



Ordinary Council Meeting

MINUTES

Tuesday 25 May 2021

INDEX

| | |
|---|-----------|
| 1. Official Opening..... | 4 |
| 2. Attendance, Apologies and Leave of Absence Previously Approved | 4 |
| 3. Public Question Time | 5 |
| 4. Petitions/Deputations | 6 |
| 5. Applications for Leave of Absence | 7 |
| 6. Confirmation of Minutes from Previous Meeting | 7 |
| 7. Announcements by the Member Presiding Without Discussion | 7 |
| 8. Matters for Which the Meeting may be Closed | 7 |
| 9. Disclosure of Interest..... | 8 |
| 10. Reports to Council..... | 10 |
| 10.1. Development Services Reports | 10 |
| 10.1.1. Draft Local Planning Policy 31 - Container Deposit Scheme Infrastructure for Final Adoption | 10 |
| 10.1.2. Review of Local Planning Policy 26 - Public Art Contributions for Public Advertising | 15 |
| 10.1.3. Outcome of Wattle Grove Cell 9 CCTV Feasibility Study and the Community Safety and Crime Prevention Advisory Committee Recommendations..... | 24 |
| 10.2. Asset Services Reports | 34 |
| 10.2.1. Kalamunda Performing Arts Centre Asset Management Plan 2021 | 34 |
| 10.2.2. Kalamunda Town Centre Speed Limits..... | 39 |
| 10.2.3. Submission for the 2022-2023 Metropolitan Regional Roads Group Road Improvement Projects Program | 48 |
| 10.2.4. Submission for the Clean Energy Futures Fund - Light Emitting Diode (LED) Street Lighting Project..... | 53 |
| 10.2.5. City of Kalamunda Climate Change Declaration..... | 60 |
| 10.3. Corporate Services Reports | 67 |
| 10.3.1. Land Acquisition - Portion of Lot 1499 (71) Stirling Crescent, High Wycombe | 67 |
| 10.4. Office of the CEO Reports | 69 |
| 10.4.1. Adoption of Kalamunda Advancing Strategic Community Plan 2031 | 69 |
| 10.4.2. Kala Cash Project Update | 84 |
| 10.4.3. Corporate Business Plan - Quarterly Update - January-March 2021 | 92 |
| 10.5. Chief Executive Officer Reports | 96 |
| 10.5.1. Draft Monthly Financial Statements to April 2021 | 96 |
| 10.5.2. Debtors and Creditors Report for the period ended April 2021 | 104 |
| 10.5.3. Rates Debtors Report for the Period Ended April 2021 | 110 |
| 10.5.4. Budget 2021/2022 - Differential Rates | 115 |
| 10.5.5. Application for Leave – Chief Executive Officer | 124 |

| | |
|--|------------|
| 10.5.6. City of Kalamunda Code of Conduct - Council Members, Committee Members and Candidates | 127 |
| 10.5.7. Chief Executive Officer Performance Review Process - 2020/2021 | 135 |
| 10.5.8. Award of RFT 2027 - The Provision of Wet Hire Skid Steer and Truck Services..... | 145 |
| 10.5.9. Award of RFT 2029 - Provision of Gully Education Services | 151 |
| 10.5.10. Award of RFT 2030 - Provision of Extruded Concrete Kerbing Services | 156 |
| 10.5.11. Community Safety and Crime Prevention Committee - Resolution to Request Police Assistance at the Zig Zag Closure..... | 161 |
| 10.5.12. Naming of Parks, Reserves, Streets & Infrastructure Policy | 166 |
| 10.5.13. Civic Functions, Ceremonies and Receptions Policy | 171 |
| 10.5.14. Australian Masters Games Cycling..... | 175 |
| 11. Motions of Which Previous Notice has been Given | 179 |
| 12. Questions by Members Without Notice | 179 |
| 13. Questions by Members of Which Due Notice has been Given..... | 179 |
| 14. Urgent Business Approved by the Presiding Member or by Decision..... | 180 |
| 15. Meeting Closed to the Public | 180 |
| 16. Tabled Documents | 181 |
| 17. Closure | 181 |

1. Official Opening

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

2. Attendance, Apologies and Leave of Absence Previously Approved

Councillors

South East Ward

John Giardina

Janelle Sewell

Geoff Stallard

South West Ward

Lesley Boyd (remote attendance)

Mary Cannon

Brooke O'Donnell

North West Ward

Sue Bilich

Lisa Cooper

Dylan O'Connor

North Ward

Cameron Blair

Kathy Ritchie

Margaret Thomas JP (Mayor) Presiding Member

Members of Staff

Chief Executive Officer

Rhonda Hardy

Executive Team

Gary Ticehurst - Director Corporate Services

Brett Jackson - Director Asset Services

Peter Varelis - Director Development Services

Management Team

Alida Ferriera - Manager Financial Services

Alison Egan - Manager Human Services

Douglas Bartlett - Manager Asset Planning

Nicole O'Neill - Manager Customer & Public Relations

Administration Support

Darrell Forrest - Governance Advisor

Adam Parker - IT Support

Donna McPherson - Executive Assistant to the CEO

Members of the Public 19

Members of the Press 1

Apologies Nil.

Leave of Absence Previously Approved Nil.

3. Public Question Time

3.1 Michael Ryan, High Wycombe

Q1. Is Council certain the State Government acted in 2014 when it instructed Council to proceed with a change in the zoning of Stage 3 Forrestfield High Wycombe from Industrial to Residential?

Q2. If Council has any doubts about the way the State Government handled the matter with landowners, will Council now get an opinion from a legal practitioner?

Q3. If Council is certain the State Government acted properly can Council prove landowners with the evidence?

A. The Director Development Services advised based on the information available there are no reasonable grounds for the City to question the State Government's decision, and actions, in 2014 with respect to a change in strategic land use direction for the Forrestfield North High Wycombe South area. Your request to provide a statement of certainty regarding the State Government's performance, or decisions, is not considered to fall within the general functions of the City or the Council. Given the City and Council do not have an official role in determining, in retrospect, whether the State Government's actions were compliant with relevant legislation and regulations the question is one more appropriately directed to the Department of Planning, Lands and Heritage. If after receiving a response you believe there has been some form of misconduct this concern should be directed to the Public Sector Commission.

Q4. Was the impact the change of zoning would have on landowners discussed leading up to the announcement by the State Government?

A4. Taken on Notice.

3.2 Charles Dornan, Wattle Grove

Q. Over the past weeks there has been an employee or contractor of the City marking trees in Wattle Grove. Can you please clarify the activity and purpose for which it is undertaken?

- A. The Director Asset Services advised the person referred to is an employee of the City of Kalamunda and is undertaking a street tree pick up survey which is being undertaken throughout the whole City, not just Wattle Grove South. The intent of the street tree pick up survey is to aid and inform the City in preparing the Streetscape Masterplan which is being developed at the present time.

4. Petitions/Deputations

- 4.1 A deputation was received from Mr Peter Forrest regarding Item 10.2.2 Kalamunda Town Square Speed Limits. Mr Forrest spoke against the recommendation.
- 4.2 A deputation was received from Mr David Downing regarding Forrestfield North Stage 1 Development Contribution Scheme. Mr Downing spoke to a recent State Administrative Tribunal findings report.
- 4.3 A deputation was received from Dr George Crisp, WA state Committee - Doctors for the Environment Australia, regarding Item 10.2.5 City of Kalamunda Climate Change Declaration. The Chief Executive Officer read Dr Crisp's deputation to the meeting. The deputation spoke in favour of the recommendation.
- 4.4 A deputation was received from Dr Michelle Bunn regarding Item 10.2.5 City of Kalamunda Climate Change Declaration. Dr Bunn spoke in favour of the recommendation.
- 4.5 A deputation was received from Vicky Laurie, Kalamunda Environmental Advisory Committee, regarding Item 10.2.5 City of Kalamunda Climate Change Declaration. Ms Laurie spoke in favour of the recommendation.
- 4.6 A deputation was received from Ms Bev Dornan regarding Item 10.2.5 City of Kalamunda Climate Change Declaration. Ms Dornan spoke against the recommendation.
- 4.7 A deputation was received from Mr Charles Dornan regarding Item 10.4.1 Adoption of Kalamunda Advancing 2031 Strategic Community Plan. Mr Dornan against the recommendation.

Councillors sought clarification of matters raised within Mr Dornan's deputation.

A Councillor called a point of order at which time the Presiding Member requested Mr Dornan to cease speaking as the language used was inappropriate and not in accordance with the Standing Orders.

- 4.8 A deputation was received from Helen Lyons, representing the Perth Hills Climate Change Interest Group, spoke in relation to 10.2.5 City of Kalamunda Climate Change Declaration. Ms Lyon spoke in support of the recommendation.

5. Applications for Leave of Absence

- 5.1 Nil.

6. Confirmation of Minutes from Previous Meeting

- 6.1 RESOLVED OCM 66/2021

That the Minutes of the Ordinary Council Meeting held on 27 April 2021 as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Geoff Stallard**

Seconded: **Cr John Giardina**

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

7. Announcements by the Member Presiding Without Discussion

- 7.1 Nil.

8. Matters for Which the Meeting may be Closed

- 8.1 Item 10.3.1 Land Acquisition - Portion of Lot 1499 (71) Stirling Crescent, High Wycombe – CONFIDENTIAL 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."

- 8.2 Item 10.5.7 Chief Executive Officer Performance Review Process - 2020/2021 – CONFIDENTIAL ATTACHMENT – CEO Performance Review Committee Independent Observer and Revised Policy Governance Recruitment Performance Review Termination of CEO

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

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

- 8.3 Item 10.5.8 Award of RFT 2027 - The Provision of Wet Hire Skid Steer and Truck Services – CONFIDENTIAL ATTACHMENT - Tender Evaluation Report - RFT 2027

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."*

- 8.4 Item 10.5.9 Award of RFT 2029 - Provision of Gully Education Services CONFIDENTIAL ATTACHMENT - Tender Evaluation Report - RFT 2028

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."*

- 8.5 Item 10.5.10 Award of RFT 2030 - Provision of Extruded Concrete Kerbing Services CONFIDENTIAL ATTACHMENT - Tender Evaluation Report - RFT 2030

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*.)

- 9.1.1 Cr Sue Bilich declared a Direct Financial Interest in relation to Item 10.2.3 Submission for the 2022/2023 Metropolitan Regional Roads Group Road Improvement Projects Program. Cr Bilich has a financial interest in properties on Kalamunda Road.

9.2. Disclosure of Interest Affecting Impartiality

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

9.2.1 Rhonda Hardy declared an impartiality interest in relation to item 10.5.7 Chief Executive Officer Performance Review Process - 2020/2021. The item relates to Ms Hardy's employment as the CEO.

9.2.2 Rhonda Hardy declared an impartiality interest in relation to item 10.5.5 Application for Leave - Chief Executive Officer. The item relates to Ms Hardy's employment as the CEO.

10. Reports to Council

10.1. Development Services Reports


10.1.1. Draft Local Planning Policy 31 - Container Deposit Scheme Infrastructure for Final Adoption

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

| | |
|----------------|----------------------|
| Previous Items | N/A |
| Directorate | Development Services |
| Business Unit | Approval Services |
| File Reference | 3.009297 |
| Applicant | N/A |
| Owner | N/A |

| | |
|-------------|--|
| Attachments | 1. Local Planning Policy 29 - Container Deposit Scheme Infrastructure [10.1.1.1 - 7 pages] |
| | 2. WAPC Position Statement - Container Deposit Scheme Infrastructure [10.1.1.2 - 12 pages] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

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

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider draft Local Planning Policy 31 – Container Deposit Scheme Infrastructure (LPP 31) for adoption without the need for public advertising, (Attachment 1 – Local Planning Policy 31 – Container Deposit Infrastructure).
2. The aim of the Policy is to provide an exemption in accordance with Clause 61(1)(i) and (2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the regulations) from the requirement to obtain development approval for container deposit scheme infrastructure proposals which satisfy minimum development standards.
3. Council is recommended to adopt draft LPP 31 without the need for public advertising.

BACKGROUND

4. The State Government is implementing a Container Deposit Scheme (CDS) to complement existing kerbside recycling services. The CDS provides for a refund to be paid to any person who returns an eligible beverage container through the CDS. The CDS operates by the return of containers via various container return points.
5. The Western Australian Planning Commission (WAPC) released a Position Statement in May 2019 which refers to the container return points as CDS Infrastructure. (Attachment 2 Position Statement - Container Deposit Scheme Infrastructure).
6. The role of planning in the implementation of the CDS is to ensure the infrastructure required to facilitate the scheme is established in appropriate locations.
7. LPP31 has been drafted on the model Local Planning Policy included as an appendix as part of the WAPC Position Statement.

DETAILS AND ANALYSIS

8. Draft LPP 31 is a Local Planning Policy pursuant to *Schedule 2 (Deemed provisions for local planning schemes) of the Planning and Development (Local Planning Schemes) Regulations 2015 (WA)* (Regulations) (Deemed Provisions). Draft LPP 31 augments and is to be read in conjunction with the provisions of the Deemed Provisions of the Regulations relating to the CDS. If there is a conflict between this Policy and the Deemed Provisions, then the Deemed Provisions prevail.
9. WALGA are encouraging local governments to adopt the Model Local Planning Policy as outlined in the WAPC's Position Statement to provide development standards related to location, visual amenity, operational amenity, size, scale and exemptions from development approval where appropriate.

APPLICABLE LAW

10. *Planning and Development (Local Planning Schemes) Regulations 2015*

Schedule 2, Part 2, Clause 5(2) – Procedure for amending a local planning policy without advertising.

Schedule 2, Part 2 Clause 4(4) – local government to publish the local planning policy in the local newspaper.

Schedule 2, Part 2 Clause 4(5) – the local planning has effect on publication.

Schedule 2, Part 2 Clause 4(6) – the City to make a copy of the local planning policy available to the public.
11. On the 18 December 2020, the amended planning regulations were gazetted, introducing amendments to the Regulations. These amendments proposed various changes to local planning processes. As part of the amendments, the WAPC introduced provisions and definitions applicable to the Container Deposit Scheme. The amendments became operational from the 15 February 2021.

APPLICABLE POLICY

12. Western Australian Planning Commission Position Statement: Container Deposit Scheme Infrastructure.

STAKEHOLDER ENGAGEMENT

13. The Western Australian Planning Commission has advised that as the Position Statement provides for a model Local Planning Policy, the City of Kalamunda (the City) may prepare a Local Planning Policy without going through the advertising process if the Local Planning Policy does not modify the model provided. This is pursuant Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (WA) (Regulations)*.
14. Draft LPP 31 does not alter the model Local Planning Policy and does not require advertising.

FINANCIAL CONSIDERATIONS

15. All costs associated with the publishing of LPP 31 will be met through the Approval Services budget.

SUSTAINABILITY

16. The recycling of beverage containers represents a key sustainability initiative.

RISK MANAGEMENT

- 17.
- | | | |
|---|-------------------|---------------|
| Risk: Not adopting a Policy in line with the model provided by the WAPC will result in inconsistencies with State Planning Policy. | | |
| Consequence | Likelihood | Rating |
| High | Possible | Moderate |
| Action/Strategy | | |
| It is recommended that Council adopt the Policy to mitigate this risk. | | |

CONCLUSION

18. Draft LPP 31 will guide Council, the City and external stakeholders to implement CDS infrastructure in appropriate locations and allow for exemptions where CDS infrastructure proposals satisfy minimum development standards.
19. On this basis it is recommended that Council adopt draft LPP31 with the requirement for formal advertising.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 67/2021

That Council ADOPT the proposed Local Planning Policy 31 as outlined in Attachment 1, pursuant to Schedule 2, Part 2, Clause 5(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Moved: **Cr John Giardina**

Seconded: **Cr Janelle Sewell**


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

10.1.2. Review of Local Planning Policy 26 - Public Art Contributions for Public Advertising

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

| | |
|----------------|---|
| Previous Items | OCM 31/2019, OCM 168/2020 OCM 258/2019 |
| Directorate | Development Services |
| Business Unit | Approval Services |
| File Reference | 3.009297 |
| Applicant | N/A |
| Owner | N/A |
| Attachments | <ol style="list-style-type: none"> 1. Draft Local Planning Policy 26 - Public Art Contributions [10.1.2.1 - 7 pages] 2. Appendix 1 of the Policy - Public Art Form & Checklist [10.1.2.2 - 7 pages] 3. Aerial Image - 110 Daddow Road, Forrestfield [10.1.2.3 - 1 page] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the adoption of a revised Local Planning Policy No.26 - Public Art Contributions Local Planning Policy (the Policy) for the purpose of public advertising.
2. The Policy was adopted through OCM 258/2019 on the 26 November 2019, on the basis it would be reviewed within 12 months. A further minor review to the Policy was adopted by Council in August 2020 (OCM168/2020).
3. The proposed revisions to the Policy are principally aimed at establishing and reinforcing a planning need and nexus to ensure that the City of Kalamunda (the City) is in a better position to facilitate the provision of public art and provide a robust framework for landowners to deliver public art in appropriate circumstances.
4. It is recommended Council adopt the Policy with modifications as highlighted in Attachment 1 – Draft Local Planning Policy 26 – Public Art Contributions.

BACKGROUND

5. The City periodically reviews, revokes and adds new policies for the purpose of ensuring consistency and transparency in decision making and to ensure the Council has a clear and defensible position in making planning decisions.
6. The State Government encourages the inclusion of art in the built environment through the Percent for Art Scheme. Local governments have adopted this Scheme as a model of best practice for the inclusion of public art.
7. The Policy provides a planning basis for the City to facilitate the provision of public art, as well as the collection of contributions towards public art. The development of a Local Planning Policy in accordance with the *Planning and Development Act 2005 and Planning and Development (Local Planning Scheme) Regulations 2015* provides a statutory basis for the collection of public art contributions from development, levied through conditions of planning approval.

8. On 27 August 2019, the then draft Policy was presented at the Ordinary Council Meeting with a recommendation to retain 1% contribution for development costs estimated above one million dollars. The Policy was adopted by Council for the purposes of public advertising subject to the following modifications (summarised):
- a) Changing the threshold to \$500,000 excl GST from \$1,000,000.
 - b) Exclude building upgrades, and heritage development works from the public art contribution requirements.
 - c) Adding a notation on the cover page which states that Council at the time of consideration of the Policy foreshadowed that the thresholds for contributions towards public art are to be reviewed as part of the next scheduled policy review date.
9. On 26 November 2019, the Policy was adopted in its current form. It is important to note the policy was adopted with the following provision:
- a) A development threshold of \$500,000 excl GST.
10. On 25 August 2020, minor administrative revisions were adopted to the Policy with the aim to ensure the planning purpose of the Policy is consistent with the interpretation of how conditions regarding public art should be applied to development applications.

