaning that simple jobs still go through a full Customer Request process, rather than being dealt with early.
7. There is a significant hidden cost to working with the current system, and its limited capabilities.
8. A Proof of Concept (PoC) project was implemented. . The 8-week mini project had City staff attend workshops, reviewing current processes against the default customer request types in the technology solution. These workshops enabled staff to demonstrate benefits realisation of a CRM. It allowed an end to end test of selected processes, to review how it would work in real world situations, from the Portal all the way through to the mobile app.

The Proof of Concept was successful, it showed that a system of that nature could digitise and dramatically improve the efficiency processes along with improving service to customers.
9. Some findings from the Proof of Concept were:

The field application would completely remove the requirement for paper records.

- a) Improved location information to field officers, as the map shows exactly where the customer request relates to you.
- b) Residents can raise a Request through a Customer Portal, allowing them greater control and reducing workload on administrative staff.
- c) Improved interaction with residents, as the portal allows viewing of actions undertaken, and pushing of notifications.
- d) The Knowledgebase and FAQ capabilities in Salesforce would centralise information for staff to access, allowing for improved responses to customer questions.
- e) A significant reduction in duplicate cases, as the Map Capability shows residents where current projects and customer requests are active, while allowing them to follow Customer Requests that are active.
- f) Improved customer request time to complete, as automatic routing of requests, which may reduce the number of staff required to be involved in each customer request.
- g) Improved transparency on Customer Requests, as the Workflow capability allows for identifying where the greatest amount of time is taken, and what plant and resources were used.

DETAILS AND ANALYSIS

- 10. The City issued RFT 2022 seeking to engage a suitably experienced supplier to provide a Customer Relationship Management System. Tenders closed on the 9 November 2020, with seven conforming tenders received by the closing date. A copy of the Tender evaluation report is provided as Attachment 1.
- 11. Tenders received by the closing date were from the following companies (in alphabetical order):
 - a) Deloitte Perth
 - b) Open Office Holdings Pty Ltd
 - c) Open Systems Technology Pty Ltd
 - d) TechnologyOne Limited
 - e) Telstra Corporation Limited
 - f) The Trustee for IT Vision
 - g) Transaction Services Group
 - h) Two21 Pty Ltd
- 12. An Evaluation Panel was convened of suitable qualified City Officers to assess the tenders received.
- 13. Tenders were assessed in a staged process, initially a check for compliance to matters set out in the tender invitation was undertaken.

Compliant tenders were then assessed against qualitative criteria (again set out in the tender invitation). The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	15%
Key Personnel & Experience	15%
Tenderer's Resources	20%
Demonstrated Understanding	50%

14. Compliant tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.
15. One tender (TechnologyOne Limited's tender) was identified as non-compliant, while one tender was found to be Partially Compliant only, with Transaction Services Group supplying a tender for only the optional part of the tender, Facilities Management System.
16. The six compliant tenderers were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Deloitte Perth	84.44%	1
Two21 Pty Ltd	71.89%	2
Telstra Corporation	61.83%	3
The Trustee for IT Vision	61.33%	4
Open Office Holdings Pty Ltd	40.72%	5
Open Systems Technology Pty Ltd	40.72%	5

17. Four tenderers achieved the required minimum of 60% as a Qualitative Pass Mark (QPM). The remaining two tenderers below the required QPM were eliminated from further assessment.
18. A price assessment was then undertaken for the remaining four tenderers to determine the best value for money outcome for the City.
19. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report.

20. The recommended tender best satisfied the City's requirements in terms of:
- a) Meeting or exceeding the qualitative assessment benchmark
 - b) Proven capacity and capability to undertake the work
 - c) Satisfying reference checks from previous clients
 - d) Satisfying independent financial reference checks of the proposed contractor; and
 - e) Providing the best value for money outcome.
21. The Evaluation Panel has recommended Telstra Corporation's tender for Dynamics 365 CRM as the preferred Tender.
22. The basis of the contract is to engage the Contractor on a lump sum price to undertake the supply and implementation of a Customer Relationship Management System.
23. The contract is proposed to be for five years.

APPLICABLE LAW

24. Section 3.57 of Local Government Act 1995. Part 4 of the Local Government (Functions and General) Regulations 1996.

APPLICABLE POLICY

25. Purchasing Instruction CEO17 has been followed and complied with.

APPLICABLE STRATEGIES

26. Customer Service Strategy 2017-2021. Please see attachment 2 for further information on the Customer Services Principals achieved.

STAKEHOLDER ENGAGEMENT

27. Internal Stakeholders have been engaged with a full Proof of Concept. Officers have also reviewed community feedback and customer journeys to assess the CRM potential.

FINANCIAL CONSIDERATIONS

28. The budget pricing of this tender is a total of \$1,252,633 over 5 years ex GST.
29. The proposed CRMS has a lump sum cost of \$575,424.67 for implementation services, and \$108,705 for software licences for the first year. Over five years, the cost will be \$1,182,485

30. Direct Savings from the implementation of a CRM are:
- a) Consolidation of current software, where capability is covered by the proposed CRM, have the potential to create cost savings of up to \$221,559 per year from 2022/2023
 - b) Significant fuel savings from improved routing, and reduced return to base requirements
 - c) Annual reduction in casual costs of \$18,112
 - d) 20% reduction in printing, reducing costs by \$10,000 per year
 - e) Minor reduction in Photocopier Lease costs, of \$1,617 per year
 - f) Contractor cost reduction, estimated to be \$82,152 per year, to be reinvested into preventative maintenance.
31. It is estimated that indirect savings of \$320,586 will accrue from 2022/2023, through a reduction in manual scheduling, improved communication, and enhanced field work capabilities. Upon realisation of these savings, the City will review resourcing allocations.

SUSTAINABILITY

32. The CRMS will significantly reduce printing, reducing the use of photocopiers and paper. Estimated to be a reduction of 4,200 pages per month, which is (according to Papercut's Environmental Impact calculations):
- a) A reduction of 21.6kg of CO2 produced per month
 - b) A saving of a quarter of a tree per month
33. The CRM will improve data capture capabilities for a range of field work requirements such as vegetation surveys, and fire prevention actions.

RISK MANAGEMENT

34.	Risk: The Contractor does not undertake the works to the requirements of Cost or Scope.		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action/Strategy		
	<ul style="list-style-type: none"> a) Staged works, to ensure that the City of Kalamunda and the Contractor are in alignment. b) Clearly defined scope of works and benchmarks developed. c) Staff will be heavily involved in all aspects of the project 		

35. Risk: The project does not achieve the benefits projected		
Likelihood	Consequence	Rating
Unlikely	Significant	Medium
Action/Strategy		
<ul style="list-style-type: none"> a) At each stage of the project implementation, review capabilities against the scoped benefits b) Follow Change Management processes, to ensure take up and process improvement in all areas c) Report to Executive on a monthly basis after implementation on benefits achieved d) With any proposed expansion of licensing, ensure costs are measured against expected benefits 		

CONCLUSION

36. The implementation of a CRMS will dramatically improve the City of Kalamunda’s ability to provide customer service to the community, while also significantly improving efficiency in processes. In particular, it will positively impact:
- a) 24/7 submission of requests through the Customer Portal, with feedback loops for stages of the process.
 - b) Field work, including information availability out in the field, inspection capabilities, scheduling and resourcing of field work, adding notes, documents, photos, and closing off jobs out in the field.
 - c) Automation; of notifications, document generation, data capture and pushing, routing of works, telephone popups, contact capture.
 - d) Stakeholder management; contact updating, contact linking, contact grouping. All of a customer’s contact points viewable on one screen.
 - e) Process efficiency improvement. Reducing double handling, increasing visibility of each step in a process, significantly reducing the workarounds required of staff, all information about a case in the one place.
 - f) Integration; integration of current systems with the CRMS, improving existing systems and removing software that is made redundant by the CRM’s capabilities.
 - g) Expansion capability, using Microsoft’s Power Platform to build onto the CRM, increasing capabilities and centralising information.
 - h) Knowledge articles, that can be available internally or externally, that increase first call resolution, and improve capability for customer self service.

- i) Chatbot capabilities will provide 24/7 coverage, while also providing another channel to our customer services team during work hours.

37. Telstra Corporate Limited are recommended as the preferred supplier.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council APPROVE the award of the Implementation of a Customer Relationship Management System (RFT 2022) contract to Telstra Corporation Limited ABN: 33 051 775 556 for the price of \$1,182,485 over 5 years (excluding GST), inclusive of implementation and negotiated licensing costs.

10.4.4. Elected Members Training 2020-2021

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

Previous Items	OCM 151/2020
Directorate	Office of the CEO
Business Unit	Governance
File Reference	N/A
Applicant Owner	N/A
Attachments	<ol style="list-style-type: none"> 2020 21 Elected Member Training and Development Register [10.4.4.1 - 1 page] Governance 3 - Elected Members Entitlements Ttravel and Professional Development [10.4.4.2 - 7 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
<input type="checkbox"/> 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 4.1.2 - Build an effective and efficient service-based organisation.

EXECUTIVE SUMMARY

1. For Council to receive a report on the training and development undertaken by elected members during the 2020-2021 financial year.
2. With the introduction of new provisions contained within the *Local Government Legislation Amendment Act 2019*, local governments must prepare a report for each financial year on the training completed by elected members in that financial year. The report must be placed on the City's website within one month after the end of the financial year in which the report relates.
3. This report highlights the training development undertaken by elected members during the 2020-2021 financial year, and details not only the mandatory training required under the *Local Government Act 1995* (Act), but also all other professional development events attended by elected members under Council's Policy Governance 3: Elected Members – Entitlements, Travel and Professional Development.
4. It is recommended that Council notes the training and development undertaken by Elected Members during the 2020-2021 financial year, as detailed in Attachment 1 and that it will be placed on the City's website on 31st July 2021 in accordance with the legislation.

BACKGROUND

5. On 16 September 2019 and as part of the State Government's local government reform agenda, certain provisions of the *Local Government Legislation Amendment Act 2019* came into operation which implemented a range of reforms to the Act to deliver on the principles of improved governance, transparency and accountability.
6. Improvements included the need for universal training for elected members, a mandatory code of conduct, chief executive officer employment and performance management standards, a revised gifts framework, and improved reporting and transparency to the community.
7. Local government is a complex entity and makes significant decisions that affect the local government's continued sustainability and community outcomes. Like any board or management structure, it is imperative that elected members have the appropriate skills to be able to undertake their roles to the best of their ability. Such skills are enhanced through the training and development offered to elected members throughout their term of Office.

8. The Minister for Local Government and the WA State Parliament recognise the need for elected members to undertake continual professional development in fulfilling their role of public office. The introduction of mandatory training requirements into the Act and the need for local governments to adopt a policy in relation to elected member continual professional development, support these views.

DETAILS AND ANALYSIS

9. Mandatory training for elected members was introduced as a mechanism for improved reporting and transparency to the community.

The Council Member Essentials training consists of the following five modules:

- Understanding Local Government.
- Serving on Council.
- Meeting Procedures.
- Conflicts of Interest.
- Understanding Financial Reports and Budgets.

10. The City, in conjunction with WALGA has provided the following dates for Councillors to do these modules if they hadn't already completed them previously.

- Understanding Local Government – 1 February 2020.
- Conflicts of Interest – 1 February 2020
- Understanding Financial Reports and Budgets – 6 June 2020
- Meeting Procedures – 15 August 2020
- Serving on Council conducted over 2 Days – 12 September 2020 & 10 October 2020

11. For the 2020-2021 financial year, the mandatory training undertaken by respective elected members, and the training and development undertaken by elected members under the provisions of Council Policy Governance 3: Elected Members – Entitlements, Travel and Professional Development is detailed in Attachment 2.

12. Due to the COVID-19 pandemic, certain modules of the Council Member Essentials training were not offered by WALGA and the City postponed these until they become available. Other training and development opportunities were also restricted. The City arranged with WALGA for those modules to be completed by October 2020.

13. It should also be noted that the mandatory training is only required to be completed within a period of twelve months (that is October 2020), by those elected members that were elected in the 2019 local government elections. Other elected members can undertake the mandatory training if they so wish, but are not required to do so, until such time they may be re-elected at the 2021 local government elections. This date will also apply to gaining competency certificates in each unit.
14. The following Councillors were elected in October 2019
Cr Kathy Ritchie
Cr Sue Bilich
Cr Lisa Cooper
Cr John Giardina
Cr Janelle Sewell
Cr Brooke O'Donnell
Cr Mary Cannon

APPLICABLE LAW

15. *Legislation Local Government Act 1995.*
Local Government (Administration) Regulations 1996.

Sections 5.126 and 5.127 of the Act were introduced around Elected Member training and reporting, as follows:

"5.126. Training for council members

(1) Each council member must complete training in accordance with regulations.

(2) Regulations may —

(a) prescribe a course of training; and

(b) prescribe the period within which training must be completed; and

(c) prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and

(d) provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5 000 for the offence.

5.127. Report on training

(1) A local government must prepare a report for each financial year on the training completed by council members in the financial year.

(2) The CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates."

The *Local Government (Administration) Regulations 1996* prescribes the Council Member Essentials training as being the mandatory training (as

per section 5.126(1) of the Act) that elected members must complete within their first 12 months of Office.

APPLICABLE POLICY

16. To enable elected members to develop and maintain skills and knowledge relevant to their role, the City also has a Council Policy - Governance 3: Elected Members – Entitlements, Travel and Professional Development that includes provisions around Elected Member professional development.

STAKEHOLDER ENGAGEMENT

17. Nil.

FINANCIAL CONSIDERATIONS

18. The costs associated with Elected Members training during 2020-2021 is outlined as follows:

Mandatory Training	\$14,000
Conferences	\$0
Seminars / Training and Development Events	\$0

SUSTAINABILITY

19. Nil.

RISK MANAGEMENT

- 20.
- | | | |
|---|-------------------|---------------|
| Risk: Noncompliance with legislative requirements. | | |
| Consequence | Likelihood | Rating |
| Moderate | Unlikely | Low |
| Action/Strategy | | |
| Ensure an elected members training program is established and reported upon by 31 July each year. | | |

CONCLUSION

21. Despite the delay in course availability due to the COVID-19 pandemic, significant progress has been made in meeting the training and professional development requirements.
22. Three Units of the Council Members Essentials Course were provided to Elected Members in the 2019-2020 financial year. The remaining two Units were provided in the 2020-2021 financial year.
23. It should also be noted that elected members may also be undertaking their own personal and professional development outside of the City's training and development offered by the City.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the training and development undertaken by Elected Members during the 2020-2021 financial year shown as Attachment 1.
2. NOTE the 2020-2021 Elected Member Training and Development Schedule, as detailed in Attachment 1 will be placed on the City of Kalamunda's website.