DETAILS AND ANALYSIS

11. The Policy has been applied to development applications valued over \$500,000 excl GST since its adoption. The application of the Policy more generally has in some scenarios been subject to resistance from the development industry, often resulting in State Administrative Tribunal (SAT) appeals challenging the validity of its application. Testing through the SAT process provides the basis for Council to consider changes to the Policy to ensure that it can operate as an effective and valid planning policy and achieve its planning objectives.
12. The practical application of the Policy has identified elements which would benefit from review. These elements include:
- a) Reiterating that the intent of the Policy is to facilitate the provision of public art where a development generates a planning need for it;
 - b) Ensuring that the Policy facilitates public art which has a planning nexus to the development which triggers the planning need for it; and

- c) Acknowledging that there are some circumstances where requiring public art or a contribution may not meet the necessary planning test.

13. Building on the minor modifications adopted by Council in August 2020, and recognising the need for the Policy to have a planning purposes, the administrative modifications to the Policy are summarised as follows:

- a) Table 1 has been added to further clarify what industrial development would generate the planning need for a public art contribution.
- b) Section 2.1 Objectives have been modified to better reflect the planning intent of the Policy.
- c) A clause has been added to section 5.1 Public Art Contribution to clarify that the artist's fees form part of the public art contribution.
- d) The definition of the 'public realm' has been expanded on to further clarify where public art should be located.
- e) Section 5.5 Art Work, rephrasing of clauses and inclusion of additional clause g) requiring the public art to be commensurate with the value of the public art contribution.
- f) Section 5.6 – Types of Public Art has been amended. The clause stating '*Artworks that may be integrated within landscaping projects or may be the landscaping or earthworks themselves*', has been removed as this has caused confusion with applicants. Landscaping should not be considered public art.
- g) Section 6.3 – Professional Artist has been expanded to include an additional clause for indigenous artists, in order to bring the Policy more in line with the City's Reconciliation Action Plan.
- h) The addition of Appendix – Public Art Application Form and Checklist.

14. It is important for planning conditions to be legally valid. There are a number of established legal tests to determine the validity of a condition. These tests include that the condition must have a planning purpose and therefore there must be a need and nexus between the development proposed and the requirement of the condition. Table 1 - Locational Criteria for Industrial Development has been included in the Policy to assist with meeting this test.

15. The inclusion of Table 1 to the policy provides locational criteria for industrial development in areas with the potential to be 'public facing' e.g. on the corner of two main roads, or within the public realm.

16. Public art can help to ameliorate any potential adverse amenity impacts of industrial development where the development faces the public realm by providing an improved visual setting, softening the often bulky, large scale warehouse typology seen in these types of developments.
17. **Example Development Application**
A recent (and still active) State Administrative Tribunal (SAT) case has highlighted the importance of conditions requiring public art only being applied in circumstances where the development demonstrates a planning need for public art, and the provision of public art has a nexus with the development.
18. Lot 1 (110) Daddow Road, Kewdale is zoned 'General Industry' under the City's Local Planning Scheme No.3. An industrial workshop and office was approved on 11 November 2020. The City's standard public art contribution condition was applied to the industrial development, as the cost of development exceeded the value threshold of \$500,000 or more.
19. The current phrasing of the Policy does not provide flexibility for a condition requiring art to not be applied, so it is applied for all relevant applications which exceed the value threshold, regardless of the details of the specific development application. The public art condition has since been the subject of ongoing SAT appeals.
20. Whilst the details of the appeal and mediation cannot be discussed as it is still ongoing, this development has emphasised that the broad application of a Policy requiring a contribution is likely to invite a challenge that planning need and planning nexus has not been sufficiently considered, potentially making the condition invalid.
21. The site which can viewed in Attachment 3 – Aerial Image of this report is bounded by Tonkin Highway to the east, other industrial properties to the south and railway reserve to the west. The site also has approximately 17m of road frontage. The site is not public realm facing and any installation of public art would only be visible internally to the site. To strongly demonstrate a planning need for public art in this situation, the development would have to propose a poor aesthetic outcome for staff of the site and the community, and public art would need to be considered a positive and necessary addition in order to balance the poor aesthetic outcome of the development.

22. A significant planning consideration is whether public art is addressing a planning concern created by the development. If a development is significantly shielded from public view, it is unlikely that it would have a negative aesthetic outcome, meaning that while there is a value of development trigger to consider public art, there is no planning need for public art, so it may not be appropriate to request for planning law reasons.
23. Proposed Table 1 is designed to guide the application of the policy based on the core planning principles of having a 'planning purpose', and therefore ensuring a need and nexus for the required public art.
24. The locational criteria outlined in Table 1 seeks to capture industrial development that has the potential to be public facing, where the installation of public art will have a planning purpose.

APPLICABLE LAW

25. *Planning and Development (Local Planning Schemes) Regulations 2015*
- Schedule 2, Part 2, Clause 3(1) – The local government may prepare a Local Planning Policy
- Schedule 2, Part 2, Clause 4(1)(a)(i)(ii)(iii)(iv)-Procedure for advertising a local planning policy
- Schedule 2, Part 2, Clause 4(2) – 21 day advertising requirement

APPLICABLE POLICY

26. Not applicable.

STAKEHOLDER ENGAGEMENT

Internal Referrals

27. The amendments to the Policy have been prepared with input from relevant internal planning and economic development disciplines.

External Referrals

20. Comments were sought from relevant advisory Committees of the Council in respect to the following topics:
- a) Thresholds for contributing developments.

- b) How has the Policy has gone from an implementation perspective?
- c) The effectiveness of the Policy.

21. In summation, the following comments were received from the Kalamunda Arts Advisory Committee (KAAC):

- a) The presiding member advised they would be hesitant to change the current development threshold implemented by the policy (\$500,000).
- b) Although there are a number of applicable developments applications currently undergoing assessment with the City, KAAC felt the three topics for review could not be commented on at this time. This is due to the City having collected only one developer contribution for public art. They advised it would be difficult for the Committee to provide any assessment on the effectiveness of the LPP to date.

22. In summation, the following comments were received from the Economic Development Committee:

- a) The Policy would be more in line with the City's Reconciliation Action Plan (RAP) if it specifically stated Indigenous artists were encouraged.
- b) The relevance of a public art contribution to a development should be assessed on its visibility to the public realm.
- c) Public art should be considered as part of the building's architecture and not 'tacked on'.
- d) The \$500,000 threshold appears lower than other local government thresholds.

FINANCIAL CONSIDERATIONS

21. All costs incurred during the review of the Policy were met through the Development Services annual budget.

SUSTAINABILITY

Social Implications

22. If the amended Policy is adopted, the City and Council will be provided with a best-practice guide to ensure public art is provided within the limits of the planning system, thus ensuring the delivery of public for the community meets the planning need and nexus.

Economic Implications

23. The implementation of the amended Policy may have financial impacts to developments over \$500,000.

Environmental Implications

Nil.

RISK MANAGEMENT

| | | | |
|-----|---|-------------------|---------------|
| 25. | <p>Risk: If the revised Policy is not adopted by Council, the City anticipates further appeals to the State Administrative Tribunal. The resources required to defend conditions requiring public art in situations where the amended Policy indicates there is unlikely to be a planning purpose for it, are, in some cases, expected to exceed the value of the public art for which contribution is sought.</p> | | |
| | Consequence | Likelihood | Rating |
| | Moderate | Likely | Medium |
| | Action/Strategy | | |
| | <p>Adopt the revised Policy, which addresses the concept of planning purpose, and therefore the planning need and nexus requirement, relevant to public art and acknowledges that some development which meets the value threshold for public art may not meet the planning law test for a contribution.</p> | | |

CONCLUSION

26. The proposed administrative modifications to the Policy build on the minor changes adopted by Council in August 2020 with the principal aim that the Policy has a valid planning purpose which achieve its planning objectives and does not contain arbitrary provisions which have no planning need and nexus.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 68/2021

That Council ADOPT the proposed Local Planning Policy 26 (Attachment 1) for the purposes of advertising for a period of 21 days pursuant to Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Cameron Blair**



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

10.1.3. Outcome of Wattle Grove Cell 9 CCTV Feasibility Study and the Community Safety and Crime Prevention Advisory Committee Recommendations

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

| | |
|----------------|--|
| Previous Items | Nil. |
| Directorate | Development Services |
| Business Unit | Environmental Health & Community Safety |
| File Reference | |
| Applicant | N/A |
| Owner | N/A |
| Attachments | <ol style="list-style-type: none"> 1. CCTV Feasibility Cell 9 Wattle Grove October 2020 [10.1.3.1 - 22 pages] 2. CCTV Feasibility Cell 9 Wattle Grove Exec Summary Final [10.1.3.2 - 4 pages] 3. Community Safety Crime Prevention Advisory Committee Minutes 10 February 2021 [10.1.3.3 - 8 pages] 4. Sub-Committee Presentation and Resolution 15 April 2021 [10.1.3.4 - 16 pages] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

EXECUTIVE SUMMARY

1. The purpose of this report is to present to Council a series of recommendations from the Wattle Grove Cell 9 Closed circuit television (CCTV) Feasibility Study (the Study) for the enhancement of security within the Wattle Grove Cell 9 residential precinct and the City of Kalamunda (City) more broadly (see Attachments 1 and 2).
2. The recommendations include consideration of Automatic Number Plate Recognition (ANPR) cameras as opposed to traditional CCTV, security patrols, CCTV subsidy scheme and enhanced physical security measures such as fencing.
3. Based on a review of the Study and consideration by the City's Community Safety and Crime Prevention Advisory Committee (CSCPAC), it is recommended that Council:
 1. Note the findings of the Wattle Grove Cell 9 – CCTV Feasibility Study (Attachment 1).
 2. Endorse the recommendations and strategies for consideration by Council as part of future budget deliberations and when potential grant funding opportunities arise.
 3. Note the request for the fitting out of the community safety fleet vehicles and variable message sign trailers with mobile CCTV.
 4. Defer consideration of a capital budget item of approx. \$75,000 to future budget consideration processes beyond 2021/22.

BACKGROUND

4. Through the 2020/2021 operational budget setting process, there was a request to fund and undertake a feasibility study into CCTV for the Wattle Grove Cell 9 residential area.
5. The feasibility study was subsequently funded through the budget process and completed by security consultants.
6. The study focused on three access points into the area being:
 - a) Corner of Welshpool Road East and Bruce Road.
 - b) Corner of Welshpool Road East and Hale Road.
 - c) Corner of Tonkin Highway and Hale Road.

7. The purpose and scope for the study was for a CCTV security expert to provide a feasibility study into the placement of CCTV cameras at the three main vehicle entrance points into Wattle Grove Cell 9 to assess the need and cost effective placement of CCTV in response to after-hours crime in the area.

The scope of works included.

- a) Is it technically and financially viable to operate cameras at these locations?
 - b) Do the proposed camera locations align with the City strategic planning and crime prevention frameworks?
 - c) Any relevant legislation, guidelines, and Australian Standards.
 - d) Western Australia Police Crime Statistics for the area.
 - e) Crime prevention through environmental design (CPTED) locational assessments.
8. The Study was presented at the Council's CSCPAC on the 10 February 2021. CSCPAC recommended that Council note the study, endorse the recommend strategies for consideration as part of future budget deliberations and, after discussion of the matter, provided an additional recommendation of investigating the installation of CCTV on the City's Community Safety fleet of vehicles. A Sub-Committee of CSCPAC was created to further discuss and progress the recommended strategies with further recommendations to be provided to Council in the future.
9. The sub-committee met on the 15 April 2021 and were provided a presentation (Attachment 4) on the further considerations of the Study recommendations.
10. The sub-committee discussed the benefits of introducing security patrols and commented that it would be interesting to seek community opinion on such an initiative and that the matter be further discussed at the next CSCPAC meeting.
11. Discussion was also had regarding the community safety vehicle CCTV fit out, and a revised resolution was drafted and circulated to CSCPAC. A vote by members by circular email occurred. CSCPAC as a result revised the February resolution and resolved as follows:
1. Note the findings of the Study.
 2. Endorse the recommendations and strategies for consideration by Council as part of future budget deliberations and when potential grant funding opportunities arise.
 3. Endorse the fitting out of the community safety fleet vehicles and variable message sign trailers with mobile CCTV.

4. Request that a capital budget item of approx. \$75,000 be listed as part of the 2021/22 budget consideration process.

DETAILS AND ANALYSIS

12. The outcome of the study was to consider key security measures for the Cell 9 area and the City more broadly. Some of these measures included:

- a) Traditional fixed CCTV systems.
- b) Automatic Number Plate Recognition CCTV systems.
- c) Subsidy scheme for privately owned CCTV systems.
- d) Local government security patrols.
- e) Physical security measures such as fences or barricades.

These measures are discussed and analysed in further detail below.

13. **CCTV – Traditional**

The consultant's recommendation is that it is generally not feasible or directly beneficial to the community (given costs of deployment, ongoing maintenance, and usefulness) to install CCTV in these areas. The evidence does not align with traditional CCTV in this area being an effective solution nor would it provide sufficient value for money.

14. The key reasons for this finding being:

- a) Insufficient value when addressing a cost benefit analysis of standard/traditional CCTV cameras.
- b) Minimal return on significant investment.
- c) High ongoing maintenance costs.
- d) Limited potential for criminal evidence value.
- e) Higher City and Police resourcing costs to manage, obtain footage and check/maintain system.
- f) Vast majority of movement is vehicular.

15. **CCTV - Automatic Number Plate Recognition (ANPR)**

Automatic Number Plate Recognition (ANPR) is a technology that utilises specialised cameras that uniquely identify vehicles moving in key areas. ANPR is considered a feasible option from a crime prevention perspective however acknowledging that there is a high upfront cost if you install the cameras required by WA Police which are approximately \$20,000 per camera.

16. An advantage of the ANPR cameras is that WA Police may consider these sites as suitable to be included in their WA Police ANPR Mesh system. The City of Fremantle recently installed these cameras at five key locations and will eventually provide Police with every vehicle that enters and

leaves the City. The disadvantage is the Local Government has limited access to the footage. However, data can be accessed to gain traffic flow information to assist in planning and strategy. There is also the high upfront, maintenance and replacement costs associated with this type of technology.

17. This technology is exciting, however, significantly benefits the Police and State Government and is not a core function of Local Government. It is therefore recommended that ANPR cameras be considered for future grant funding opportunities rather than being funded directly by the City.

18. **CCTV - Subsidy Scheme**

Another option that was considered feasible and has proven to be successful elsewhere is the establishment of a CCTV subsidy program. Councils that are providing such a program include the Towns of Victoria Park and Cambridge and the City of Karratha.

19. Victoria Park provide a total funding package of \$150,000 and provide a rebate of half the cost, up to \$750 per CCTV project. In 2017/18 the Town provided approximately \$80,000 in rebate funding to the community and in 2019/20 approximately \$66,000.

20. The intent of the CCTV partnership program is to assist private residences, businesses and community groups to install an effective CCTV system and create a partnership between the applicant, WA Police, and the Town to address crime and safety problems through visual surveillance.

21. The Town of Cambridge and City of Karratha offer similar subsidy schemes with rebates up to a maximum of \$500 per application.

22. However, in the example of Wattle Grove Cell 9, the consultant did observe a significant presence of existing residential cameras (approximately one in every two houses in some areas). This of course could be further enhanced through a subsidy scheme and for CCTV to be installed elsewhere throughout the City.

23. It is recommended, however, that this sort of scheme is also secured through grant funding as opposed to municipal funding. It is also argued that such as program is not a core function of Local Government.

24. **Security Patrol Service**

Another recommendation suggested by the consultant is that of a security patrol service.

25. The recently adopted Community Safety and Crime Prevention Plan 2020-25 has an action to investigate and report the possibility and financial impact of introducing a security patrol service.
26. A review of neighbouring Local Government areas found that the Cities of Belmont and Canning have 24/7 patrol services, City of Swan has a security service just for the Vines Estate and both the Shire of Mundaring and City of Gosnells do not have a security patrol service.
27. The City of Canning have run an in-house security patrol since 1998 which is part of their Rangers and Community Safety team. The Community Safety Officers are Security Officers and operate 24 hours, 365 days a year service. The team consists of approximately 10 vehicles with built in cameras and cover the entire district. Their primary roles are anti-social behaviour, reporting theft, graffiti's, and break-ins. The team is funded through a community safety levy on the rates which is \$56 per household.
28. The City of Belmont out-source their security patrol known as Community Watch to a private security firm. Feedback received indicates they run two 24-hour vehicles and one 12-hour vehicle. The service covers the entire district and they average approximately 100,000km per year. The City provide the vehicles, and all have CCTV fitted. There is no separate levy with the service funded from the general rates pool and costing the City approximately \$1.4 million annually.
29. The City of Swan also outsource a security service but only for the Vines Estate. The City of Swan had previously run a security patrol for the suburbs of Ellenbrook and the Vines for approximately 15 years. The Service was cut in early 2018, however following a petition from Vines residents, the service for the Vines was reinstated, later that year. Like the City of Belmont, the City of Swan outsource the service to a private security contractor with their primary actions being:
- a) Reporting graffiti, vandalism, or damage to property.
 - b) Surveillance patrols and reporting of suspicious behaviour.
 - c) Responding to anti-social behaviour issues and to report to Police.
 - d) Respond to activated alarms on private property.
- The City of Swan annual budget 2020/21 states that a service charge is levied on all rateable properties in the Vines at \$196.25pa.
30. In further analysing the benefits of such a service in the City, it is recommended that further discussions are had with CSCPAC for consideration by Council at a future date regarding the cost of the initiative and how it fits with the Community Safety and Crime Prevention

Plan. In addition, broader community engagement on the initiative and potential imposition on rates would also be considered appropriate.

31. Initial costs estimated by the consultant suggest \$400,000 - \$450,000 per vehicle. Preliminary costs obtained by the two private contractors used by Belmont and Swan indicate a cost of approximately \$519,000 - \$525,600 per vehicle, this is based on a 24/7 service. Should an after-hours service be provided then this cost would be reduced. If a levy like the City of Canning was applied to the City, this would raise approximately \$1.3 million annually (being, approx. \$55 x approx. 24,000 properties).
32. **Physical Security Measures**
The final recommendation considered by the consultant looked at physical security measures such as fences, particularly along Tonkin Hwy and the railway. Further engagement is required with both Main Roads, and ARC Infrastructure (rail operator) to improve security measures and reduce access from these two corridors. It is noted in the report that off-road access to the Wattle Grove Cell 9 area was relatively straight forward off Tonkin Hwy and off the railway bushland area to the north.
33. **CCTV - Fleet Vehicles**
A suggestion about the possibility of fitting CCTV to the community safety vehicles was raised during the CSCPAC meeting when the Study was being presented. An action from the meeting was to request additional information and cost estimates to be reported to CSCPAC and Council around installing CCTV on the community safety vehicles.
34. The Community Safety team have a fleet of vehicles and trailers which are regularly patrolling and situated in areas around the City, including Wattle Grove Cell 9. These consist of six Ranger vehicles, one community safety vehicle and two fire & emergency management vehicles, there are also four variable message sign (VMS) trailers.
35. Community Safety continue to support the eyes on the street campaign which was a former WA Police initiative managed by the Crime Prevention and Community Liaison Unit. The initiative is now supported by Crime Stoppers WA. To enhance this initiative and to further promote security and crime prevention amongst the community, it is recommended that the Community Safety fleet, including the VMS trailers are fitted with mobile CCTV systems. However, it is noted that the eyes on the street and surveillance is not a core function of local government.
36. The systems would consist of 360-degree view cameras which would be mounted to the light bar of each vehicle. The trailers would have a pan tilt zoom and installed on the top of the mast that will provide a 360-degree view. Recording devices would be installed within the vehicle or trailer and

have the appropriate remote connections. It is estimated to fit both the vehicles and trailers with CCTV is approx. \$75,000.

37. The cameras may also be able to be transferred during vehicle replacement. However, it is noted that the changeover of these cameras when vehicles are replaced, will incur costs above the nominal capital cost of replacing vehicles due to the specialist nature of the equipment. It is therefore not unreasonable to anticipate that in practice that this may result in new cameras being bought for vehicles rather than swapping them over at increased costs.
38. While there is merit in terms of additional eyes on the street and having additional footage and evidence should events occur in proximity of the fleet with cameras installed, in the context of limited financial resources, the City recommends that the fitting out of the Community Safety fleet vehicles and variable message sign trailers with mobile CCTV be deferred. Consideration for the installation can be made as part of future budget process beyond 2021/22.

APPLICABLE LAW

39. Nil

APPLICABLE POLICY

40. CCTV Strategy and Policy

STAKEHOLDER ENGAGEMENT

41. There has been stakeholder engagement with the Community Safety and Crime Prevention Committee throughout preparation of the Study.

FINANCIAL CONSIDERATIONS

42. The recommendations have future budget considerations should they be implemented, consideration of the cost of those recommendations will form part of future budgeting processes.
43. The Community Safety vehicles and variable message trailer CCTV fit out, which is recommended as the initial recommendation has a financial impact of approx. \$75,000.
44. It is important to note that a zero percent rate increase in 2020/2021 has limited the expansion of service levels. As a result, there has been a key focus on core functions, these being core service delivery areas, infrastructure projects such as roads and asset renewal.

SUSTAINABILITY

- 45. Improved security outcomes for Wattle Grove and the City more broadly will have positive social and economic benefits in helping lower crime and improving perceptions of safety in the community.

RISK MANAGEMENT

| | | | |
|-----|---|-------------------|---------------|
| 46. | Risk: Crime rates and or perceptions of crime within the community particularly within Wattle Grove continue to rise. | | |
| | Consequence | Likelihood | Rating |
| | Significant | Possible | High |
| | Action/Strategy | | |
| | Continue to present strategies to the Community Safety and Crime Prevention Advisory Committee and Council with the aim to reduce crime and improve perceptions of safety within the community. | | |

CONCLUSION

- 47. This report provides an overview and summary of the findings and recommendations from the Study, CSCPAC and the City's initial response to those recommendations.
- 48. In considering the Study, CSCPAC recommendations, and current financial implications – the City recommends that the fitting out of the Community Safety fleet vehicles and variable message sign trailers with mobile CCTV be deferred and be considered as part of future budget processes beyond 2021/22.
- 49. Implementation of the Study's recommendations will be further considered by CSCPAC and will be presented to Council as part of future budgeting processes. Some of the initiatives will also be considered as part of any potential grant funding opportunities that arise.

Voting Requirements: Simple Majority

RESOLVED OCM 69/2021

That Council:

- 1. NOTE the findings of the Wattle Grove Cell 9 – Closed Circuit television Feasibility Study (Attachment 1).

2. ENDORSE the recommendations and strategies for consideration by Council as part of future budget deliberations and when potential grant funding opportunities arise.
3. NOTE the request for the fitting out of the Community Safety fleet vehicles and variable message sign trailers with mobile Closed Circuit television from the Council's Community Safety and Crime Prevention Committee.
4. DEFER consideration of a capital budget item request of approx. \$75,000 for the fitting out of the Community Safety fleet vehicles and variable message sign trailers with mobile Closed Circuit television to future budget consideration processes beyond 2021/22.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Lesley Boyd**

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

10.2. Asset Services Reports

10.2.1. Kalamunda Performing Arts 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 | 3.009527 |
| Applicant | N/A |
| Owner | N/A |

| | |
|-------------|--|
| Attachments | 1. Kalamunda Performing Arts Centre Asset Management Plan 2021 [10.2.1.1 - 34 pages] |
|-------------|--|

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council endorsement of a new Asset Management Plan for the Kalamunda Performing Arts Centre (KPAC AMP). The KPAC 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 \$8,075,000, with projected annual renewal expenditure of \$50,000 and annual maintenance expenditure of \$76,000. Based on detailed building condition inspections, the renewal works over the next 15 years requires average annual funding of \$120,000.
3. Council is requested to endorse the KPAC AMP 2021, noting the proposed funding levels will be included in the annual budget process and Capital Works Program.

BACKGROUND

4. The Kalamunda Performing Arts Centre (KPAC) consists of two main structures: The Agricultural Hall built in 1896 and the Performing Arts Centre built in 1996.
5. The facility is broken up into three main functional areas being the Agricultural Hall, Main Theatre and the Teaching Area. The Teaching Area is utilised by the Kalamunda Senior High School for Performing Arts education under a licence agreement. The current ten-year licence agreement expires on 13 October 2025, with a further ten-year term option available.
6. Council determined that it required an AMP for KPAC as a deliverable within the adopted Corporate Business Plan for 2020/21.

DETAILS AND ANALYSIS

7. The KPAC AMP includes the following subjects:
 - 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.

8. 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.
9. The preparation of this plan was supported by the Commercial and Cultural Services and the Asset Services Building Maintenance Business units. The Commercial and Cultural Services unit commissioned the preparation of the Facility Suitability Assessment that identified potential future upgrades, and Asset Services Building Maintenance provided the details on the Planned and Reactive Maintenance schedules and reviewed the proposed 15 Year Renewal Program.
10. The future renewal funding has identified and recommended the following major works in the first five years:
 - 2021/22 - Renewal of existing lighting in the Theatre to LED \$80,000
 - 2022/23 - External Repaint of Building \$80,000
 - 2022/23 - Renewal of Fire Indicator Panel, sensors, alarms, and emergency lighting \$100,000
 - 2023/24 - Refurbishment of main auditorium bathrooms \$174,000
 - 2024/25 - Renewal of all Theatre seating, carpets, and repainting \$250,000
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 KPAC. If the City determined to change the direction that KPAC was to be used for then the necessary changes to the building structure, fabric and fitout 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 KPAC AMP has been prepared in line with Service Policy 4: Asset Management.

STAKEHOLDER ENGAGEMENT

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

FINANCIAL CONSIDERATIONS

- 16. The building has a current Gross Replacement Cost of \$8,075,000.
- 17. Based on the past six years of historical expenditure, the average annual renewal expenditure is \$50,000 with an average annual maintenance expenditure of \$76,000.
- 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 \$120,000.
- 19. 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

- 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 \$120,000 to maintain the facility in line with current service expectations.
23. Any recommendations for Capital Upgrades or New Works arising from the Specialist Facility Suitability Assessment and the Disability Assess Audit will be scoped, estimated and submitted for consideration for inclusion through future Maintenance, Capital Upgrade or Renewal Work Programs.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 70/2021

That Council ENDORSE the Kalamunda Performing Arts Centre Asset Management Plan 2021 and note the proposed funding levels will be included in the annual budget process and Capital Works Program.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Kathy Ritchie**


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

10.2.2. Kalamunda Town Centre Speed Limits

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

| | |
|----------------|---|
| Previous Items | OCM 275/2019 |
| Directorate | Asset Services |
| Business Unit | Asset Planning |
| File Reference | 4.00009251 |
| Applicant | N/A |
| Owner | N/A |
| Attachments | <ol style="list-style-type: none"> 1. Kalamunda Town Centre Propsed 40 kmh Speed Area [10.2.2.1 - 1 page] 2. Community Engagement Report - 40 kmh speed Kalamunda Town Centre [10.2.2.2 - 68 pages] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

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.

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 determine the preferred speed limits within the Kalamunda Town Centre and authorise an application to Main Roads Western Australia (MRWA) for approval.
2. Community feedback was sought on proposals for some streets within the Kalamunda Town Centre to be reduced to 40 km/h and the feedback has assisted in recommendations to be made.
3. It is recommended, with the exceptions noted in the report, existing speed limits within the Kalamunda Town Centre remain as is until circumstances change.

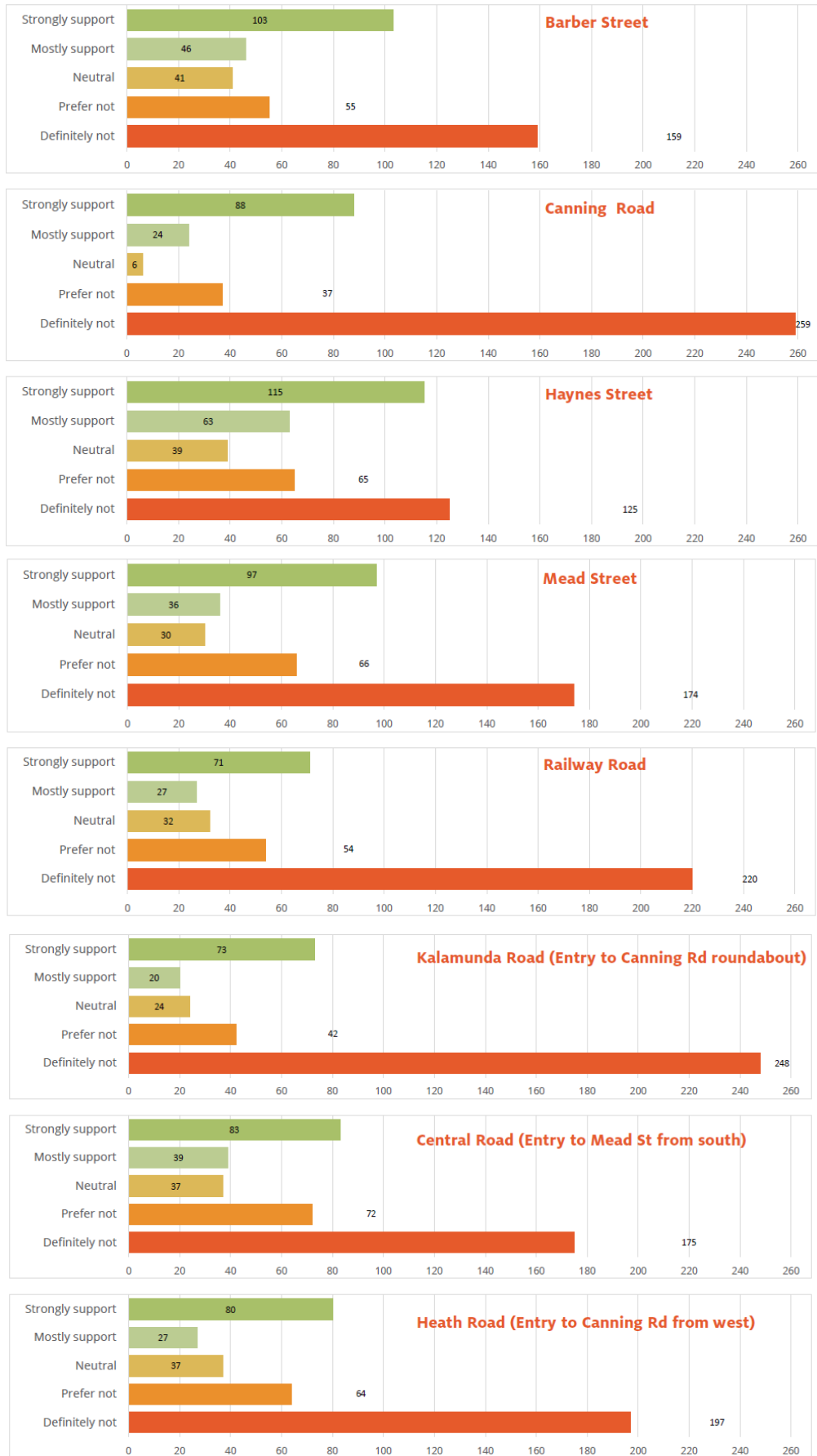
BACKGROUND

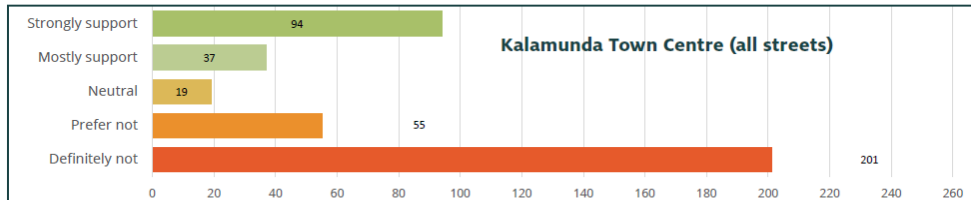
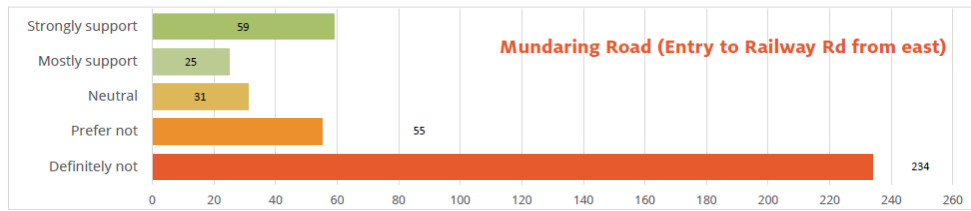
4. At the 26 November 2019 Ordinary Meeting of Council a report was provided regarding deliberations of the Community Safety and Crime Prevention Committee. It was resolved (OCM 275/2019) that Council:
 1. *SUPPORT investigations and public consultation to implement speed zoning reductions in the Kalamunda Town Centre, on Hale Road in Forrestfield and on Kalamunda Road in High Wycombe.*
 2. *CONSIDER, as part of finalising the Kalamunda Activity Centre Plan, Canning Road upgrades are given a short to medium term priority.*
5. MRWA as the approving authority for speed limits on public roads in Western Australia would not approve reductions in the posted speed limits in Hale Road Forrestfield and Kalamunda Road High Wycombe at this time.
6. This report details investigations into the Kalamunda Town Centre (KTC).

DETAILS AND ANALYSIS

7. MRWA in assessing requests to lower a speed zone on a public road require proof that the current operating speed of vehicles (based on the 85th percentile of speed measurements) is at or below the proposed speed limit. The process usually involves Local Governments undertaking a series of traffic calming measures and measuring resultant outcomes in vehicle speed prior to approval being sought of MRWA to lower the posted speed limit.

8. In addition to the above method, MRWA have introduced a new Speed Zoning Policy that can include considerations of movement and place. The Kalamunda Town Centre (KTC) was considered by the City to be an ideal candidate for such a “movement and place” assessment due to the high level of retail and accompanying pedestrian activity.
9. On 1 September 2020, following a series of enquiries on an appropriate process to follow, the City submitted a ‘for in principle support only’ Speed Zoning Application to MRWA to reduce the speed limit in the town centre to 40 km/hr. The intent of the application was to ensure that, if Council endorsed a subsequent decision to implement these reductions, that MRWA would approve same. The area proposed to have 40 km/hr is provided in Attachment 1.
10. The initial response from MRWA was to approve Haynes Street, Central Lane, and Barber Street only. After a request to reconsider, MRWA also approved Railway Road (in the vicinity of the town centre).
11. Prior to pursuing any further reviews, the City undertook community consultation through a survey on decreasing the speed limit in the town centre. The community was notified through social media, by letter drops to local businesses, and with notices placed on paths in the town centre area. The consultation period opened on 1 December 2020 and closed on 17 March 2021. 426 Surveys were received by the City as well as 14 separate submissions). The Community Consultation Report is provided as Attachment 2 to this report.
12. The core question in the survey was “To what extent do you support a 40 km/hr speed limit” on targeted streets on a scale from Definitely Not to Strongly Support. The outcomes are shown in graphical format below:





13. The results show that a majority of the community who responded (by ratio around 2:1) either Prefer Not or Definitely Not to 40 km/hr speed zones.
14. As noted above, conventional MRWA approval for speed limit reductions takes into account the actual 85th speed of vehicles in the area concerned.
15. The following table depicts the current speed situation for some relevant roads in KTC and conclusions that can be drawn:

| Area | Posted Speed Limit (km/h) | Actual 85 th percentile speed (km/h) | Comment |
|--------------------------------|---------------------------|---|---|
| Barber Street | 50 | 35 | Majority of vehicles already below proposed 40 km/h limit |
| Canning Road (50 km/r section) | 50 | 35 | Majority of vehicles already below proposed 40 km/h limit |
| Canning Road (60 km/r section) | 60 | 43 | Majority of vehicles travel above proposed 40 km/h limit |
| Haynes Street | 50 | 25 | Majority of vehicles already below proposed 40 km/h limit |
| Mead Street | 50 | 45 | Majority of vehicles travel above proposed 40 km/h limit |
| Railway Road | 50 | 45 (Near Haynes) 55 (Near Burt) | Majority of vehicles travel above proposed 40 km/h limit |
| Central Road south of Mead | 50 | 36 | Majority of vehicles already below proposed 40 km/h limit |
| Heath Road | 50 | 55 | Majority of vehicles travel above proposed 40 km/h limit |
| Mundaring Weir Road | 60 | 64 | Majority of vehicles travel above proposed 40 km/h limit |

16. A simple conclusion that could be drawn is there are a set of roads that whereas the community has not agreed with a proposal to reduce the speed limit to 40 km/h in fact the majority of traffic is already travelling below this threshold.
17. The City is aware that many residents near the KTC are senior in age and perhaps their specific concerns regarding traffic speeds in KTC were important to understand separately from the aggregated feedback.
18. 75 respondents to the community feedback were in the over 65 year age bracket and they responded to the question on the overall Town Centre speed limit being 40 km/h with 33 in support, and 35 not in support. Whilst this is not in the same 2:1 proportion of the aggregated survey responses, it does show that perhaps the issue of speed limits is not as concerning as first thought.
19. Within the response comments, there were a number of comments around perceiving slower driving as being relevant to schools only and of wanting to drive faster and not wait. It is viewed that these respondents are not recognising the benefits of slower driving for one's own and other's safety. It is hoped this attitude will change as the City releases its road safety awareness program.
20. Of relevance to this report is the consideration of Central Mall of which the new streetscape is currently under design. As the City is intending to create a shared space outcome, this road design should meet the criteria where a 10km/h posted speed limit would be required.
21. It is noted as well that the City's adopted Kalamunda Town Centre Activity Centre Plan and complementary Streetscape Master Plan have outcomes that would create, due to virtue of the nature of the streetscapes, lower operating vehicle speeds and thus the opportunity to review posted speed limits as each Streetscape is delivered.
22. Further, the City has been addressing the issue of concerns regarding perceived unsafe pedestrian crossing on Canning Road proximate to Haynes Street. The City is progressing with MRWA approval to have installed a Signalised Pedestrian Crossing which will, if undertaken, provide pedestrians with a much safer crossing.