10.5. Chief Executive Officer Reports

10.5.1. Draft Monthly Financial Statements to May 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	1. Statement of Financial Activity for the period ended 31 May 2021 [10.5.1.1 - 2 pages]
	2. Statement of Net Current Funding position as at 31 May 2021 [10.5.1.2 - 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
<input type="checkbox"/> 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 31 May 2021.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (City) with the comparison of the period's performance against the mid-term budget review adopted by the Council on 23 March 2021 for the 2020/2021 financial year.
3. It is recommended Council receives the draft Monthly Statutory Financial Statements for the period ended 31 May 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 the 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 31 May 2021.

7. This Statement reveals a net result surplus of \$10,204,511 compared to the budget for the same period of \$902,958.

Operating Revenue

8. Total Revenue excluding rates is over budget by \$2,770,831. This is made up as follows:

- a) Operating Grants, Subsidies and Contributions are over budget by \$1,870,408. The variance is mainly attributed to:
 - i. Contributions received from CELL 9 trust fund of \$1,586,639 for the reimbursements of expenditure incurred on behalf of the trust.
- b) Fees and Charges are over budget by \$782,690. The variance is primarily due to;
 - i. Actual income received from development application fees is higher than the projected income by \$194,192.
 - ii. Building application approval fees are higher than the budgeted income by \$149,996.
- c) Interest Income is over budget by \$101,626. The majority of term deposits were matured during March 2021 and interest earned has been recognised in full in March.
- d) Other Revenue is under budget by \$1,557. This is an aggregate result of minor variances in individual income categories.

Operating Expenditure

- 9. Total expenditure is under budget by \$3,396,702. The significant variances within the individual categories are as follows:
 - a) Employment Costs are under budget by \$745,075, which is primarily due to vacant positions and the aggregate result of minor variances in several business units.
 - b) Materials and Contracts are under budget by \$3,025,398. The variance is primarily due to;
 - i. Consultancy and contractor costs for various non-recurrent projects planned under the development and traffic engineering section, is under budget by \$1,482,345.
 - ii. Verge maintenance is under budget by \$488,752.
 - c) Utilities are over budget by \$7,087, which mainly relates to street lighting costs which are higher than projected.
 - d) Depreciation, although a non-cash cost, is tracking over budget, reporting a variance of \$310,281.
 - e) Interest, Insurance expenses, and other expenditure are tracking below the reportable variance threshold.

Investing Activities

Non-operating Grants and Contributions

10. The non-operating grants and contributions are under budget by \$514,908. The variance is mainly due to the timing of releasing funds related to the projects financed by the Public Open Space funds.

Capital Expenditure

11. The total Capital Expenditure on Property, Plant, and Equipment, and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$4,927,477. The management have reviewed the current year's works programme and identified the projects that the City will continue works in 2021/2022 as part of the carry forward process.
12. Capital works-in-progress expenditure of \$1,627,531 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 \$259,023 which is mainly due to the developer contributions.

Rates Revenues

14. Rates generation is under budget with a variance of \$82,533. The variance is mainly due to the timing of raising interim rates.

Statement of Financial Activity by Program for the period ended 31 May 2021

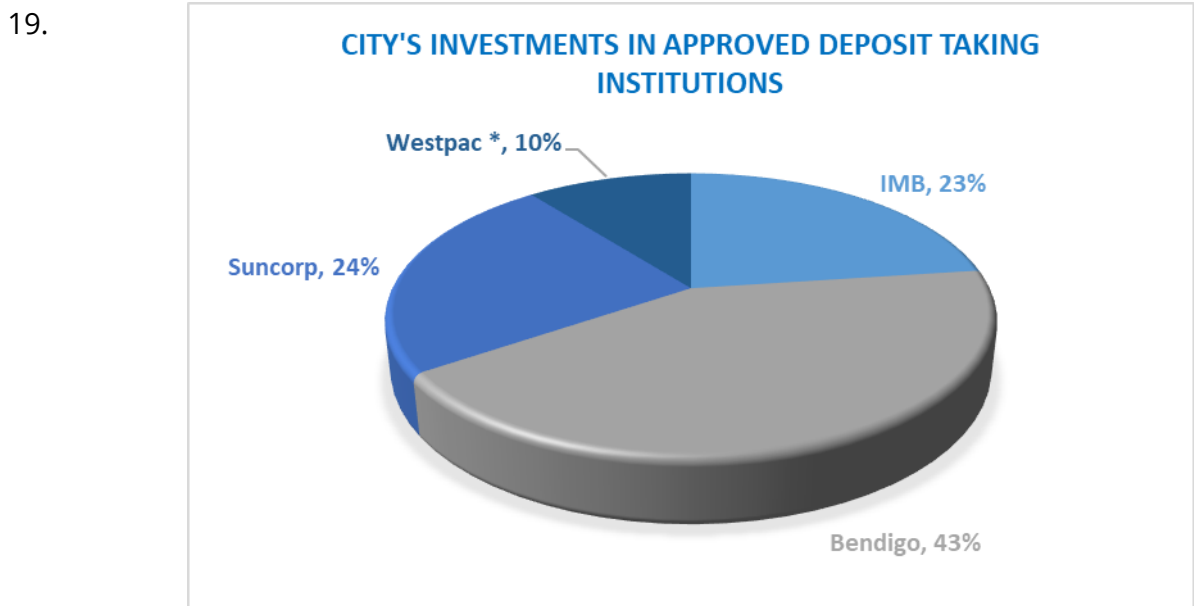
15. Generally, the net result of each Program is within the accepted budget except for 'Recreation & Culture, and 'Other property services. Major variances have been reported by Nature and Type under points 7 to 14 above.

Statement of Net Current Funding Position as of 31 May 2021

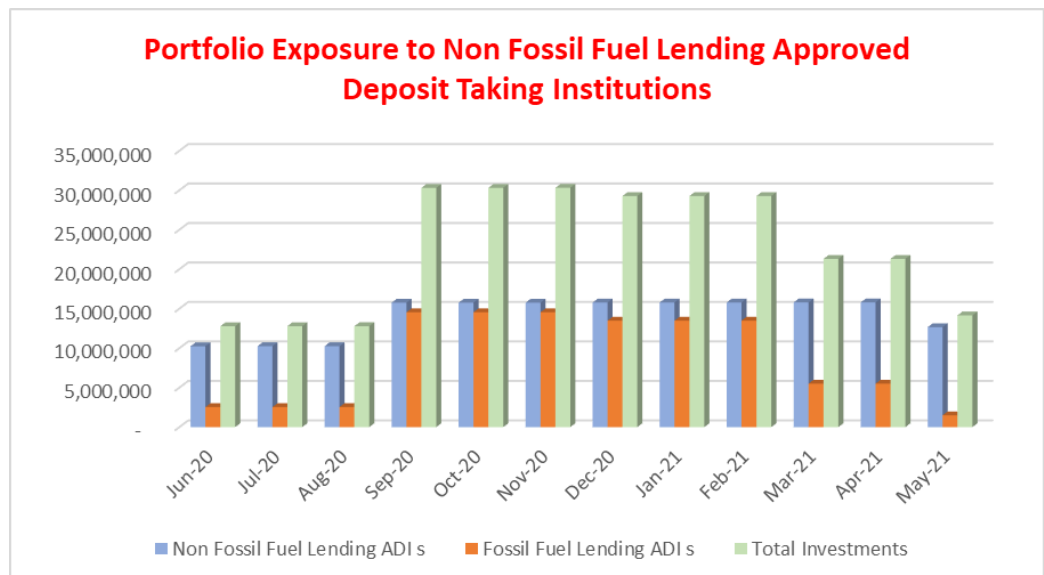
16. The commentary on the net current funding position is based on a comparison of May 2021 to the May 2020 actuals.