23. In consideration of the community feedback, current operating speeds in streets and the Kalamunda Town Centre Streetscape Master Plan, the following recommendations are made:

| | |
|---|---|
| Haynes Street | Noting that operating speeds are below 40 km/h, apply for 40 km/h speed limit and review further when Streetscape Design is underway. |
| Canning Road (existing 50 km/h section) | No change proposed until such time that the Streetscape Master Plan is due for implementation and further review at that time. |
| Canning Road (60 km/h section) | No change proposed until such time that the Streetscape Master Plan for Canning Road is due for implementation and further review at that time. |
| Kalamunda Road (Stirk Park to Canning Road) | No change proposed until such time that the Streetscape Master Plan for Canning Road is due for implementation and further review at that time. |
| Barber Street | Noting that operating speeds are below 40 km/h, apply for 40 km/h speed limit. |
| Railway Road (Mead to Stirk) | Noting MRWA approval in principle, apply for 40 km/h speed limit. |
| Mead Street | No change proposed until such time that the Streetscape Master Plan for Mead Street is due for implementation and further review at that time. |
| Heath Road | No change proposed. |
| Mundaring Weir Road (at KTC) | No change proposed. |

APPLICABLE LAW

24. *Main Roads Act 1930.*

APPLICABLE POLICY

25. There are no direct policies related to this item.

STAKEHOLDER ENGAGEMENT

26. The Community Engagement Report is provided as Attachment 2 to this report.

FINANCIAL CONSIDERATIONS

27. Should the Council determine to implement speed limit changes, the signs will be installed by MRWA at not cost to the City.

SUSTAINABILITY

28. There are no environmental impacts arising from this report. Should the Council determine to implement speed limit reductions, there may be a small benefit to the social and economic sustainability of the community by way of encouraging more pedestrian and social activity in the town centre.

RISK MANAGEMENT

| 29. | Risk: Negative feedback is received where community members feel that implemented changes to speed limits should have not been undertaken. | | | | | | |
|-------------|---|-------------|------------|--------|----------|----------|-----|
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Consequence</th> <th style="text-align: left; padding: 2px;">Likelihood</th> <th style="text-align: left; padding: 2px;">Rating</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Moderate</td> <td style="padding: 2px;">Possible</td> <td style="padding: 2px;">Low</td> </tr> </tbody> </table> | Consequence | Likelihood | Rating | Moderate | Possible | Low |
| Consequence | Likelihood | Rating | | | | | |
| Moderate | Possible | Low | | | | | |
| | Action/Strategy | | | | | | |
| | Communicate with community regarding actual speeds and posted speeds noting the low speed outcomes. | | | | | | |

CONCLUSION

30. Following the community consultation in early 2021, there were sufficient survey responses received to show the community desire regarding the speed limits. The majority of the community do not support a speed limit reduction in the town centre streets.
31. It is noted that many streets, where the community were objecting to lowering speed limits currently operate at or below these lower speed limits. It is sensible to suggest that this is a case where Council may need to act strictly not in response to the community feedback.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVE OCM 71/2021

That Council:

1. NOTE the community engagement report on this matter.
2. ENDORSE an application be made to Main Roads Western Australia for implementation of 40 km/h speed limits on the following streets within Kalamunda Town Centre:
 - a) Haynes Street
 - b) Railway Road between Mead Street and Stirk Street
 - c) Barber Street.
3. NOTE the Central Mall design will be seeking approval for a 10 km/h posted speed limit.
4. NOTE speed limits for the remaining streets within the Kalamunda Town Centre will be addressed as part of subsequent streetscape upgrades when approved.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Cameron Blair**

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

CARRIED (11/1)

10.2.3. Submission for the 2022-2023 Metropolitan Regional Roads Group Road Improvement Projects Program


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

Cr Sue Bilich declared a Direct Financial Interest in relation to Item 10.2.3 Submission for the 2022/2023 Metropolitan Regional Roads Group Road Improvement Projects Program. Cr Bilich has a financial interest in properties on Kalamunda Road. Cr Bilich left the meeting at 7:46pm and returned at 7:47pm and did not vote on this item.

| | |
|----------------|----------------|
| Previous Items | OCM 169/2020 |
| Directorate | Asset Services |
| Business Unit | Asset Planning |
| File Reference | 3.009237 |
| Applicant | N/A |
| Owner | N/A |

| | |
|-------------|---|
| Attachments | 1. Kalamunda Road Section 3 Cyril to Roe Concept Plan [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 seek endorsement of a submission for funding as part of the 2022/2023 Metropolitan Regional Roads Group (MRRG) Road Improvement Projects Program. The proposed project is to upgrade Kalamunda Road from west of Roe Highway to east of Cyril Road including the Hawkevale intersection. This is referred to as the Kalamunda-Hawkevale Road Upgrade Project (the Project).
2. Like its partner program (for road rehabilitation), the MRRG program provides the opportunity for local governments to seek a grant from the state government of two thirds of the cost of projects for road improvement projects.
3. The recommendation is for Council to endorse the submission for the Kalamunda-Hawkevale Road Upgrade Project with a total project estimated cost of \$1.54 million, as shown in Attachment 1.

BACKGROUND

4. Each year, Main Roads WA (MRWA) invites project submissions for funding consideration as part of the MRRG Road Improvement Projects Program. This report is to consider projects for the 2022/2023 financial year.
5. Although the City regularly submits for the MRRG Road Rehabilitation Projects Program, it has not to date submitted for the MRRG Road Improvement Projects Program. The assessment process and criteria are different and the City has previously not considered projects that would meet the Road Improvement criteria.
6. Submissions are assessed for criteria compliance, prioritised and projects are then reviewed by a sub-group of the MRRG.

The Minister for Transport and Planning, on recommendations from the MRWA and State Road Funds to the Local Government Advisory Committee, ultimately approves the funding.
7. The Cities of Kalamunda, Swan and Bayswater, Shire of Mundaring and Town of Bassendean form the eastern sub-group.

DETAILS AND ANALYSIS

8. Road Improvement Projects are those proposed for existing or future roads, where an efficiency and safety gain can be realised.
9. The City prepared the grant submission inhouse using the MRRG scoring system for Road Improvement Projects. The score includes the project cost, crash costs, travel time costs, vehicle operating costs, vehicle emissions, and intangible benefits. The resulting assessment produces a score out of 50. The process also requires comparison against a “Do-nothing” base case.
10. The Project was identified as part of the Kalamunda Road Functional Review and Upgrade Plan (Abernethy to Roe) (the Plan) and adopted by Council in August 2020 (OCM 169/2020). The Project proposed for the MRRG Road Improvement Program as part of Section 3 from the Plan, being west of Roe Highway (adjoining existing interchange works), to just east of Cyril Road. This includes a roundabout at Hawkevale Road and new road connection at Range Court. There may also be a closure of Range View Road at Kalamunda Road.
11. In order to address community concerns regarding the change to the road layout, the City has budgeted \$30,000 for design and community consultation in 2021/22 subject to budget adoption. The exact arrangement of the road connections will then be presented to Council for consideration later in 2021/22, following the community consultation on the Project.
12. The Project is estimated to cost \$1.54 million, of which the grant will cover \$1.027 million with the City municipal funds providing \$0.513 million. The Project will be delivered in one stage during 2022/23, subject to funding.
13. Submissions are due on 21 May 2021, and the City has submitted already in order to meet this deadline. Council is requested to endorse the submission as shown in Attachment 1. If the submission is not endorsed, then it can be withdrawn.

APPLICABLE LAW

14. The *Main Roads Act 1930* provides for the City to manage local roads, which includes road upgrades.

APPLICABLE POLICY

15. There is no policy directly relevant to this report.

STAKEHOLDER ENGAGEMENT

- 16. The community was consulted during the preparation of the Kalamunda Road Functional Review and Upgrade Plan (Abernethy to Roe). Further consultation will be undertaken during 2021/22 to address specific concerns regarding the proposed road layouts.

FINANCIAL CONSIDERATIONS

- 17. The overall project cost has been estimated at \$1.54 million. Should the City be successful with its submission, grant funding will be received at an estimated \$1.027 million, with municipal funding providing the remaining \$0.513 million plus overheads.
- 18. The project has been listed on the City's Capital Works Program and incorporated into the recent Long Term Financial Plan modelling.

SUSTAINABILITY

- 19. The change in arrangement of roads at the Hawkevale Road intersection, and improved streetscaping, pedestrian and cycling infrastructure will improve the social amenity for the majority of the community. There may be a negative impact to residents immediately adjacent to the end of Range Court.
- 20. The Project is not expected to have a material impact to economics or the environment.

RISK MANAGEMENT

| | | | |
|-----|--|-------------------|---------------|
| 21. | Risk: The City fails to secure grant funding leading to additional rates funding needs. | | |
| | Consequence | Likelihood | Rating |
| | Major | Possible | High |
| | Action/Strategy | | |
| | The City continues to improve its submission quality, project estimating and project management to comply with grant funding requirements. | | |

| | | |
|--|-------------------|---------------|
| Risk: There is significant dissatisfaction from the community regarding the future change in road connections. | | |
| Consequence | Likelihood | Rating |
| Major | Unlikely | Medium |
| Action/Strategy | | |
| The City will be undertaking further consultation and will attempt to address all concerns as part of the design process in 2021/22 (well before the project construction in 2022/23). | | |

CONCLUSION

- 22. If successful, the first project identified in the Kalamunda Road Functional Review (Abernethy–Roe) can be delivered at an estimated cost of \$1.54 million with \$1.027 million grant funding (subject to 2022/23 budget approval).
- 23. The City will be consulting with the community in 2021/22 while working on the detailed design, thus ensuring we address as many concerns as we can around the changing road layouts.
- 24. As the submission deadline was due 21 May 2021, the submission has already been entered. Should Council not support the submission it can be withdrawn.

Voting Requirements: Simple Majority

RESOLVED OCM 72/2021

That Council ENDORSE the submission for the Kalamunda-Hawkevale Road Upgrade Project for the 2022/2023 Metropolitan Regional Roads Group Road Improvement Projects Program as shown in Attachment 1.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Lisa Cooper**


Vote: **CARRIED UNANIMOUSLY (11/0)**

10.2.4. Submission for the Clean Energy Futures Fund - Light Emitting Diode (LED) Street Lighting Project

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 | 3.010537 |
| Applicant | N/A |
| Owner | N/A |
| Attachments | 1. CEFF LED Streetlights - Proposed Roads [10.2.4.1 - 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 2: Kalamunda Clean and Green

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

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 endorse a proposal for the City of Kalamunda (City) to seek grant funding under the Western Australian 2021 Clean Energy Future Fund (CEFF) scheme for works to be undertaken in 2022/23 and beyond.
2. The CEFF scheme is a competitive scheme with State Government grant funding of up to 25% of eligible project costs. It is viewed that funding the staged replacement of Western Power Streetlights within the City provides the best chance of meeting the eligibility criteria and providing the City with enduring cost savings.
3. At this point in time no financial commitment from the City is sought within the current (2020/21) or next (2021/22) budgets. The application, if successful and endorsed by Council will necessitate City funding in future years.
4. The recommendation is for Council to endorse that an application within the CEFF Scheme is undertaken.

BACKGROUND

5. Western Power own and operates the vast majority of streetlights within the City. They pass on their costs to Synergy who in turn bill the City for the full operating costs incurred by Synergy and Western Power in provision of street lighting.
6. Western Power manage approximately 6,800 streetlights with the City billed approximately \$1.2m pa for street lighting. Of these streetlights, less than 2% are new energy efficient Light Emitting Diode (LED) fittings.
7. The remainder of their network is a combination of gas discharge lamp technologies with High Pressure Sodium, Mercury Vapour and Compact Fluorescent being the prevalent lamp types. A streetlight contains two main elements being the lamp and the fitting in which the lamp is inserted.
8. Western Power do not have any programs funded whereby they progressively convert their gas discharge streetlights to LED Streetlights. Their current policies only provide for a LED Streetlight to be installed at their cost only when an existing Streetlight fitting has completely failed (such as impact from traffic accidents). Normal replacement of failed light lamps will not be a trigger for a LED replacement until such time (in many years) that Western Power cannot source gas discharge light lamps.

9. The State Government has opened applications for Round 2 of their Clean Energy Future Fund. This fund has \$16m available, with approved projects to be within \$1m to \$4m cost range. The fund will provide up to 25% of eligible project costs with applicants to source the remaining 75% of funds.

DETAILS AND ANALYSIS

10. The City is currently underway with Stage 1 of the LED Streetlighting conversion project with approximately 650 light fittings along Distributor A roads (high traffic volume) to be converted to LED lighting with \$1m of City investment approved in 2020/21.
11. The Clean Energy Future Fund (CEFF) Round 2 2021, has been released by the Department of Water and Environmental Regulation (DWER). It targets initiatives in renewable energy which includes LED street lighting upgrade projects.
12. Projects can be considered in value from \$1 million to \$16 million, with the grant fund providing 25% funding. The submissions need to demonstrate emissions savings, organisational capacity, contribution to public good, risk management, and a business case (cost and feasibility). The grant submissions were due 22 April 2021.
13. Due to the relatively short time frame involved, the Administration has submitted an application based on the detail of this report. If Council was not supportive of the concept, the application can be easily withdrawn.
14. 1,609 lights are proposed to be upgraded to LED under this project (LED Street Lighting Upgrades Stage 2) with a total budget of \$1.63 million. In order to manage the funding commitment from the City, the project is proposed to be delivered over three financial years, with resulting funding commitment being:
- a) 2022/23, \$155,000 CEFF, \$465,000 Municipal, total \$620,000;
 - b) 2023/24, \$152,500 CEFF, \$457,500 Municipal, total \$610,000; and
 - c) 2024/25, \$100,000 CEFF, \$300,000 Municipal, total \$400,000.
- A funding submission for a \$1.63m project ensures that eligibility criteria for CEFF funding will be maintained even if small cost decreases eventuate whilst still maintaining no more than 25% CEFF contribution.
15. At this juncture, Western Power have provided high level costs to the City for the project, which will be confirmed if this project proceeds.

16. Western Power, being the existing owners of the lights, will manage the design and installations. This project will involve upgrading lights and fittings only. Poles and brackets will not be changed (unless required by Western Power as part of their maintenance processes). As part of the design process they will identify the existing light output (wattage) and select an appropriate type of LED light to provide an equivalent light standard. Note that older lights may have faded over time, thus there will be cases where the residents will notice brighter street lighting as a result of new lighting along a road.
17. Western Power have adopted a policy LED lighting temperature of either 3,000K or 4,000K depending on the existing light output. The 4,000K is described as a “cool” light while the other is a “warm” light. Generally, the same light type will be provided along a main road and at intersections, with cool lights being common for higher order roads.
18. The benefits of LED Streetlighting are:
 - a) require less maintenance and last a lot longer than standard lighting with an estimated life of 15,000 to 50,000 hours;
 - b) use about 30% less energy than standard streetlighting technology currently, with consequential savings on tariff charges and overall electrical usage charges;
 - c) reach full brightness instantly;
 - d) contain no mercury or lead which is better for the environment;
 - e) emit no UV rays or infrared radiation;
 - f) operate at a much cooler temperature, making them a safer option;
 - g) cut greenhouse gas emissions and reduce landfill; and
 - h) are able to be smart connected allowing dimming capabilities and more.
19. Each light that is upgraded to LED will see a reduction in tariff. Once all lights are upgraded under the LED Street Lighting Project Stage 2, the City will experience an estimated cost saving of \$144,000 per year.
20. Each light that is upgraded to LED will also see a reduction in greenhouse gas emissions. Once all lights are upgraded under this LED Street Lighting Project, the City will experience an estimated greenhouse emissions reduction of 192 tonnes of carbon dioxide equivalent per year.
21. The City will specify for smart connection capability in order to future proof the fittings and provide a base for the City’s future Smart City Strategy.
22. With regard to the standard of street lighting, this proposed CEFF project only provides for upgrading existing street lighting and does not propose to address any darker areas that may exist along the target roads.

23. It is proposed that funding be deployed towards higher order roads where there is higher volume of traffic thus benefiting from improved street lighting. In successive years, as funding permits, eventually every streetlight in the City would be converted to LED. The proposed areas to be undertaken in this project are shown as Attachment 1 to this report.

APPLICABLE LAW

24. The *Main Roads Act 1930* provides for the City to manage local roads, which includes street lighting (albeit the actual lights are not the City's assets).

APPLICABLE POLICY

25. Service Policy 4: Asset Management provides for considering the life cycle cost and sustainability of asset decisions.

STAKEHOLDER ENGAGEMENT

26. If approved, the City will undertake an informing campaign to residents of the project.

FINANCIAL CONSIDERATIONS

27. If the grant submission is successful, a total of \$1.63 million will be expended over three years (2022/23 to 2024/25), with the CEFF grant providing \$407,500 and the City funding \$1,222,500. This will need to be treated as an operating expense as the resulting lights will return to Western Power ownership.
28. The upgrade of all the lights under this project will realise an estimated operating saving of \$144,000 per year through reduced tariffs from Western Power.
29. As part of the development of operating budgets in 2022/23 onwards, resolution will be made as to funding sources (municipal rates, reserve, borrowings) for the City proportion of the works.
30. When this report was presented to the 11 May 2021 Public Agenda Briefing Forum, Councillors sought better understanding of the financial benefit of the project. This is better explained in the next paragraph:

31.

| | With CEEF Funding | Without CEEF Funding |
|---|-------------------|----------------------|
| Number of Years to payback City Expenditure (based on cost savings): | 11 years | 14 years |
| Total Savings (after investment) over 20 years | \$1.385m | \$0.976m |
| Net Present Value of Savings (4% discount rate, 20 years) | \$0.632m | \$0.252m |

SUSTAINABILITY

32. The upgrade of all the lights under this project will realise an estimated reduction of 192 tonnes emissions of equivalent carbon dioxide per year. This is an average figure based on assumptions as to the growth in proportion of renewable energy from electricity generation in WA over the next 20 years.

RISK MANAGEMENT

33.

| | | |
|---|-------------------|---------------|
| Risk: That the actual cost per light is significantly higher than estimated. | | |
| Consequence | Likelihood | Rating |
| Moderate | Possible | Medium |
| Action/Strategy | | |
| The number of lights being upgraded can easily be reduced, thus ensuring the full grant is achieved without incurring significant additional expense. | | |

| | | |
|--|-------------------|---------------|
| Risk: That the actual cost per light is significantly lower than estimated, thus not reaching the \$1 million grant funding target. | | |
| Consequence | Likelihood | Rating |
| Significant | Unlikely | Medium |
| Action/Strategy | | |
| The number of lights being upgraded can easily be increased, thus ensuring the full grant is achieved. | | |

| | | |
|--|-------------------|---------------|
| Risk: That the light upgrades, due perceived personal effects, cause significant complaints from the community. | | |
| Consequence | Likelihood | Rating |
| Moderate | Almost Certain | High |
| Action/Strategy | | |
| <p>Although a minimum standard of street lighting must be provided by the City when undertaking these upgrades, there are a number of individual controls which can be used to reduce effects on individuals such as:</p> <ul style="list-style-type: none"> a) Reducing the power output of individual lights; b) Providing light shades; and c) Reorienting lights. | | |

CONCLUSION

- 34. Implementation of LED Streetlighting has demonstrable benefits to the City's ratepayers (through reduced costs of streetlighting) and a broader environmental benefit through reduced carbon footprint of the streetlighting system.
- 35. Using grant funding to assist in the realisation of these projects provides the City and its ratepayers the benefits sooner than if the City undertook these works themselves.

Voting Requirements: Simple Majority

RESOLVED OCM 73/2021

That Council ENDORSE the City of Kalamunda submission for Light Emitting Diode (LED) street lighting upgrades for the 2021 Clean Energy Future Fund.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Brooke O'Donnell**


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

10.2.5. City of Kalamunda Climate Change Declaration

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

| | |
|----------------|---|
| Previous Items | AGM 3/2020; OCM 33/2020 |
| Directorate | Asset Services |
| Business Unit | Parks & Environmental Services |
| File Reference | OR-IGR-005-18 |
| Applicant | N/A |
| Owner | N/A |
| Attachments | <ol style="list-style-type: none"> 1. climate-change-declaration-wording-feb-2016 [10.2.5.1 - 2 pages] 2. walga-climate-change-policy-statement-july-2018 [10.2.5.2 - 15 pages] 3. kalamunda-environmental-advisory-committee---brief [10.2.5.3 - 1 page] 4. Climate Emergency Declaration KEAC 22 Apr 21 [10.2.5.4 - 10 pages] 5. Climate- Emergency- Declaration- Template [10.2.5.5 - 10 pages] 6. Climate Change Actions in Train [10.2.5.6 - 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 |
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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.

Strategy 2.1.3 - Community engagement and education in environmental management.

Priority 2: Kalamunda Clean and Green

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

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

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

Priority 2: Kalamunda Clean and Green

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

Strategy 2.3.1 - Identify and implement strategies to reduce waste.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the recommendations of the Kalamunda Environmental Advisory Committee (KEAC) regarding their consideration of a request from Council to undertake tasks surrounding the issue of climate change.
2. KEAC have recommended that the City undertake actions surrounding the issue of climate change and have provided a report on the matter.
3. It is recommended that Council concur with the recommendations made by KEAC on this issue.

BACKGROUND

4. At the 24 March 2020 Ordinary Council Meeting (OCM), Council considered a report in response to a motion passed at the February 2020 Annual Meeting of Electors. Council determined (OCM 33/2020) that it would:

ENDORSE the Brief provided as Attachment 3 to this report for the Kalamunda Environmental Advisory Committee to undertake investigations, make recommendations (including the signing of the Western Australian Local Government Association Climate Change Policy) and report back to Council.

5. Discussions with the Presiding Member of KEAC began soon after to have this matter dealt with by KEAC. Unfortunately, the suspension of Advisory Committee Meetings during the height of the COVID 19 Emergency required that this issue to be deferred for some time. KEAC considered the brief provided to them at their January 2021 Meeting, formed a working party who reported back to the April 2021 Meeting. KEAC subsequently has made recommendations on this issue for consideration by Council.

DETAILS AND ANALYSIS

6. The Council at the March 2020 (OCM) noted two documents from WALGA for consideration, Climate Change Declaration Wording (Attachment 1) and WALGA Climate Change Policy Statement (Attachment 2). The brief provided to KEAC was also endorsed at the March 2020 OCM (Attachment 3).
7. KEAC considered their brief from Council, formed a working party to address the task and reported back. The report was subsequently unanimously endorsed by the committee members of KEAC who attended the 22 April 2021 KEAC meeting. This report and recommendations are provided as Attachment 4.
8. Climate change is having local impacts upon our community notably in matters of extreme weather events, a drying climate and its impacts upon water supply and vegetation and an overall increase in average temperatures which impact the very young and our elderly.
9. It is recommended that Council undertakes to sign the WALGA Climate Change Declaration (Attachment 1) and endorse the WALGA Climate Change Policy (Attachment 2) most simply on the basis that this issue has recognised science considering the situation and by Kalamunda supporting the peak Local Government body in WA (WALGA) adds our voice to the growing call for action.
10. The City has adopted (and drafted) several strategies which have strong links to addressing the concerns with climate change, notably the Local Environment Strategy, Urban Forest Strategy, Local Biodiversity Strategy, Non Potable Water Action Plan, Environmental Land Use Planning Strategy and (in early stages or drafting) new Streetscape Guidelines.

11. Each of these Council initiatives has strong linkages to improving environmental outcomes noting the impacts of climate change. Accordingly, Council should endorse KEAC's last dot point recommendation that "Council should develop specific Actions within its Corporate Business Plan addressing the issues noted within this report".
12. Finally, in regard to KEAC's first recommendation: "That Council should declare a Climate Emergency", this recommendation is supported. However, to make this more than a token gesture, WALGA have developed a template and toolkit for Councils considering to declare a climate emergency and what are they proposing to do about it (Attachment 5).
13. It is recommended that Council undertake this declaration of climate emergency and seek further information and recommendations in order to endorse a finalised Climate Emergency Declaration as per the WALGA template.
14. At the 11 May 2021 Public Agenda Briefing Forum where this report was discussed, Councillors sought a better understanding of actions that the City had already in place addressing the issue of climate change. Subsequently, a summary of specific actions undertaken that have positive outcomes in this regard are shown as Attachment 6 to this report.

APPLICABLE LAW

15. *Local Government Act 1995.*

APPLICABLE POLICY

16. Nil.

STAKEHOLDER ENGAGEMENT

17. It is proposed that the Community is informed of these outcomes through its standard channels, and that any subsequent initiatives that require community engagement are undertaken at the appropriate time.
18. In endorsing WALGA policy, this adds weight to WALGA's advocacy campaigns on this topic.

FINANCIAL CONSIDERATIONS

19. Specific actions and outcomes from this report will be considered by Council as part of annual budget process.

SUSTAINABILITY

- 20. Climate change is a very real threat to the sustainability of our community from an environmental, social and economic standpoint. Tackling the issue is necessary.

RISK MANAGEMENT

21.

| | | |
|---|-------------------|---------------|
| Risk: The City suffers substantial reputational loss due to its inaction on climate change. | | |
| Consequence | Likelihood | Rating |
| Significant | Almost Certain | High |
| Action/Strategy | | |
| Progress towards actions and plans, including signing onto WALGA policy and declarations will assist in mitigating this risk. | | |

| | | |
|---|-------------------|---------------|
| Risk: The City suffers substantial environmental loss due to its inaction on climate change. | | |
| Consequence | Likelihood | Rating |
| Significant | Almost Certain | High |
| Action/Strategy | | |
| Progress towards actions and plans, including signing onto WALGA policy and declarations will assist in mitigating this risk. | | |

CONCLUSION

- 22. Undertaking these actions as recommended puts the City on the path towards taking actions to safeguard the future of the community. It is recommended that these actions are taken as matter of priority.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

- 1. RECEIVE the report and recommendations from the Kalamunda Environmental Advisory Committee on the issue of climate change.
- 2. AUTHORISE the Mayor to sign, on behalf of the City of Kalamunda, the West Australian Local Government Declaration on Climate Change provided as Attachment 1.

3. ENDORSE that the City of Kalamunda advises the Western Australian Local Government Association of its support for the Western Australian Local Government Association Climate Change Policy Statement 2018 provided as Attachment 2.
4. SEEK, from the Chief Executive Officer, a proposed set of actions addressing climate change within the next revision of the Corporate Business Plan.
5. DECLARE there is a Climate Emergency.
6. RECEIVE a subsequent report addressing the Climate Emergency Declaration aligned to the Western Australian Local Government Association template by the end of June 2022.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Geoff Stallard**

Vote:

Cr Sewell proposed an amendment to point 4 and point 6 of the recommendation. The amendment was accepted by the mover and seconder. The amended motion was debated before being put to the vote.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 74/2021

That Council:

1. RECEIVE the report and recommendations from the Kalamunda Environmental Advisory Committee on the issue of climate change.
2. AUTHORISE the Mayor to sign on behalf of the City of Kalamunda, the West Australian Local Government Declaration on Climate Change provided as Attachment 1.
3. ENDORSE that the City of Kalamunda advises the Western Australian Local Government Association of its support for the Western Australian Local Government Association Climate Change Policy Statement 2018 provided as Attachment 2.

4. SEEK, from the Chief Executive Officer, a proposed set of actions addressing climate change and once developed undertake community consultation in order to ensure the actions proposed align with community sentiment.
5. DECLARE there is a Climate Emergency.
6. RECEIVE a subsequent report addressing the Climate Emergency Declaration aligned to the Western Australian Local Government Association template by the end of June 2022.
7. REQUEST the Mayor to write to the Minister for Climate Action to advise the City of Kalamunda declared a Climate Emergency.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Geoff Stallard**

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

CARRIED (10/2)

The meeting adjourned at 8:24pm and recommenced at 8:35pm. All elected members and staff returned to the meeting. Several members of public also remained.

10.3. Corporate Services Reports

10.3.1. Land Acquisition - Portion of Lot 1499 (71) Stirling Crescent, High Wycombe

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

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."

| | |
|----------------|--------------------------------|
| Previous Items | Nil |
| Directorate | Corporate Services |
| Business Unit | Commercial & Cultural Services |
| File Reference | ST-12/071; 4.00010907 |
| Applicant | City of Kalamunda |
| Owner | State of Western Australia |
| | |
| Attachments | Nil |

TYPE OF REPORT

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

RESOLVED OCM 89/2021

That Council:

1. APPROVE the acquisition of the portion of Lot 1499 on Deposited Plan 251270 and being the whole of the land comprised in Certificate of Title Volume 1087 Folio 357 and otherwise known as Lot 1499 (71) Stirling Crescent, High Wycombe shown delineated and marked on Drawing No. 987-18/19-LRE-0007, attached as Confidential Attachment 1, pursuant to section 168 of the *Land Administration Act 1997* (WA).
2. DELEGATE to the Chief Executive Officer the authority to negotiate and enter into a legal agreement with the registered proprietor of land described as Lot 1499 on Deposited Plan 251270 and being the whole of the land comprised in Certificate of Title Volume 1087 Folio 357 and otherwise known as Lot 1499 (71) Stirling Crescent, High Wycombe (Land) for the acquisition of the portion of the Land shown delineated and marked on Drawing No. 987-18/19-LRE-0007, attached as Confidential Attachment 1, pursuant to section 168 of the *Land Administration Act 1997* (WA).
3. ADOPT Confidential Terms of Negotiation Option B as specified in Confidential Attachment 3, for the purposes of the negotiation and legal agreement described in (2) above, and REQUESTS the Chief Executive Officer to undertake negotiations and enter into a legal agreement accordingly.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

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

10.4. Office of the CEO Reports

10.4.1. Adoption of Kalamunda Advancing Strategic Community Plan 2031

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

| | |
|----------------|---|
| Previous Items | OCM 41/2021 |
| Directorate | Office of the CEO |
| Business Unit | |
| File Reference | |
| Applicant | |
| Owner | |
| Attachments | <ol style="list-style-type: none"> 1. Kalamunda Advancing Strategic Community Plan 2021 2031 FINAL [10.4.1.1 - 34 pages] 2. Engagement Report - Strategic Com Plan May 2021 [10.4.1.2 - 171 pages] 3. Kalamunda Advancing Strategic Community Plan 2021 2031 FINAL with track changes [10.4.1.3 - 34 pages] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

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

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

Strategy 1.1.3 - Facilitate opportunity to pursue learning.

Priority 1: Kalamunda Cares and Interacts

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

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

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

Strategy 1.2.1 - Facilitate a safe community environment.

Priority 1: Kalamunda Cares and Interacts

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

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

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

Priority 2: Kalamunda Clean and Green

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

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

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

Strategy 2.1.3 - Community engagement and education in environmental management.

Priority 2: Kalamunda Clean and Green

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

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

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

Priority 2: Kalamunda Clean and Green

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

Strategy 2.3.1 - Identify and implement strategies to reduce waste.

Priority 2: Kalamunda Clean and Green

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

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

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

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

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.1 - Optimal management of all assets.

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

Priority 3: Kalamunda Develops

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

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

Priority 3: Kalamunda Develops

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

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

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

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

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

Priority 4: Kalamunda Leads

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

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the community engagement results from the public advertising of the draft Strategic Community Plan, Kalamunda Advancing.
2. The City undertook the final stage of community consultation from 31 March 2021 until 30 April 2021.
3. The recommendation is to thank the community, note the engagement report and to adopt 'Kalamunda Advancing Strategic Community Plan 2031.' (Attachment 1.)

BACKGROUND

4. The City of Kalamunda adopted the Kalamunda Advancing: Strategic Community Plan 2027 (Plan) in 2017. The strategic community plan is the highest-level plan the City prepares.
5. The Plan documents the community's vision, outcomes and priorities over a 10-year period and is required to undergo a desktop review every two (2) years, and a major consultative review every four (4) years.
6. The Plan becomes the footprint in which a local government operates and sets its priorities.
7. The current Kalamunda Advancing 2027 plan was due for community review in 2020.
8. The review consisted of two major components; the first being a review and summary of all achievements under the current Plan since its adoption, with the second component to undertake community engagement to understand how the City currently engages with the community, and areas for improvement.
9. Preliminary research focused on demographics, current context and trends returned from the Markyt Community Scorecard carried out in May 2020.
10. Once the framework for consultation was established, the City engaged with key stakeholders and the broader community to help shape the Plan and determine future priorities.
11. Council endorsed the Strategic Community Plan for public advertising at the March 2021 Ordinary Council meeting
12. The Strategic Community Plan outlines the community long term (10+ years) vision, values, aspirations and priorities.

DETAILS AND ANALYSIS

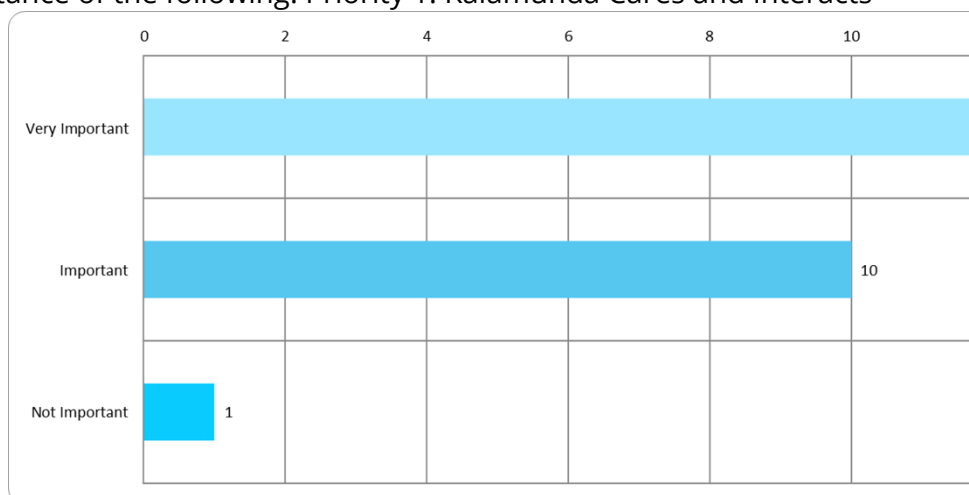
13. Community consultation for the project was delivered in line with IAP2 best practice principles with the Communication and Engagement Plan progressing to IAP2 spectrum level 'Involve'.
14. The City worked directly with the public throughout the review to ensure community concerns and aspirations were understood and considered. The review was supported by an integrated marketing campaign to build community awareness.
15. The City of Kalamunda made a promise as part of its Community Engagement Strategy to create multiple conversations with as many people in the community as possible to identify the common vision for what the future City could look like.
16. A key innovation across the Review was the City's commitment to providing multiple feedback pathways for the community. The City adapted its engagement tools when COVID-19 restrictions were introduced in early-2020. This online workshop element was rolled into the Review to ensure the community could select their preferred engagement channel.
17. While the feedback gathered during the consultation period represented a broad range of views and ideas, there were some common themes that emerged:
 - a. It is highly important that the City's character is protected (heritage, natural environment, town feel, lifestyle, development controls).
 - b. There is a desire for more activation in the Kalamunda Town Centre. This includes looking at initiatives that build vibrancy that appeal to both residents and visitors.
 - c. Walking and bicycle paths were mentioned frequently, highlighting their importance to many in the community. This is in terms of providing connection to places, contributing to our healthy and active lifestyle, and as a tourism offering.
 - d. Employment and job creation is highly important for many in the community.
 - e. More needs to be done to support the establishment and expansion of businesses locally, with suggestions that the City can assist by cutting 'red tape'.
 - f. More things for young people and families was a common sentiment, balanced against ensuring there is support for our older population.
 - g. Increase the focus on greening the City by planting more trees down residential streets, along with the importance of protecting and enhancing our natural setting. There were also comments about

preparing for emergencies, specifically bushfire prevention actions like clearing verges and trimming over hanging trees.