17. Net Current Assets (Current Assets less Current Liabilities) total \$29.3 million. The restricted cash position is \$23.3 million which is higher than the previous year's balance of \$16.2 million. This is mainly attributed to the creation of the Public Open Space funds reserve in May 2021. Previously, the Public Open Space funds have been classified under trust accounts.

18. The following graph indicates the financial institutions where the City has investments as of 31 May 2021;



*Financial Institutions with Investments in the Fossil Fuel Industry



20. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$3.2 million.

21. Sundry debtors have decreased from \$1,383,060 to \$421,761, of which \$23,853 consists of current debt due within 30 days. Details are contained in the Debtors and Creditors Report to Council.
22. Receivables Other represents \$1.8 million including:
a) Emergency Service Levy receivables \$0.5 million;
b) Receivables sanitation \$0.7 million
c) GST receivables \$0.3 million
23. Provisions for annual and long service leave have increased by \$0.6 million to \$4.2 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 31 May 2021 demonstrate the City has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVE the Draft Monthly Statutory Financial Statements for the period ended 31 May 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 the financial report.

10.5.2. Debtors and Creditors Report for the period ended May 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 May 2021 [10.5.2.1 - 33 pages] 2. Summary of Debtors for the month of May 2021 [10.5.2.2 - 2 pages] 3. Summary of Creditors for month of May 2021 [10.5.2.3 - 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
<input type="checkbox"/> 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 May 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 May 2021.
3. It is recommended that Council:
 - a) Receive the list of payments made from the Municipal and Trust Fund Accounts in May 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 May 2021.

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures.
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 31 May 2021 were \$421,761. This includes \$23,853 of current debts and \$1,283 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$135,391 debts of significance:
 - a) Dept of Education, \$88,938, Kostera Oval Expenses;
 - b) Bruce Rock Engineering, \$34,881, Planning Fees;
 - c) Municipal Workcare, \$3,890, Workers Compensation claims; and
 - d) Zig Zag Gymnastics, \$3,198, Lease Fees.
8. Invoices over 60 days total \$46,848, debts of significance:
 - a) Municipal Workcare, \$40,688, Workers Compensation claims; and
 - b) Zig Zag Gymnastics, \$5,396, Lease Fees.
9. Invoices over 90 days total \$216,952, debts of significance:
 - a) El Dujmovic Pty Ltd, \$209,700, Development Contribution; and
 - b) Private Citizen, \$4,950, Fire Break – reimbursement.

Write off Debts

10. The following debts were written off during the period ended 31 May 2021 under delegation to the CEO from the Council - LGA 7 write off debts.

In accordance with Council Delegation LGA7, temporary amendment – OCM 28/04/20, the Chief Executive Officer is delegated to exercise the powers or discharge the duties of the Council to write off debts where the relevant debt does not exceed \$5,000.

- 11.

Debtor	Fee Type	\$
Private Citizen	Pound Fees - Milton Graham have recommended writing off the debt as it is un-economical for the City to pursue.	319.50
Library Debtors	A total of 463 debts, individual debts ranging from \$4.70 to \$449.65. Milton Graham has advised it is un-economical for the City to pursue.	25,280.61
	TOTAL	25,600.11

Creditors

12. Payments totalling \$4,446,245 were made during the month of May 2021. Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.
13. Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Australian Tax Office	PAYG payments	385,616.46
Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	371,231.23
TRACC Civil Pty Ltd	Hale Road Widening project – enhancement works *	216,000.06
AWARE Super Pty Ltd	Superannuation contributions	198,512.12
Downer EDI Works Pty Ltd	Construction of the shared pathway at Palmer Crescent & Butcher Road, High Wycombe	156,993.82

Western Australian Treasury Corporation	Loan 237 instalment repayment	156,585.19
Beaver Tree Services	General tree services and under power line pruning – various locations	148,629.72
Synergy	Power charges – various locations	148,293.58
Dowsing Group Pty Ltd	Supply and lay concrete pathways, maintenance – various locations	144,840.31
Kalamunda Electrics	Electrical repairs/ maintenance at various locations	140,300.61
BOC Civil Pty Ltd	Traffic calming & intersection modification at Plover Road, High Wycombe	137,102.99
Truck Centre WA Pty Ltd	Purchase of new tipper truck	126,580.10
Hill Top Group Pty Ltd	Building repairs at History Village – old post office building	120,442.63
Place Laboratory Pty Ltd as trustee for the Lab Unit Trust	Landscape architectural services for Central Lane design services, Kalamunda	99,000.00
Merger Contracting P/L Trading as J & M Asphalt	Supply and install asphalt , pavement repairs – Abernethy Road	87,791.83
Ascention Construction Services Pty Ltd	Additional female change room at Scott Reserve, High Wycombe – progress claim	67,625.07
Electriciy Networks Corporation T/A Western Power	New street lighting on Welshpool and Pomeroy Roads & design for street lighting	62,436.00
Horizon West Landscape & Irrigation Pty Ltd	Tree planting and Verge improvement works	52,063.00

These payments total \$2,820,044.72 and represent 63.43% 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 May 2021.

Payroll

- Salaries are paid in fortnightly cycles. A total of \$1,224,724. was paid in net salaries for the month of May 2021.

14. Details are provided in (Attachment 1) after the creditor’s payment listing.

Trust Account Payments

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

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

CELL 9		Amount (\$)
Date	Description	
17/5/2021	City of Kalamunda – Project management costs	16,352.87
17/5/2021	TRACC Civil Pty Ltd - Hale Road Wattle Grove Road Widening Project	196,363.69
17/5/2021	Kalamunda Electrics – Supply and install new reticulation switch for Woodlupine stage 3	13,667.04
17/5/2021	West Tip Waste Control Pty Ltd – costs of disposal of Woodlupine Brook mixed waste	4,918.64

APPLICABLE LAW

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

APPLICABLE POLICY

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

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

24. Nil.

RISK MANAGEMENT

Debtors

25.

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

26.

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

27. Creditor payments are within the normal payment range.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RECEIVE the list of payments made from the Municipal Accounts in May 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 May 2021.

10.5.3. Rates Debtors Report for the Period Ended May 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 May 2021 [**10.5.3.1** - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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 31 May 2021 \$37,422,464 has been collected for current and outstanding rates for the 31 May 2021 period.
3. It is recommended that Council receive the Rates Debtors Report for the month of May 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 \$40,728,418.
6. As at 31 May 2021 a total of \$37,422,464 has been collected since Rates Notices were released, representing a collection rate of 93.88%.
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 been completed for 2020/2021. A total of \$540,832 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 May 2021 to 31 May 2021 there was a total of 150 incoming calls and 93 outgoing calls, equating to 9.20 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.
12. 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

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

External Referrals

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

FINANCIAL CONSIDERATIONS

15. 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

16. Debt collection can have implications upon those ratepayers facing hardship and the City must ensure equity in its debt collection policy and processes.
17. 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

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

Environmental Implications

19. 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

20.

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

21. With a current collection rate for the financial year of 93.88 % (compared to 94.51 % last year). The City continues to effectively implement its rate collection strategy.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVE the Rates Debtors Report for the Period ended 31 May 2021 (Attachment 1).

10.5.4. Provision of Internal Audit Services - Contract RFT 2009

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

Previous Items	
Directorate	Corporate Services
Business Unit	Finance
File Reference	
Applicant	N/A
Owner	N/A
Confidential Attachment	1. Tender Evaluation Report - RFT 2009 – Provision of Internal Audit Services

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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 award of tender RFT 2009 for the provision of Internal Audit Services to the City for a period of two years, with an extension option of one year at the sole discretion of the Principal.
2. It is recommended that Council notes that the CEO under delegated authority has awarded the Tender RFT 2009 Provision of Internal Audit Services to William Buck Consulting (WA) Pty Ltd ABN 74125178734 for the contract price specified within confidential attachment 1 for a period of two years plus one year optional extension.

BACKGROUND

3. The City of Kalamunda seeks to appoint a suitably qualified and experienced organisation to manage the City’s Internal Audit function for a period of two years with an extension option of 1 year at the sole discretion of the City.
4. The Internal Audit will be carried out in accordance with the provisions of the *Local Government Act 1995*, associated regulations, *Australian Accounting Standards*.
5. The Internal Audit program will be delivered in line with the City’s three-year Strategic Audit Plan (the Plan) which contains a mix of compliance, financial and performance / operational audits.

DETAILS AND ANALYSIS

6. Internal Audit is a core element of the City’s risk management and governance framework. The relationship between internal audit and the City is illustrated in the “Three Lines of Defence model shown below.



7. The Internal Audit program focuses on:
1. Compliance Audits: Primarily focused on the City's (or its suppliers') compliance with legislation, regulations, directions, policies, plans and procedures.
 2. Financial Audits: Primarily focused on practices and activities relating to the accounting and reporting of financial transactions including budget commitments, approvals and the receipt and disbursement of funds, together with the reliability and integrity of financial information and the safeguarding of assets.
 3. Performance (Operational) Audits: Primarily focused on an audit of all or part of the City's activities assessing the economy, efficiency and effectiveness focusing on:
 - I. the adequacy of an internal control structure or specific internal controls to ensure due regard for economy and effectiveness;
 - II. the extent to which resources are managed economically and efficiently;
 - III. the extent to which

APPLICABLE LAW

8. *Local Government Act 1995*
Local Government (Financial Management) Regulations 1996
Local Government (Functions and General) Regulations 1996

APPLICABLE POLICY

9. Policy C-PP01 – Purchasing has been complied with.

STAKEHOLDER ENGAGEMENT

10. The Internal Audit Plan is prepared by the City and presented to the Audit and Risk Committee for their endorsement.

FINANCIAL CONSIDERATIONS

11. An annual budget will be allocated for the provision of the Internal Audit program based on the awarding of Tender RFT 2009.

SUSTAINABILITY

Social Implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Nil.

RISK MANAGEMENT

15.	Risk: Internal Audit fails to identify material non-compliance or control deficiencies.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Internal Audit Plan developed and reviewed annually. Internal Audit working papers reviewed by External Auditors. Key controls are evaluated by		
16.	Risk: Internal Audit recommendations are not implemented in a timely fashion.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Internal Audit Plan developed and reviewed annually. Monitoring and review of the implementation of audit recommendations.		

CONCLUSION

17. The award of Tender RFT 2009 will enable the City to deliver its Internal Audit program.
18. The City is confident that the recommended tenderer has the capability and experience to provide the services required.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the Chief Executive Officer under delegated authority has awarded the Tender RFT 2009 Provision of Internal Audit Services to William Buck Consulting (WA) Pty Ltd ABN 74125178734 for the contract price specified within confidential attachment 1 for a period of two years plus one year optional extension.

10.5.5. Kalamunda Activity Centre Plan - Proposed Modification to Scheme Amendment 106 to Local Planning Scheme No. 3

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

Previous Items	OCM 112/2019; OCM 31/2020; OCM 228/2020
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-LPS-003/106
Applicant	City of Kalamunda
Owner	Various

Attachments	1. Modified Amendment 106 Document and Report [10.5.5.1 - 52 pages]
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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
<input type="checkbox"/> 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 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.

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 for the Council to consider a request to modify proposed Local Planning Scheme No. 3 (LPS 3) Amendment 106 (Amendment 106) to address the requirements of the Environmental Protection Authority (EPA) and Western Australian Planning Commission (WAPC).
2. The following modifications are required to Amendment 106 prior to public advertising:
 - 1) The WAPC require the following modifications:
 - a. Delete Points 9(n), 10(d), 11(f); and
 - b. Modify Point 9(m) to read as follows:
'Applying Additional Use No. 59 of 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' to Lot 15 (12) Burt Street, Kalamunda'
 - 2) The EPA Services at the Department of Water and Environment Regulation (DWER) (EPA Services) require Amendment 106 to be modified by reclassifying a portion of the proposed 'Centre' zone relating to Lot 608 (6) Dixon Road, Kalamunda (6 Dixon Rd), to 'Local Open Space' reserve to provide acceptable protection and management of environmental values on the site.
3. It is recommended that the Council adopt the modified Amendment 106 document in accordance with Attachment 1, for the purposes of public advertising.

BACKGROUND

4. The draft Kalamunda Activity Centre Plan (KACP) was adopted by the Council on 24 March 2020. The documents were subsequently referred to the WAPC for final approval. Amendment 106 is required to bring the LPS 3 into alignment with the recommended land use classification, density codes, development and subdivision requirements adopted in the KACP.
5. On 24 November 2020, the Council adopted Amendment 106 for the purposes of public advertising. As Amendment 106 is classified as a 'Complex Amendment' under the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) the amendment is required to be referred to the WAPC for examination before being advertised. It is also

required that the EPA (through referral to DWER) consider Local Planning Scheme Amendments against Section 48A of the *Environmental Protection Act 1986*.

6. In early 2021, the WAPC advised the City of Kalamunda (the City) of the following requirements:
 - a) Liaise with the EPA prior to advertising;
 - b) Upon completion of the modification, the amendment is to be advertised in accordance with the LPS Regulations;
 - c) Following advertising, further consideration will be given to the merits of the amendment including the proposed zoning, zone objectives and land use permissibility arrangements, as well as the relationship between the scheme amendment and the Draft KACP; and
 - d) The WAPC has undertaken a preliminary assessment, however this should not be construed as support for the amendment or that further modifications cannot be required following advertising.

7. In March 2021, the EPA Services advised of its concern that the identification of the whole of 6 Dixon Rd in the 'Centre' zone would remove the existing statutory protection afforded by the Local Open Space Reserve that currently affects approximately half of the site. Six (6) Dixon Rd is suspected of containing significant environmental values and contains a Aboriginal Heritage place. The EPA Services indicated there would need to be modifications to Amendment 106 to retain statutory protection to protect and manage impact to environmental values.