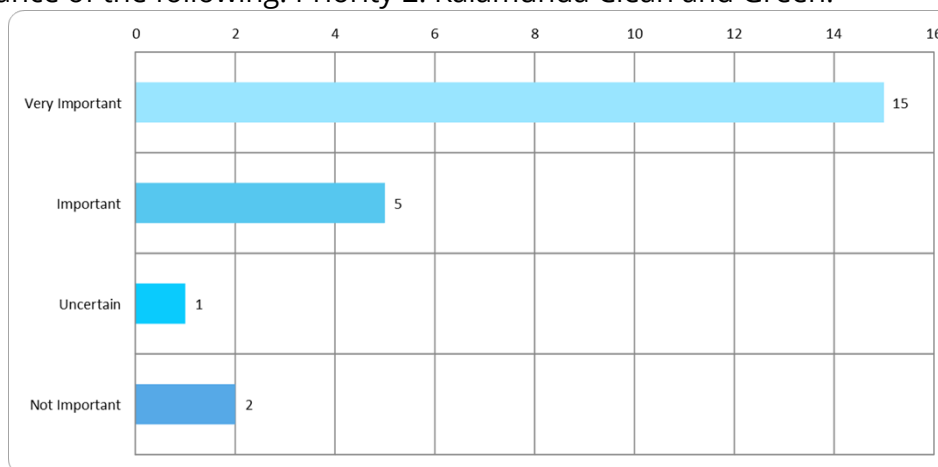
- h. Improved public transport that supports both young and old population.
- i. More opportunities to engage in arts and culture activities was also seen as important. This included more support for activities and events that support a vibrant community culture.
- j.
 - Feedback also highlighted that the City needs to clearly show how it is achieving its aspirations and focus on accountability and transparency.

18. An overview of the Community members feedback provided during the final stage of community engagement is:

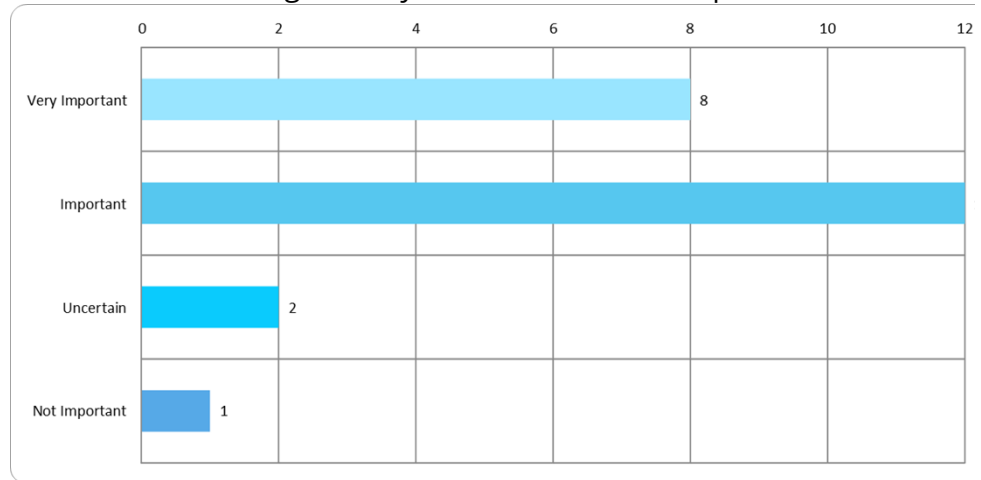
19. 'The Plan lists four (4) Priority Areas for the City. How would you rate the importance of the following: Priority 1: Kalamunda Cares and Interacts'



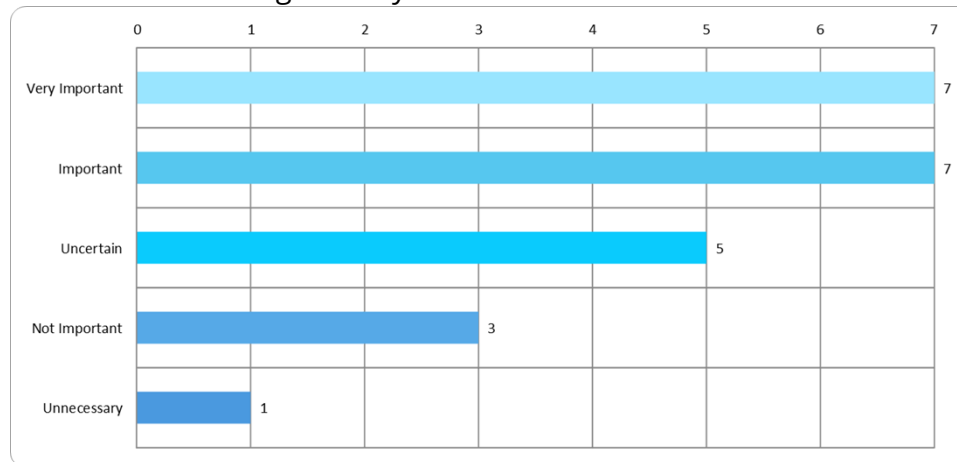
20. 'The Plan lists four (4) Priority Areas for the City. How would you rate the importance of the following: Priority 2: Kalamunda Clean and Green.



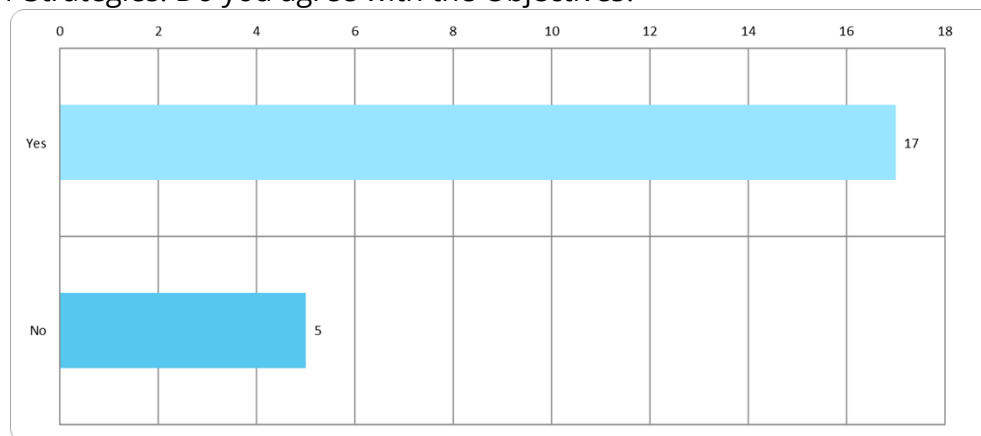
21. 'The Plan lists four (4) Priority Areas for the City. How would you rate the importance of the following: Priority 3: Kalamunda Develops.'



22. 'The Plan lists four (4) Priority Areas for the City. How would you rate the importance of the following: Priority 3: Kalamunda Leads.'



23. Within the City's four (4) Priority Areas collectively there are 15 Objectives and 31 Strategies. Do you agree with the Objectives?



24. Reasons

| | |
|-----|---|
| Yes | seem to be well thought out |
| Yes | We are overdue for a comprehensive review leading to appropriate actions to re-focus and rectify previous poor decisions, and to re-align objectives that have been put in place by persons with a vested interest. |
| Yes | |
| Yes | <p>'I basically agree but it is too wide ranging to just say yes or no to 31 strategies. Should really ask for individual responses.</p> <p>Some things that stood out:</p> <ul style="list-style-type: none"> - develop in fill housing etc: To a limit. Please stop squishing as many tiny units on a block as is possible at the cost of space, air, quality of living. The hills should be renowned for the spaciousness and green cover and quality of life. Plenty of other areas you can live on a postage stamp of land, hear your neighbours snore and be surrounded by walls and concrete. - build an efficient service based system: go through all your processes with a fine tooth comb to see where you can save money instead of doing things the same way over and over. An example, it really bugs me when I see the lawnmower going down Welshpool Rd every day around 7.30 and back up at 3pm. How much labour and materials are wasted just doing that? Can't the thing be parked down the hill? - Enhance environmental values: soooo much more needs to be done here. Too many trees get chopped down and replaced by grass or a small tree or just dirt. Insist when there is roadworks done (sooo many roadworks) verges are restored/improved with ample trees and shrubs; same with commercial and residential developments. Cover all verges with trees, shrubs, ground covers. Plant up roundabouts. It makes such a difference, just look how much better Welshpool Rd looks after you planted the trees. |
| Yes | Need to plan if you don't you fail |
| Yes | Ambitious Goals! Can You Deliver? |
| Yes | Broadly yes, but this question only allows one YES or NO for 15 objectives and 31 strategies - not a great question for eliciting feedback. |

| | |
|-----|---|
| Yes | It is very important that everyone plays a part in ensuring the welfare of the city. From helping keeping it as A home in the forest and a home for the aged. |
| Yes | I think they sound like they address the future issues for the Kalamunda shire |
| Yes | They are proactive objectives, however not so sure about the success measurement. |
| Yes | |
| Yes | I do but feel the focus has always been on the NEW developed areas and not the escarpment- Kalamunda Gooseberry Hill and Lesmurdie. The New community centre was driven by members and not the Council. While other areas are evolving the escarpment is left behind. Run down areas and empty buildings. The eyesore old GP practice opposite Aldis and the empty land next to the best drop. The area could and should have been utilized. Has anybody commented that the disabled/ pram access is occluded by the fence |
| Yes | The areas of priorities resonate with me as a safe and inclusive community and a sustainable environment are important aspects to me. |
| Yes | Generally they are well meaning. They could make a difference if they are fully committed to. I have however seen these before and to date there has been little follow-through. |
| Yes | I would go along with some of the objective however the priority is debatable |
| Yes | Benefit of Kalamunda |
| Yes | |
| No | Needs a bigger focus on Environmental protection for trees and wildlife.... |
| No | Overall, fix what we already have rather than keep pouring money into "new initiatives". Consolidate first. "Cares and Interacts" - Educate your "bushfire" rangers correctly. Get them to learn from volunteers and long-time residents who have dealt with their properties for many years, sometimes in a multigenerational sense. Some of the ones I have spoken to do not |

| | |
|----|---|
| | <p>even live in the area, let alone have grown up in it. The adversarial approach will never work.</p> <p>You want people to get out and about? Fix the footpaths (especially in central Kalamunda) where different works have not only left the surfaces ugly but also uneven. Keep trees/bushes trimmed away from footpaths so people (especially children) are not forced to walk on roads. You have \$11m worth of vehicles and plant, use it.</p> <p>"Clean and Green" - forget the solar farm and use the roof space of existing buildings. Commercial suppliers are cost effective for the same result. No greater need to deal with Western Power on a feed in deal either.</p> <p>"Kalamunda Develops" - Teach the team how to make a road. Canning Road between the gumnets and Woolworths still has to be one of the worst "main roads" in the state. Dropping the speed limit to 40kmh will not solve the issue either. Maintenance and proper calibration of equipment will.</p> <p>"Kalamunda Leads" - Keep personal political/ideological desires out of the council. It's obvious and ugly.</p> |
| | <p>Kalamunda leads states that a "level of compliance " is a good outcome. Compliance is acceptable not good and definitely not leading.</p> |
| No | <p>Clean and green, focuses far to little attention to protecting our carbon reducing natural bush land and public open spaces, instead uses it to vale economic benefits to the council disguised as sustainability.</p> |
| No | <p>In particular I have concerns about how the objectives for a clean & green environment will be managed against the population growth objectives. These two are often in direct conflict and are the major concerns I hold for Kalamunda.</p> |
| No | <p>I feel that these objectives and strategies have been in train for a long time. Why is it 2031 before "Our Vision Story" can come to fruition.</p> |

25. The City of Kalamunda received a number of submissions, which are also included, in full, in Attachment 2 – Community Engagement Report. A key theme in the submissions was feedback from the community in relation to the importance of the protection and enhancement of the environment.

26. The City has utilised all of the community feedback, when developing and reviewing the Draft Strategic Community Plan, assessing where resources and time should be focused based on the direct involvement of community members as a part of the engagement and finalisation of the plan. Attachment 3 provides a copy of the report with changes highlighted.

APPLICABLE LAW

27. Local Government Act 1995

APPLICABLE POLICY

28. Service 5 – Communication and Engagement

STAKEHOLDER ENGAGEMENT

29. The City's Strategic Community Plan review was informed by the findings from the Markyt Community Scorecard carried out in May 2020. Scorecard invitations were sent to 4,000 randomly selected households; 1,000 by mail and 3,000 by email. 483 randomly selected residents and ratepayers completed a scorecard reducing the sampling error to $\pm 4.5\%$ at the 95% confidence interval.

The City issued supporting promotion via its communication channels. A further 32 residents, 25 out of area ratepayers and visitors, and 14 Council-affiliated respondents participating bringing the total number of Scorecards returned to 554.

30. In August 2020, the City launched an awareness campaign to educate the community about the coming review and the many ways people could submit feedback including face-to-face workshops, online surveys and hard copy surveys. The community consultation period for the Strategic Community Plan ran from 1 September 2020 to 31 October 2020.

The City collected the views of the community through a number of different methods including:

- a. Online engagement portal
 - b. Hard copy feedback forms, and
 - c. Community Workshops – two (2) face-to-face and one (1) virtual. An external volunteer facilitator was engaged to run the community workshops.
31. The opportunity for residents and ratepayers to have a say about the City's Strategic Community Plan was promoted in the following ways:
- a. City's website and engagement portal
 - b. Monthly eNews to City subscribers
 - c. Hard copy promotion at City buildings including libraries

- d. Direct email to community groups and committees / working groups / advisory groups
 - e. Print ad in local newspaper
 - f. Social media promotion including paid and organic posts.
32. The City hosted two community workshops – the first workshop ran in Kalamunda on 23 September 2020 with 36 participants. The second was held in Forrestfield on 14 October 2020 with 25 participants. The City also offered an online workshop on 23 October 2020 with 5 voices dialling in.
33. The City's engagement tools were adapted to include the online workshop component because of COVID-19 restrictions rolling out in early 2020 and rolled into this Review to ensure best-practice opportunities for community involvement.
34. In addition, the City received 338 written submissions regarding the Strategic Community Plan. Predominantly the responses were completed online via the City's engagement portal. Review promotion was also issued to Council committees, working groups and advisory groups for comment.
35. 162 participants actively discussed the Strategic Community Plan at 10 workshops and/or Advisory Committee meetings across the consultation period.
36. The Draft plan was endorsed by Council for public advertising, with the advertising period running March – 30 April 2021. A copy of the Community Engagement Report is provided at Attachment 1.
37. To ensure input was meaningful, we asked respondents to download and read a copy of the Plan before completing the short survey. This resulted in:
- a. 154 Downloads of the Plan
 - b. 23 Surveys Returned
 - c. 9 Submissions Received
 - d. 16 Social Media Posts Published across 4 channels
 - e. resulting in 6,585 Impressions
 - f. 3,753 Emails Sent - 2 x Mailchimp; 1 x Engage.
 - g. Ave. Open Rate = 47% with Ave. Click Rate = 9.95%
 - h. Shopping Centre Promotion pop up at Kalamunda Central and Hawaiians Forrestfield

FINANCIAL CONSIDERATIONS

38. The Strategic Community Plan has been developed within the current operating budget.

SUSTAINABILITY

- 39. The Strategic Community Plan has been developed with the ethos of continued long term sustainability of the District.

RISK MANAGEMENT

| | | | |
|-----|--|-------------------|---------------|
| 40. | Risk: Strategic Community Plan is not adopted by Council. | | |
| | Consequence | Likelihood | Rating |
| | Significant | Unlikely | Low |
| | Action/Strategy | | |
| | Ensure Strategic Community plan is developed by directly involving community members and put to Council articulating the views of the community. | | |

CONCLUSION

- 41. A specific highlight of the Review’s in-person workshopping component was that it allowed community members to articulate their opinions and views and negotiate with others to find agreeable solutions or alternative.

This meant the onus was on the individual to explore themes, ideas and budgets to support their priorities and really encouraged a sense of ownership of the shared community vision.
- 42. To assist with the Strategic Community Plan’s review, the City of Kalamunda engaged and listened to the needs and aspirations of the local community, with the aim of understanding what is required to create and deliver a shared vision. Specifically, community consultation sought to explore what the community valued, perceived future challenges, satisfaction levels, investment opportunities and relative priority for community themes. During the consultation, members of the community provided valuable insight into what is most valued and what is needed to improve the livability of the City.

43. The City of Kalamunda engaged with the wider community to ensure they had the opportunity to be involved in the review of the Strategic Community Plan. By personally inviting a range of community members with a broad range of views to workshop collaboratively and provide feedback in a group setting it assisted to grow community understanding of the competing priorities. Utilising random sample methodology as well as broad public advertising was extremely successful.
44. Officers have reviewed feedback from the final stage of public advertising, with all previous feedback forming the basis of the draft Strategic Community Plan.
45. The final version of 'Kalamunda Advancing- Strategic Community Plan' is provided for Council endorsement.
46. The City of Kalamunda would like to thank all the community members who were involved in the development of the plan.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. THANK the community for their contribution to Kalamunda Advancing Strategic Community Plan 2031.
2. NOTE the Community Engagement Report.
3. ADOPT Kalamunda Advancing Strategic Community Plan 2031.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Janelle Sewell**

Cr Cooper proposed an amendment to the recommendation. The amendment was accepted by the mover and seconder before being put to a vote.

RESOLVED OCM 75/20201

That Council:

1. THANK the community for their contribution to Kalamunda Advancing Strategic Community Plan 2031.
2. NOTE the Community Engagement Report.

3. ADOPT Kalamunda Advancing Strategic Community Plan 2031, subject to the following amendment:

a) On page 22 – Delete *“current strategy 2.1.4”*

and replace it with

b) *“2.1.4 Increasing and protecting local biodiversity and conservation, wherever possible, through integrating ecosystem and biodiversity protection into planning processes including schemes, policies and strategies”.*

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Janelle Sewell**

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


CARRIED/ABSOLUTE MAJORITY (11/1)

10.4.2. Kala Cash Project Update

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 | Customer & Public Relations |
| File Reference | |
| Applicant | |
| Owner | |
| Attachments | Nil |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

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

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

Priority 3: Kalamunda Develops

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

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

Priority 4: Kalamunda Leads

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to provide an update on the Kala Cash Campaign.
2. City of Kalamunda partnered with Community Bank Forrestfield & High Wycombe Bendigo Bank (CBF&HWBB) branches to create the first 'buy local' gift card program of its type in Western Australia.
3. The recommendation is to NOTE the progress of the Kala Cash Campaign.

BACKGROUND

4. Recognising the important role an Economic Development Strategy plays in supporting and facilitating local economic growth the City developed a strategy, with community consultation, that was adopted by Council in late-2017.
5. The City of Kalamunda (City) and the local CBF&HWBB branches partnered to create the local gift card in response to the economic uncertainties caused by the pandemic, and longer-term discussions with local businesses and the community.
6. In 2020, the COVID-19 pandemic placed the immediate future of many small businesses in serious jeopardy, causing a sudden fall in demand for products/services, labour shortages and supply disruptions. People isolating at home were consuming less and making purchases in different ways. As part of a comprehensive risk management strategy, the City

developed a range of support services and resources to help businesses during the crisis and recovery phase.

7. In July 2020, the City partnered with CBF&HWBB to implement a Community Gift Card Program by "Why Leave Town (WLT) Promotions. Aligning with the City's strategy to provide funding for creative and innovative projects designed to assist local businesses recover from the effects of the pandemic, the initiative is the first of its kind to be rolled out in WA.

DETAILS AND ANALYSIS

8. Co-branded collateral was designed for each phase including stationary, social media campaigns, advertisements, Point of Sale (POS) material, flyers, signage, gift cards, packaging, media releases and website content. Adjustments were made throughout the project in response to stakeholder requirements, including the creation of mini campaigns to educate and engage local community groups resulting in a sense of ownership and showcasing product suitability as well as providing options for fundraising.
9. The engagement highlighted how:
 - a. forming a partnership benefited the overall project by sharing ideas, enthusiasm, skills and workload.
 - b. local businesses and services were empowered to self-promote their involvement with the program, connect with the community, and build a stronger local economy.
 - c. informing and involving the community in the 'buy local – support local' program has created sustainable economic and social long-term benefits and solutions.
10. The engagement was instrumental in providing statistics to the City around local economic patterns. This data provided valuable insight into stakeholder needs and assisted the City to better support them. The initiative has enjoyed enthusiastic uptake from stakeholders and the community, with all benchmarks and targets exceeded.
11. The buy local KalaCash Gift Card Program was implemented in four stages:
 - a. Stage One: Investigate the implementation of a community gift card program as one possible support solution in activating the local economy; and corresponding budget(s).
 - b. Stage Two: Seek business community interest in the program, targeting key businesses.
 - c. Stage Three: Engaging with the local community and program launch.

- d. Stage Four (2021- ongoing): Building program sustainability collaborating with current registered businesses, empowering them by providing tools and support to self-promote their program involvement and continue informing and involving the community in the economic and social benefits of buying and supporting local.

12.



13.

The initiative has been highly effective. Despite being in its early stages, the launch followed by a successful Christmas campaign saw \$10,000 loaded on the cards in first three weeks of the initiative, and easily surpassing the six-month targets:

- Target: 50+ Businesses registered. Purchase of 100 cards at a value of \$4000 (first 6 months).
- Actual: 78 Businesses registered. Purchase of 207+ cards at a value of \$15000 (first 5 months, March 2021).

14.

The City of Kalamunda and CBF&HWB have taken ongoing feedback from businesses to see what they need and adjusted to suit, this has included the development of additional materials and the like. At commencement, the partnership spoke to a number of businesses to ensure there was an appetite to proceed.

15.

Flyers, posters, website content, eNewsletter articles, a newspaper advertisement, and social media campaigns were used to inform the broader community with the message "Shopping local provides better opportunities for face-to-face customer service experiences, supports bespoke local goods, creates jobs, and keeps wealth and skills where we live, love and play." The City asked the community to get to know their local butchers, bakers, and business makers. They were encouraged to share their favourite shop, service, or experience by gifting a loaded 'Love Kala Cash' card to friends and family.

16. A high level of transparency throughout the campaign was created, with the community being informed about the number of registered businesses; and the total amount of cards sold, and funds loaded via social media.

APPLICABLE LAW

17. Local Government ACT 1995

APPLICABLE POLICY

18. Service 5 – Communication and Engagement

STAKEHOLDER ENGAGEMENT

19. As part of a comprehensive risk management strategy, the City engaged with local businesses to develop a range of support services and resources to help them during the pandemic and recovery. Collected data validated information compiled during the City's Economic Development Strategy engagement processes.
20. The City's collaborated extensively with the CBF&HWBB (Project Partner), and Why Leave Town (Program Administrator) to comprehensively research the initiative, ascertain viability, allocate preliminary budgets, and prepare a Memorandum of Understanding and other legal agreements. In person and digital engagement was conducted along with significant liaison with other Councils in NSW who shared information regarding the implementation of the program in their region.
21. Following a series of brainstorming workshops, the City and CBF&HWBB developed a Communications and Engagement Plan and co-branded collateral informing business owners of the program and seeking their interest. Point of Sale (POS) material was created and costed by the City and 'tweaked' to include improvements and suggestions following further consultation and workshopping with CBF&HWB. Collateral included: co-branded stationary, a social media campaign, newspaper advertisement, posters, flyers, pull-up banners, a media release and website content. A QR code linking to the KalaCash page on the City's website, with query string, was added to key marketing material to assist with user engagement data and analytics.

22. The City's and CBF&HWBB's teams then took to the streets to deliver a personalised service to businesses. The City followed up on its earlier Business Advisory Sessions, promoting an initial buy-in to the KalaCash Gift Card program, receiving feedback and suggestions about any additional support businesses needed. The teams also attended local Chamber of Commerce meetings presenting the initiative and taking feedback.
23. A photographer visited registered businesses taking photos of business operators displaying a KalaCash placard, building hope despite the sluggish economic market, and a sense of excitement leading to the launch. The actions empowered business operators, by providing them with tools they could use and build on. The photos were used by the City and CBF&HWBB for further promotion.



24. In November 2020, the KalaCash Gift Card program launched to the community via a media release, social media campaign and a pop-up stall at the local night markets with \$2500 in KalaCash Gift Card giveaways, funded by the Community Bank. The pop-up stall was an opportunity to talk to community members face-to-face. As a result of feedback, a hard copy flyer was created listing participating businesses, and distributed in small batches throughout the City of Kalamunda and updated regularly as new businesses came on-board. A button was added to the KalaCash website page giving direct access to the latest version.
25. The project is opt-in, meaning businesses could decide if they wanted to sell KalaCash or be a redemption store. Only businesses who wanted to participate did so, on their own terms. Offering KalaCash as incentives and prizes for community groups was implemented as community feedback supported an expanded program.

FINANCIAL CONSIDERATIONS

26. The program has been developed in partnership with the Bendigo bank Community Bank Forrestfield and High Wycombe Branch.

SUSTAINABILITY

27. The program is focused on long term sustainability for the community and business sector.

RISK MANAGEMENT

28.

| | | |
|--|-------------------|---------------|
| Risk: Slow take up of future Businesses | | |
| Consequence | Likelihood | Rating |
| Moderate | Possible | Low |
| Action/Strategy | | |
| Maintain communication. Strong marketing to convince businesses to be some of the first. Provide information and support implementing and sustaining the program. Promote the positive outcomes of the Program. Visitation by representatives from the City or CBF&HWB who have existing and trusted relationships with business owners to explain and answer questions. | | |

29.

| | | |
|--|-------------------|---------------|
| Risk: Slow future uptake by community to purchase the gift cards | | |
| Consequence | Likelihood | Rating |
| Moderate | Possible | Low |
| Action/Strategy | | |
| Advertise widely and encourage ALL community members to participate. Promote the positive outcomes of the Program. Integrate on and offline communication to reach all sectors of community. | | |

CONCLUSION

30. The City of Kalamunda’s partnership with CBF&HWBB has been a success due to the strong communication between both partners. The teams met regularly to collaboratively workshop and contribute to the overall Engagement & Communication Plan. The Plan was revised regularly, incorporating input from each party as the program rolled out. The City and CBF&HWB engage with business and the community for ongoing input into the running of the program and the opportunities for collaboration. Feedback is provided on an ongoing basis, with review also ongoing.

31. The City and CBF&HWBB continue to meet and collaborate with current registered businesses and share the necessary tools and support so they can self-promote their involvement with the program. By empowering local businesses and continuing to involve them in the feedback process, the City is meeting its objective of building community and promoting the economic and social benefits of buying and supporting local.
32. In 2021, the Communications and Engagement Plan was updated following workshopping with partner, CBF&HWBB to include further social media campaigns, eNewsletter content, newspaper advertising and putting pull up banners back on the collateral list for use at local pop-up events. The program will regularly be revised to incorporate feedback from businesses, the local community, and analytics from digital channels.
33. The program's engagement plan progressed naturally from 'Collaborate' to 'Empower' IAP2 spectrum level with all stakeholders due to the City remaining open-minded, agile, listening to all stakeholders, and incorporating feedback at every stage.
34. An integrated communication and consultation campaign across a variety of platforms, delivered in multiple phases ensured a broader reach and awareness across all sectors of community.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 76/2021

That Council NOTE the Kala Cash Campaign Project Results.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Janelle Sewell**

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


10.4.3. Corporate Business Plan - Quarterly Update - January-March 2021

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

Previous Items
Directorate Office of the CEO
Business Unit People Services
File Reference 3.009509
Applicant City of Kalamunda
Owner City of Kalamunda

Attachments 1. Quarterly Corporate Plan Report January- March 2021 [**10.4.3.1** - 62 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the progress on the City of Kalamunda's (City's) achievement against "Kalamunda Achieving:

Corporate Business Plan 2020-2024" for the period January to March 2021.

2. On average, actions from the Corporate Business Plan are 75.0% complete at the end of the third quarter, 31 March 2021.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period January to March 2021.

BACKGROUND

4. Kalamunda Achieving: Corporate Business Plan 2020-2024 (the CBP) was endorsed by Council on 30 June 2020. The Plan is reviewed every year.
5. The CBP outlines the major projects, including capital works and operational recurrent services, for the City. It then links those projects and services to the Asset Plans, Long Term Financial Plan and Workforce Plan.
6. The CBP is a component of the City of Kalamunda's integrated planning and reporting framework.
7. The Chief Executive Officer, Directors and Managers have individual performance objectives that are directly linked to their achievement of the CBP in 2020/21.

DETAILS AND ANALYSIS

8. The CBP is comprised of 4 priority areas, referred to as 'goals' in this report, being:
 1. Kalamunda Cares and Interacts
 2. Kalamunda Clean and Green
 3. Kalamunda Develops
 4. Kalamunda Leads
9. There are 119 individual actions set out within the CBP for the 2020/21 year. Progress reporting is provided as Attachment 1 to this report.
10. The report reflects the management progress report against the work schedule for each of the individual actions, as at 31 March 2021.
11. On average, the actions contained in the CBP are 75.0% complete. For most actions, the target at the end of the second quarter is 75%.
12. Achievement of target is measured by comparing the target completion % to the actual completion %. For example, if the target is 25%, but the

action is actually 50% complete, this represents an achievement of 200%. The average achievement of target across the actions is 102.4%.

APPLICABLE LAW

13. Section 5.56 of the *Local Government Act 1995 (WA)*.

APPLICABLE POLICY

14. Nil.

STAKEHOLDER ENGAGEMENT

15. This report reflects input from Directors and Managers throughout the City.

16. Various external stakeholders and community members have been involved in the achievement of the CBP.

FINANCIAL CONSIDERATIONS

17. This plan is delivered within the City’s approved Annual Budget and Long Term Financial Plan.

SUSTAINABILITY

18. Nil.

RISK MANAGEMENT

| 19. | Risk: The City lacks transparency in its achievement of the statutory requirements of the Corporate Business Plan leading to reputational impacts | | | | | | |
|-------------|---|-------------|------------|--------|----------|----------|-----|
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Consequence</th> <th style="text-align: left; padding: 2px;">Likelihood</th> <th style="text-align: left; padding: 2px;">Rating</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Moderate</td> <td style="padding: 2px;">Unlikely</td> <td style="padding: 2px;">Low</td> </tr> </tbody> </table> | Consequence | Likelihood | Rating | Moderate | Unlikely | Low |
| Consequence | Likelihood | Rating | | | | | |
| Moderate | Unlikely | Low | | | | | |
| | Action/Strategy | | | | | | |
| | Quarterly reports are provided to Council of progress against the CBP and are publicly available. | | | | | | |

CONCLUSION

20. On average, actions from the Corporate Business Plan are 75.0% complete.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 77/2021

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2020-2024 for the period January to March 2021.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Lisa Cooper**

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

10.5. Chief Executive Officer Reports


10.5.1. Draft Monthly Financial Statements to April 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 30 April 2021 [10.5.1.1 - 2 pages] |
| | 2. Statement of Net Current Funding position as at 30 April 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 |
|  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 30 April 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 30 April 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 30 April 2021.

7. This Statement reveals a net result surplus of \$16,914,897 compared to the budget for the same period of \$11,188,179.

Operating Revenue

8. Total Revenue excluding rates is over budget by \$2,536,668. This is made up as follows:
- a) Operating Grants, Subsidies and Contributions are over budget by \$1,566,452. The variance is mainly attributed to:
 - i. Contributions received from CELL 9 trust fund of \$1,372,606 for the reimbursements of expenditure incurred on behalf of the trust.
 - b) Fees and Charges are over budget by \$860,246. The variance is primarily due to;
 - i. Actual income received from development application fees is higher than the projected income by \$183,119.
 - ii. Building application approval fees are higher than the budgeted income by \$151,605.
 - c) Interest Income is over budget by \$100,251. The majority of term deposits were matured during March 2021 and the variance is considered to be a timing issue.
 - d) Other Revenue is under budget by \$3,003. This is an aggregate result of minor variances in individual income categories.

Operating Expenditure

9. Total expenditure is under budget by \$3,176,398. The significant variances within the individual categories are as follows:
- a) Employment Costs are under budget by \$702,706, which is primarily due to vacant positions and the aggregate result of minor variances in various business units.
 - b) Materials and Contracts are under budget by \$3,021,395. The variance is primarily due to;
 - i. Consultancy and contractor costs for various non-recurrent projects planned under the development and traffic engineering section, which is under budget by \$1,050,009 and considered to be a timing variance
 - ii. Verge maintenance is under budget by \$444,320 and is considered to be a timing variance.
 - c) Utilities are under budget by \$8,858, which mainly relates to street lighting costs which are lower than projected.
 - d) Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$461,332.
 - 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 \$104,838. The variance is mainly due to the timing of 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 \$2,078,786. This is considered to be a timing issue.
12. Capital works-in-progress expenditure of \$1,398,519 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 \$1,406,903 which is mainly due to the developer contributions and considered to be a timing issue.

Rates Revenues

14. Rates generation is under budget with a variance of \$79,334. The variance is mainly due to the timing of raising interim rates.

Statement of Financial Activity by Program for the period ended 30 April 2021

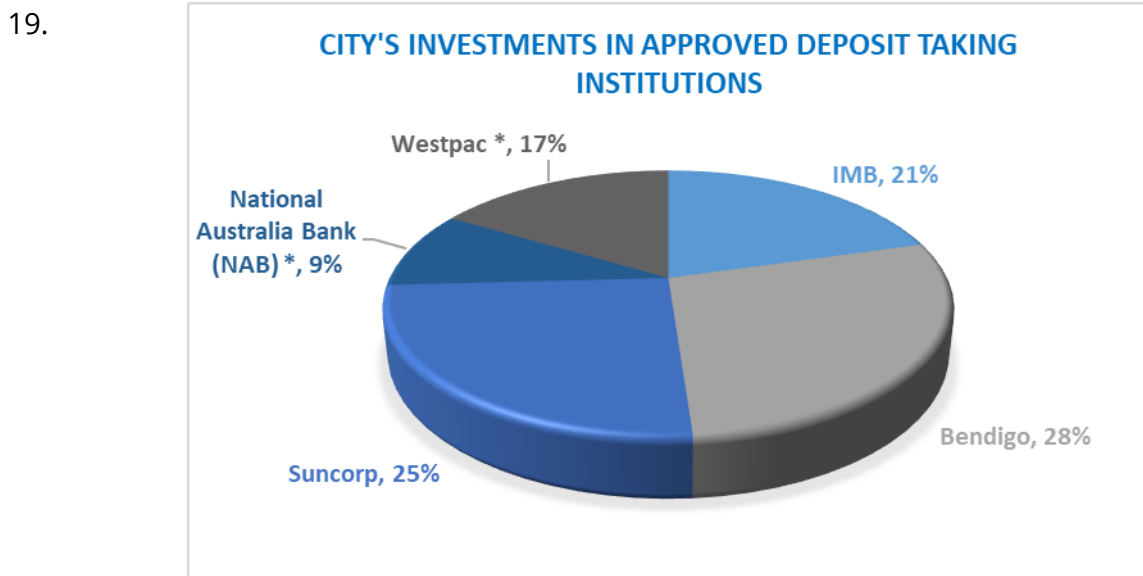
15. Generally, the net result of each Program is within the accepted budget except for 'Recreation & Culture, and 'Other property services. Major variances have been reported by Nature and Type under points 7 to 14 above.