DETAILS AND ANALYSIS

8. **WAPC Modifications:**

With regard to the WAPC modifications, Points 9(n), 10(d), and 11(f) relate to administrative amendments that seek to renumber additional uses, restricted uses and special uses respectively after the preceding additions and deletions. Renumbering these uses would not be a necessary change to LPS 3 to facilitate Amendment 106 and therefore the WAPC has required the deletion of these points from the Amendment 106 document.

9. The other WAPC modification, relating to Point 9(m), is a simple rephrasing of that point to align with the WAPC's standard format and improve clarity. The rephrasing is not considered to have any material effect on the intent of Amendment 106 or the ongoing use of Lot 15 (12) Burt Street, Kalamunda (Kalamunda Toyota). The nature of the modification is summarises as follows:

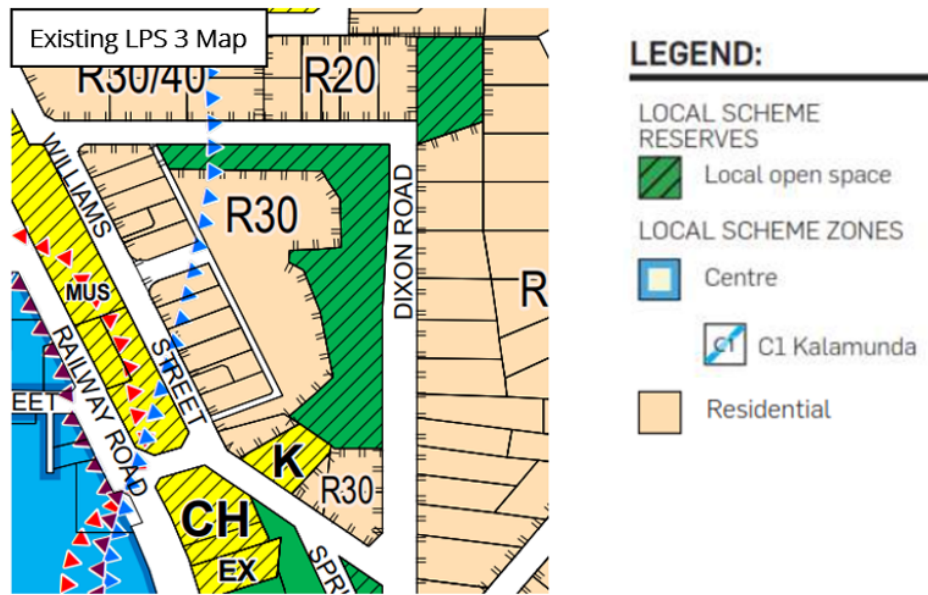
Existing Point 9(m):

Adding Additional Uses 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' relating to Lot 15 (12) Burt Street, Kalamunda to replace the deleted Special Use 12 for the same address.

Modified Point 9(m):

Applying Additional Use No. 59 of 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' to Lot 15 (12) Burt Street, Kalamunda

10. **EPA Services Modifications:**
The currently adopted version of Amendment 106 proposes to rezone the entirety of Lot 608 (6) Dixon Road, Kalamunda from Residential R30 and Local Open Space Reserve to the Centre zone. Under Amendment 106, land use permissibility for the Centre zone is determined by the land use category identified on the KACP map and using the corresponding zone under Table 1 and associated development provisions of LPS 3. In this regard, the KACP map retains the Local Open Space in the same configuration as existing and identifies the remaining area of the site as Residential R60. The KACP requires that a Local Development Plan (LDP) is prepared for 6 Dixon Rd prior to any development or subdivision occurring on the land. The LDP outlines several considerations that would need to be addressed including, inter alia, bushfire risk, vegetation protection, topography, access, aboriginal heritage investigations, and aged care opportunities.
11. The currently adopted arrangement of Amendment 106 and KACP is not considered by the EPA Services to satisfactorily manage and protect environmental values at the KACP, and the future LDP is not a statutory instrument and is only required to be given 'due regard'.
12. With regard to the requirements from EPA Services to Modify Amendment 106, the proposed modification will retain the 'Local Open Space' reserve to align with the existing reserve boundary and retain the 'Centre' zone for the balance of the land. This modification is illustrated in the following LPS and Amendment 106 maps:



13. Alternative options considered include the removal of 6 Dixon Rd from Amendment 106 and incorporating additional LPS 3 provisions to identify and retain environmental values as part of the assessment of the KACP and Local Development Plan identified for the site. The following reasons are provided for not proceeding with these alternative options:
- The removal of 6 Dixon Rd would mean the land will not be affected by the vision, objectives, increased residential density, and design requirements introduced by the KACP. Given 6 Dixon Rd is identified within the boundary of the Kalamunda town centre and has been identified for its potential to accommodate aged residential care/accommodation, this option is not recommended.
 - Regarding the introduction of other LPS provisions, there is not currently comprehensive information available to fully understand the specific nature and location of environmental values at 6 Dixon Rd and

to formulate a provision detailed enough to satisfy EPA Services. An alternative provision in LPS 3 that would require environmental investigations at the time of development and/or subdivision and looking to the KACP to manage and protect environmental values was also considered, however this was not considered by the EPA Services to provide sufficient future statutory protection and management of environmental values.

14. The application of the Local Open Space Reserve on 6 Dixon Rd mean that any future use or development on that portion of the land would need to align with the purpose of the Local Reserve, at the exclusion of any other purpose/use. In this regard, if the boundary of the Local Open Space Reserve is required to be adjusted or portions of the reserve area rezoned to facilitate development or subdivision, this process will need to be progressed by the owner of the land at a future time once the appropriate environmental investigations have been completed.
15. The City has identified a potential opportunity for an aged care development on the Residential portion of the site, and the current landowner (Department of Communities) has previously indicated support for an aged residential care/accommodation development on the site. It is anticipated that, once more comprehensive environmental and Aboriginal Heritage investigations have been completed there may be a separate process, which may include a separate amendment to LPS 3, to balance the City's planning objectives for the site.

APPLICABLE LAW

16. Metropolitan Region Scheme
17. Local Planning Scheme No. 3
18. Planning and Development Act 2005
19. Planning and Development (Local Planning Schemes) Regulations 2005

APPLICABLE POLICY

20. Nil.

STAKEHOLDER ENGAGEMENT

21. No objections were raised by the Department of Communities during advertising of the draft KACP regarding the density proposed for 6 Dixon Rd, or a requirement for a LDP across the site to facilitate an aged care development and balancing other constraints.

22. No other submissions received and considered previously in the course of the preparation of the draft KACP relate to the proposed modified Amendment 106.
23. Subject to undertaking the proposed modifications to Amendment 106, the City is required to give notice for a minimum period of 60 days. The following method will be used:
- a) Newspaper advertisement;
 - b) Display a copy of the notice at the City's administration centre;
 - c) Letters to landowners and public authorities affected by the amendment
 - d) Website notice; and
 - e) Any other method directed by the WAPC.

FINANCIAL CONSIDERATIONS

24. Costs associated with the preparation of Amendment 106 are met through the Development Services annual budget.
25. Amendment 106 will not attract a potential claim for injurious affection under the *Planning and Development Act 2005*, meaning the City will not be required to provide financial compensation to the landowner by reason of the area of Local Open Space Reserve being retained on the LPS 3 map.

SUSTAINABILITY

26. **Social Implications**
Amendment 106 will assist with delivery of the draft KACP which is designed to improve the public and private realm over a number of years and bring vitality to the Kalamunda town centre.
27. **Economic Implications**
By ensuring statutory framework aligns with the draft KACP landowners will have more certainty around land uses which can be considered and how applications for subdivision and development will be assessed and determined in the Kalamunda town centre.
28. **Environmental Considerations**
The application of a Local Open Space Reserve at 6 Dixon Rd will facilitate statutory protection of suspected environmental values on the land and further detailed environmental investigations will be undertaken in the context of a future proposed development or subdivision.

29. The retention of the Local Open Space reserve on a portion of 6 Dixon Rd is consistent with the strategic objectives of:
- a) Kalamunda Clean and Green – Local Environment Strategy 2019-2029, in particular the action to investigate the further protection of native vegetation through LPS3; and
 - b) Environmental Land Use Planning Strategy 2019 – Strategy 8.2 Improve urban tree canopy cover to address urban heat island effect and biodiversity linkages.

RISK MANAGEMENT

30.	Risk: Amendment 106 is not adopted or is the subject of lengthy environmental review proceedings meaning there will continue to be inconsistency with the planning zones between LPS 3 and the draft KACP.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Progress Amendment 106 and LPP 30 in liaison with the Department of Planning, Lands and Heritage to ensure the KACP is implementable once approved.		

CONCLUSION

31. Amendment 106 seeks to introduce a new Centre zone and objectives, rezone the area affected by the draft KACP to the Centre zone, delete the redundant Special Control Area provisions relating to the Kalamunda Town Centre Design Control area, and rationalise the existing Additional Uses, Special Uses and Restricted Uses contained within the amendment area. Amendment 106 will ensure that there is a robust planning framework in place to deliver on the vision of the KACP over the next 10 years.
32. The proposed modifications, which are required in order to progress Amendment 106, do not change the overall intent of Amendment 106 or the KACP.
33. Having regard to the above, it is recommended that Council adopts Amendment No. 106 as a complex amendment, for the purpose of public advertising.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. Pursuant to clause 35 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015, CONSIDER Amendment 106 to Local Planning Scheme No. 3 a complex amendment for the following reasons:
 - a. The Amendment is not specifically addressed as a strategy or action in the City of Kalamunda Local Planning Strategy for the Scheme that has been endorsed by the WAPC;
 - b. The amendment relates to an Activity Centre Plan that is currently being considered for approval by the WAPC; and
 - c. The amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.

2. Pursuant to Section 75 of the *Planning and Development Act 2005*, ADOPT Amendment 106 to Local Planning Scheme No. 3 in accordance with Attachment 1, for the purposes of public advertising for 60 days, subject to the following modifications:
 - a. Delete Points 9(n), 10(d), 11(f);
 - b. Modify Point 9(m) to read as follows:
'Applying Additional Use No. 59 of 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' to Lot 15 (12) Burt Street, Kalamunda'
Retain a portion of Lot 608 (6) Dixon Road, Kalamunda as 'Local Open Space' reserve to align with the existing reserve boundary and retain the 'Centre' zone for the balance of the land.

10.5.6. Western Australian Local Government Convention 2021 - (Cr Brooke O'Donnell)

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

Previous Items	N/A
Directorate	Office of the CEO
Business Unit	Governance
File Reference	Nil
Applicant	Nil
Owner	Nil.
Attachments	<ol style="list-style-type: none"> 1. LG C 21 Registration and Information Brochure [10.5.6.1 - 18 pages] 2. Governance 3 Elected Members - Entitlements, travel and Professional Development [10.5.6.2 - 7 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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 4.1.2 - Build an effective and efficient service based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider and approve a request by Cr Brooke O'Donnell to attend the 2021 WA Local Government Association (WALGA) Local Government Convention scheduled to be held in September 2021.
2. In accordance with Governance 3 – Elected Members – Entitlements, Travel and Professional Development Policy, Cr O'Donnell submitted a request for a contribution of \$1,200 from the Training Budget towards the cost of attending the convention.
3. It is recommended Council approve Cr O'Donnell's attendance at the WALGA 2021 WA Local Government Convention, with the cost being allocated from the 2021/22 training budget.

BACKGROUND

4. Council Policy Governance 3 – Elected Members – Entitlements, Travel and Professional Development provides that each Elected Member will be allocated a maximum of \$2000 per financial year to pay for all training, conferences or memberships, including mandatory training.
5. The WALGA Local Government Convention is held annually and comprises a program of presentations on current topical issues along with the WALGA Annual General Meeting.

DETAILS AND ANALYSIS

6. The Full Delegate registration fee for the convention is \$1,200.
7. Full Delegate fees cover the daily conference program, lunches, refreshments, and the Opening Reception on Sunday, 19 September. The Convention Gala Dinner on Monday evening and Convention Breakfast on Tuesday morning are optional, and a ticket fee applies.
8. Cr O'Donnell is proposing to attend the Breakfast and Dinner at her own cost.
9. Cr O'Donnell is one of the City's representatives to the WALGA East Zone and is the chair of the East Zone Committee.

APPLICABLE LAW

10. *Local Government Act 1995.*

APPLICABLE POLICY

11. *Governance 3 – Elected Members – Entitlements, travel and professional development (attachment 2).*

STAKEHOLDER ENGAGEMENT

12. Nil.

FINANCIAL CONSIDERATIONS

13. Subject to the 2021/2022 budget being approved it is anticipated sufficient funds will be available within the Councillor training budget to fund this request.

SUSTAINABILITY

14. Nil.

RISK MANAGEMENT

15.

Risk: Negative public perception or media reports.		
Consequence	Likelihood	Rating
Possible	Unlikely	Low
Action/Strategy		
Issue a public statement if required outlining the benefits Elected Members gain from attending industry learning and development opportunities.		

CONCLUSION

16. Cr O'Donnell has been a councillor for 6 years and during this time has not requested to attend a conference at the City's expense. The City is supportive of training and development of both its staff and its council, and this request is in line with Councils adopted Policy.
17. Cr O'Donnell will be required to provide a report and presentation on her learnings upon her return from the Convention.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council APPROVE Councillor Brooke O'Donnell spending \$1,200 of the 2021/22 training budget to attend the Western Australian Local Government Association 2021 WA Local Government Convention.

10.5.7. Professional Development - Financial Contribution Request (Cr Lesley Boyd)

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

Previous Items	N/A
Directorate	Office of the CEO
Business Unit	Governance
File Reference	Nil
Applicant	Nil
Owner	Nil.
Attachments	<ol style="list-style-type: none"> 1. LG C 21 Registration and Information Brochure [10.5.7.1 - 18 pages] 2. Governance 3 Elected Members - Entitlements, travel and Professional Development [10.5.7.2 - 7 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/> 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 4.1.2 - Build an effective and efficient service based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider and approve an elected member request for a contribution to the cost a training course.
2. In accordance with Governance 3 – Elected Members – Entitlements, Travel and Professional Development Policy, Cr Lesley Boyd has submitted a request for a contribution of \$2,000 from the Training Budget towards the cost of a Graduate Diploma in Management with the Australian Institute of Management WA (AIM).
3. It is recommended Council approve the request by Cr Lesley Boyd for a \$2,000 contribution from the 2021/22 training budget to assist with costs towards the AIM Graduate Diploma in Management.

BACKGROUND

4. Council Policy Governance 3 – Elected Members – Entitlements, Travel and Professional Development provides that each Elected Member will be allocated a maximum of \$2000 per financial year to pay for all training, conferences or memberships, including mandatory training.

DETAILS AND ANALYSIS

5. Cr Boyd has been active in undertaking Professional Development (PD), having completed:-
 - a) the WALGA Council Members Essential course, which consists of 5 modules; and
 - b) the WALGA Introduction to Planning course.
6. The AIM Graduate Diploma in Management is a further step in Cr Boyd's professional development and completion will assist in undertaking the role of a councillor.
7. The full cost of the Graduate Diploma in Management is usually \$7,700, however If enrolment is completed by 30 June 2021 the cost is reduced to \$3,850.
8. Cr Boyd ins seeking a \$2,000 contribution from the City and the balanced will be met by Cr Boyd.

APPLICABLE LAW

9. *Local Government Act 1995.*

APPLICABLE POLICY

10. *Governance 3 – Elected Members – Entitlements, Travel and Professional Development (Attachment 2).*

STAKEHOLDER ENGAGEMENT

11. Nil.

FINANCIAL CONSIDERATIONS

12. Subject to the 2021/22 Budget being adopted there should be sufficient funds in the Councillor training budget to fund this request.

SUSTAINABILITY

13. Nil.

RISK MANAGEMENT

14.

Risk: Negative public perception or media reports.		
Consequence	Likelihood	Rating
Possible	Unlikely	Low
Action/Strategy		
Issue a public statement if required outlining the benefits Elected Members gain from attending industry learning and development opportunities.		

CONCLUSION

15. Cr Boyd has been a councillor for 4 years and completed all her mandatory training.
16. The Council is supportive of training and development for elected members as provided for in Councils adopted Policy.
17. Cr Boyd will be required to provide a report or presentation on her learnings upon completion of the Graduate Diploma.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council APPROVE Cr Lesley Boyd being provided \$2,000 of the 2021/22 training budget to assist with costs towards the Australian Institute of Management WA Graduate Diploma in Management.

10.5.8. Delegations From Council to the Chief Executive Officer - 2021 Review

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

Previous Items OCM 102/2020
Directorate CEO's Office
Business Unit Governance
File Reference LE-ACT006
Applicant
Owner

Attachments 1. Register of Delegations from Council 2021 Review [10.5.8.1 - 70 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. To consider the annual review of delegations from Council to the Chief Executive Officer (CEO) and other employees.

2. In assessing the current delegations, the review has concluded the current delegation levels overall are appropriate, effective and provide for administrative efficiencies. An amendment is proposed to delegation LGA 2 – Tenders and Procurement
3. It is recommended Council notes the review and adopts the delegations detailed in the draft Delegations Register (Attachment 1).

BACKGROUND

4. In order to carry out its functions efficiently and effectively, Council has the ability to delegate its powers and duties to the CEO (or to another staff member, in some cases).
5. Section 5.46 of the *Local Government Act 1995* (the Act) requires each Council to review its delegations at least once every financial year.
6. Council last reviewed its delegations on 23 June 2020. The current delegations must therefore be reviewed by 30 June 2021.

DETAILS AND ANALYSIS

7. In accessing the current delegations, including the temporary amendments introduced due to the COVID-19 declared emergency, the review has concluded the current delegation levels overall are appropriate, effective and provide for administrative efficiencies.
8. One area identified for improved operational efficiencies is in relation to delegation LGA 2 – Tenders and Procurement and the approved dollar (\$) value for acceptance of tenders by the CEO.
9. It is proposed this delegation be amended to provide authority to the CEO to award tenders for goods and services where the tender sum is \$1,000,000 plus GST or less.

The following conditions would be attached to the delegation:

- a) *A tender is not to be accepted without Council approval where the tendered amount will result in exceeding the approved budget allocated for the goods or service or the capital works Budget for the relevant project;*
- b) *The goods or services to be procured are included in the adopted Budget;*

- c) *Tender Assessment Reports are to be provided as Confidential Documents to Council for comment for three clear business days prior to the Chief Executive Officer exercising the delegation; and*
 - d) *Any tenders awarded under this delegation are to be reported to the next meeting of Council.*
10. The previous threshold was \$350,000 which was raised to \$500,000 during the COVID-19 declared emergency. In practice this higher threshold has proven to improve efficiency in the procurement process in timely assessment and award of contracts allowing works to proceed rather than incur delays awaiting Council meetings and consideration of these matters.
11. Within the draft 2021/22 Capital Works Program there are only four projects where the tender award would fall into the \$500,000 (current delegation) to \$1,000,000 (proposed delegation) range. All of these are road / footpath construction works partially or fully funded through road grants where delivery timetables have to be met. Allowing the CEO to award these tenders will significantly assist in meeting grant funding requirements.
12. For clarity, this revised delegation would also apply to period service contracts or consultancies where the total value is between \$500,000 to \$1,000,000 however it is not anticipated that such tenders will be required during 2021/22.
13. It is noted high value / high profile projects (for example Stirk Park Playground and Skatepark) would be of such a value that Council would retain authority to award these construction contracts.

APPLICABLE LAW

14. Section 5.42 of the *Local Government Act 1995* – a local government may delegate to the CEO.
- Limits on delegations to CEO – S.5.43.
- Requirement for review – S.5.46.
15. There are also similar delegation provisions in the *Building Act 2011*, *Local Planning Scheme No3*, *Health Act 1911*, *Dog Act 1976*, *Cat Act 2011* and *Graffiti Vandalism Act 2016*.

APPLICABLE POLICY

16. Nil.

STAKEHOLDER ENGAGEMENT

- 17. All Directorates have been consulted on the appropriateness and adequacy of the current delegations. No requests for changes were sought.
- 18. Public consultation is not considered necessary with respect to this issue.

FINANCIAL CONSIDERATIONS

- 19. None directly from this report.

SUSTAINABILITY

- 20. N/A

RISK MANAGEMENT

21.	Risk: Delegated authority is not provided to the CEO and other staff		
	Consequence	Likelihood	Rating
	High	Unlikely	Medium
	Action/Strategy		
	Introduce processes that would assist Council with the additional decision workload through Special Council Meeting to deal with the expedition of tenders.		

CONCLUSION

- 22. The recommendations reflect the outcome of the review of current delegations, and as such will continue to provide an effective framework for the efficient operation of the City through the responsible discharge of those powers and duties delegated by Council.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

- 1. NOTE the review of the delegations.
- 2. ADOPT the delegations detailed in the draft Delegations Register (Attachment 1).

- 11. Motions of Which Previous Notice has been Given**
- 12. Questions by Members Without Notice**
- 13. Questions by Members of Which Due Notice has been Given**
- 14. Urgent Business Approved by the Presiding Member or by Decision**
 - 14.1 City of Kalamunda Dogs Local Law 2021 – Joint Standing Committee on Delegated Legislation Advice
Report to be provided under separate cover.
 - 14.2 City of Kalamunda Extractive Industries Local Law 2021 - Joint Standing Committee on Delegated Legislation Advice
Report to be provided under separate cover.
- 15. Meeting Closed to the Public**
- 16. Tabled Documents**

Final Draft Policy Code of Conduct Complaints Management
Minutes – Community Safety Crime Prevention Advisory Committee
Meeting 12 May 2021
Draft Local Emergency Management Committee Minutes 27 May 2021
Public Agenda Briefing Forum Notes 8 June 2021
- 17. Closure**