Statement of Net Current Funding Position as of 30 April 2021

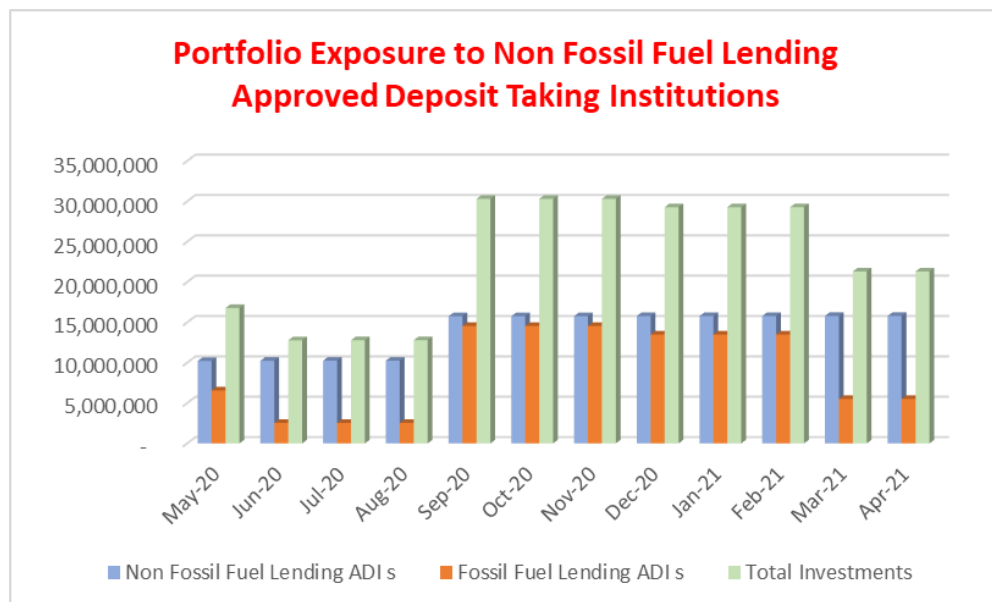
16. The commentary on the net current funding position is based on a comparison of April 2021 to the April 2020 actuals.

17. Net Current Assets (Current Assets less Current Liabilities) total \$30.2 million. The restricted cash position is \$17.5 million which is higher than the previous year's balance of \$16.3 million. This is mainly attributed to the timing of amounts transferred to the unexpended capital works and unspent grant reserve.

18. The following graph indicates the financial institutions where the City has investments as of 30 April 2021;



*Financial Institutions with Investments in the Fossil Fuel Industry



20. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$3.6 million.

21. Sundry debtors have increased from \$195,270 to \$668,028, of which \$195,062 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 \$0.8 million
c) GST receivables \$0.7 million
23. Provisions for annual and long service leave have increased by \$0.7 million to \$4.1 million when compared to the previous year. The increase in leave provisions is mainly due to the 2019/2020 end of the year leave provision adjustments.

APPLICABLE LAW

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

APPLICABLE POLICY

25. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

29. Nil.

Economic Implications

30. Nil.

Environmental Implications

31. Nil.

RISK MANAGEMENT

32.

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

33.

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

CONCLUSION

34. The City’s Financial Statements as at 30 April 2021 demonstrate the City has managed its budget and financial resources effectively.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 78/2021

That Council RECEIVE the Draft Monthly Statutory Financial Statements for the period ended 30 April 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.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Cameron Blair**

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

10.5.2. Debtors and Creditors Report for the period ended April 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 30 April 2021 [10.5.2.1 - 35 pages] 2. Summary of Debtors for the month of April 2021 [10.5.2.2 - 2 pages] 3. Summary of Creditors for month of April 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 |
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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 April 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 April 2021.
3. It is recommended that Council:
 - a) Receive the list of payments made from the Municipal and Trust Fund Accounts in April 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 April 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 30 April 2021 were \$668,028. This includes \$195,062 of current debts and \$874 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$55,438, debts of significance:
 - a) Municipal Workcare, \$40,688, Workers Compensation claims;
 - b) Kalamunda & District Junior Football Club, \$7,250, contribution to Pat Moran Storage Project; and
 - c) Zig Zag Gymnastics, \$6,396, Lease Fees.
8. Invoices over 60 days total \$205,290, debts of significance:
 - a) Dept of Infrastructure, \$200,000, Contribution to KCC Build; and
 - b) Private Citizen, \$4,950, Fire Break – reimbursement.
9. Invoices over 90 days total \$213,112, debts of significance:
 - a) El Dujmovic Pty Ltd, \$209,700, Development Contribution;

Creditors

10. Payments totalling \$4,245,747 were made during the month of April 2021. Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.

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

| Supplier | Purpose | \$ |
|--|---|------------|
| Cleanaway | Waste / Recycling and bulk bin disposal services – March, April | 611,948.28 |
| Eastern Metropolitan Regional Council (EMRC) | Domestic waste charges – disposal fees | 383,257.28 |
| Australian Tax Office | PAYG payments | 370,448.76 |
| AWARE Super Pty Ltd | Superannuation contributions | 199,685.22 |
| Synergy | Power charges – various locations | 132,534.53 |
| Beaver Tree Services | General tree services and under power line pruning – various locations | 124,201.55 |
| Pindan Contracting Pty Ltd | Kalamunda Community Centre construction – progress claim | 110,770.91 |
| Castledex | Supply and installation of office equipment at Kalamunda Community Centre | 105,477.68 |
| Fulton Hogan Industries Pty Ltd | Road materials for various locations | 102,791.03 |
| TRACC Civil Pty Ltd | Hale Road Widening project – enhancement works * | 76,370.49 |
| Kalamunda Electrics | Electrical repairs/ maintenance at various locations | 59,817.19 |
| Mckay Earthmoving Pty Ltd | Plant equipment and operator hire for various locations | 55,919.60 |

These payments total \$2,333,222.52 and represent 54.95% 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 April 2021.

Payroll

12. Salaries are paid in fortnightly cycles. A total of \$1,187,411. was paid in net salaries for the month of April 2021.
13. Details are provided in (Attachment 1) after the creditor’s payment listing.

Trust Account Payments

14. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
- a) CELL 9 Trust;
 - b) POS Trust;
 - c) NBN Tower Pickering Brook Trust
15. The following payments (GST exclusive) were made from the Trust Accounts in the month of April 2021.

| CELL 9 | | Amount (\$) |
|------------|--|-------------|
| Date | Description | |
| 29/04/2021 | Horizon West Landscape & Irrigation – Hale Rd/ Wimbridge Rd Wattle Grove – verge improvement works | 35,950.00 |
| 29/04/2021 | TRACC Civil Pty Ltd - Hale Road Wattle Grove Road Widening Project | 69,427.72 |
| 29/04/2021 | Depiazzi – Supply and deliver mulch to Puddy Lane Wattle Grove | 15,870.00 |
| 29/04/2021 | Plantrite – Woodlupine Brook upgrade plant supply stage 3 | 40,114.70 |
| 29/04/2021 | Statewest Planning – subdivision layout review – 44, St John Road, Wattle Grove | 5,300.00 |

APPLICABLE LAW

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

APPLICABLE POLICY

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

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

23. Nil.

RISK MANAGEMENT

Debtors

| 24. | Risk: The City is exposed to the potential risk of the debtor failing to make payments resulting in the disruption of cash flow. | | | | | | |
|--------------------|---|--------------------|-------------------|---------------|----------|---------------|-----|
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Consequence</th> <th style="width: 33%;">Likelihood</th> <th style="width: 33%;">Rating</th> </tr> </thead> <tbody> <tr> <td>Possible</td> <td>Insignificant</td> <td>Low</td> </tr> </tbody> </table> | Consequence | Likelihood | Rating | Possible | Insignificant | Low |
| Consequence | Likelihood | Rating | | | | | |
| Possible | Insignificant | Low | | | | | |
| | Action/Strategy | | | | | | |
| | Ensure debt collections are rigorously managed. | | | | | | |

Creditors

| 25. | Risk: Adverse credit ratings due to the City defaulting on the creditor. | | | | | | |
|--------------------|---|--------------------|-------------------|---------------|----------|---------------|-----|
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Consequence</th> <th style="width: 33%;">Likelihood</th> <th style="width: 33%;">Rating</th> </tr> </thead> <tbody> <tr> <td>Possible</td> <td>Insignificant</td> <td>Low</td> </tr> </tbody> </table> | Consequence | Likelihood | Rating | Possible | Insignificant | Low |
| Consequence | Likelihood | Rating | | | | | |
| Possible | Insignificant | Low | | | | | |
| | Action/Strategy | | | | | | |
| | Ensure all disputes are resolved in a timely manner. | | | | | | |

CONCLUSION

26. Creditor payments are within the normal payment range.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 79/2021

That Council:

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

Moved: **Cr Cameron Blair**

Seconded: **Cr Lisa Cooper**


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

10.5.3. Rates Debtors Report for the Period Ended April 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 April 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 |
|  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 30 April 2021 \$37,192,633 has been collected for current and outstanding rates for the 30 April 2021 period.
3. It is recommended that Council receive the Rates Debtors Report for the month of April 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 \$40,728,038.
6. As at 30 April 2021 a total of \$37,192,633 has been collected since Rates Notices were released, representing a collection rate of 93.30%.
7. Herewith the selected payment option taken up by ratepayers:

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

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

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

8. Interim rating has commenced for 2020/2021. A total of \$528,577 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 April 2021 to 30 April 2021 there was a total of 245 incoming calls and 84 outgoing calls, equating to 14.02 hours call time.

APPLICABLE LAW

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

APPLICABLE POLICY

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

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

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

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

Economic Implications

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

Environmental Implications

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

RISK MANAGEMENT

19.

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

CONCLUSION

- 20. With a current collection rate for the financial year of 93.30 % (compared to 93.82 % last year). The City continues to effectively implement its rate collection strategy

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 80/2021

That Council RECEIVE the Rates Debtors Report for the Period ended 30 April 2021 (Attachment 1).

Moved: **Cr Lisa Cooper**

Seconded: **Cr Geoff Stallard**


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

10.5.4. Budget 2021/2022 - Differential Rates

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

| | |
|----------------|--|
| Previous Items | Nil. |
| Directorate | Director Corporate Services |
| Business Unit | Financial Services |
| File Reference | FI-RTS-012 |
| Applicant | N/A |
| Owner | N/A |
| Attachments | <ol style="list-style-type: none"> 1. Objects and Reasons for Proposed Differential Rate Categories for 2021/2022 [10.5.4.1 - 4 pages] 2. Comparison of Advertised Differential Rating [10.5.4.2 - 1 page] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

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

EXECUTIVE SUMMARY

1. The purpose of this paper is to consider the level at which to set and advertise differential rates and the Waste Avoidance and Resource Recovery (WARR) Levy as part of the 2021/2022 Budget process.
2. In accordance with the requirements of the *Local Government Act 1995* (the Act), s6.36, a local government is required to give a local public notice period of 21 days with the intention to impose differential general rates or a minimum payment.
3. It is recommended that Council approve the 2021/2022 rate in the dollar and the minimum rates to be advertised by public notice as per the following:

| Category/Levy | Rate in \$ | Minimum Rate \$ |
|---|-------------------|------------------------|
| General GRV | 0.070843 | 882 |
| Industrial/Commercial GRV | 0.074927 | 1,102 |
| Vacant GRV | 0.088164 | 700 |
| General UV | 0.003533 | 882 |
| Commercial UV | 0.004180 | 1,102 |
| Waste Avoidance and Resource Recovery Levy (All Categories) | 0.000418 | 20 |

4. Council is also requested to endorse the Objects and Reasons for Proposed Differential Rate Categories for the 2021/2022 Financial Year (Attachment 1).

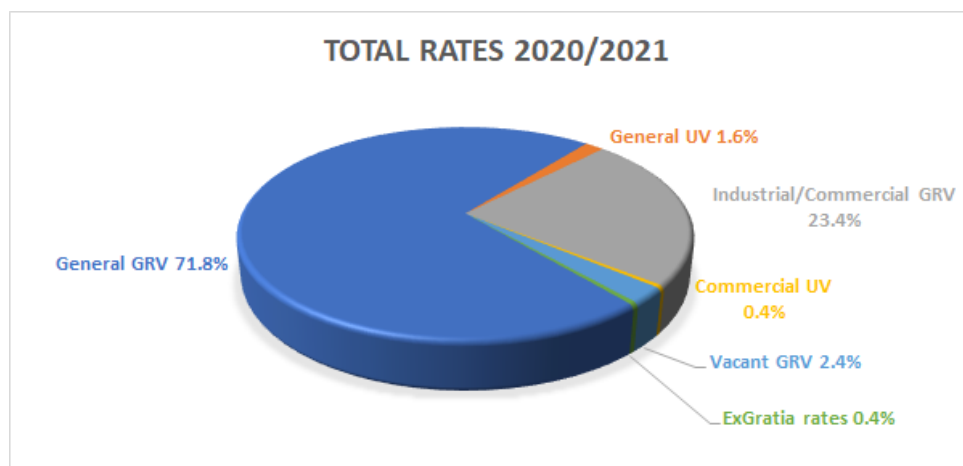
BACKGROUND

5. In accordance with the requirements of the s6.33 of the Act, a local government may impose differential rates having met the characteristics prescribed.
6. In accordance with the requirements of s 6.35 of the Act, a local government may impose a minimum payment which is greater than the general rate which would otherwise be payable on that land.

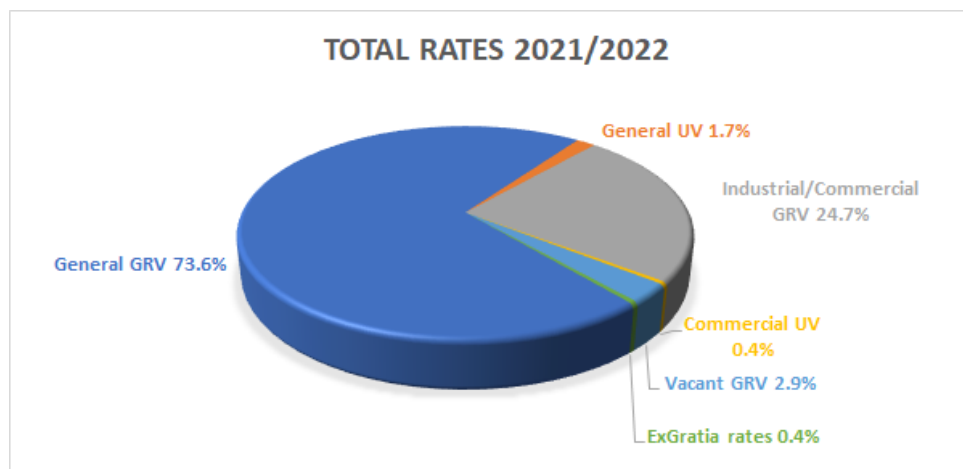
7. The rates for most properties are calculated based on a Gross Rental Valuation (GRV). These GRV's are provided to all Local Governments via Landgate and are assessed every three years by Landgate's valuers. The triennial valuation ensures consistency and a fairness in the allocation of rates. Landgate provided values to the City for the 2020/2021 rates generation with the values as of 1 August 2018. As such, there are no changes in GRV valuations for the 2021/2022 rates generation, other than interim rates processed.
8. Properties not on a GRV will be rated based on an Unimproved Value (UV). These UV values are updated annually by Landgate.
9. Differential Rates have been part of the Budget for some years, with modifications to categories introduced over time to assist in spreading the rate burden and providing opportunities for increases in overall rate income.

DETAILS AND ANALYSIS

10. The Budget will be framed on the current principles of the proposed rolling Long Term Financial Plan (LTFP). The LTFP is an integral part of the Integrated Planning Framework and designed to provide local governments with a clear focus on robust financial planning and management. Variations in Rates are impacted by many factors; Local Governments with access to significant ex-gratia rates or other income streams expecting to apply lower rate increases.
11. Using the 2020/2021 Budget data, the makeup of the various rates categories was shown as depicted in the pie chart below. The data presented shows that two categories, General (Residential) and Commercial Industrial, make up 95.2% of all properties in the City with 71.8% and 23.4% being the respective percentages.



12. The proposed increase in the Rate in the Dollar is 2.15% over all the categories. The Minimum Rates remain largely unchanged except for vacant land reducing from \$767 to \$700. Pursuant to *the Local Government Act 1995 s6.35* the number of properties on minimum rates within a category cannot exceed 50% of the properties in that category. To be compliant with that section in the act the minimum rate for vacant land was reduced, resulting in more properties being rated on the rate in the dollar rather than being charged the minimum rate.
13. The Rate revenue spread for budget 2021/2022 is similar to the current budget.



The slight change in percentages collected from the categories above is reflective of interim rating processed during the current year. With the increase in subdivisions and interim rating processed the property base of the City has increased by 313 to 23,531 rateable properties with a \$8.7M increase in valuations resulting from those interim rating changes.

14. A comparison of the 29 metro local governments across the various rate categories shows that the City's rates for 2020/2021 were below the average in General Residential by 20%, Commercial/Industrial by 16% and Vacant by 14% for Rate In the Dollar's (see attachment 2). This indicates that the City's rates compare well in terms of other local governments.
15. Prior to advertising of their differential rates other metropolitan local governments have indicated the proposed rate changes for 2021/2022 range from 0% to 6.5%. The City will continue to monitor rate charges in the coming weeks.

16. Planning for the future and the various elements of the proposed budget for 2021/2022 commenced with Councillors in February 2021. Councillors considered a range of different rating scenarios as part of the LTFP ranging from 1.5% to 3%. Factors such as an improving economic outlook, the need to ensure financial sustainability for the City and the need to maintain existing assets and service levels were all taken into account when deciding upon a rate increase at 2.15%.
17. In 2020/21 the City's rates were frozen due to COVID 19 and this has had a flow on effect to the City being able to ensure it can fund the services it provides to the Community.
18. Several budget workshops were undertaken to detail the various aspects of the City's budget including capital works, revenue and expenditure, fees and charges and rates modelling. The City is committed to maintaining its community and infrastructure assets to a suitable standard. The levying of rates is a core element of the City's financial sustainability strategy.
19. Throughout the budget process the City conducted detailed reviews of all expenditure lines before arriving at the proposed differential rate increase of 2.15%. The proposed increase of 2.15% was derived following consideration of CPI, Local Government Cost Index and the City's proposed works and services program for 2021/2022.
This report seeks to ratify the levels at which the City will advertise differential rates for the 2021/2022 financial year.
20. The City also recommends the continuation of the WARR Levy to address the long-term remediation of former landfill sites that the City is responsible for. The Department of Water and Environmental Regulation is applying stringent control over monitoring and rehabilitation requirements for contaminated sites.
21. The City has an estimated program of works totalling \$408,000 for 2021/2022 to undertake annual investigations, remediation, and ongoing management.
22. The State Government, in 2007, introduced a *Waste and Resource Recovery Act* which allows for local governments to charge a levy to cover the cost of ongoing monitoring of closed land fill sites. The proposed rate for 2021/2022 remains unchanged at \$0.000418 and a minimum charge of \$20 across all properties. The estimated amount to be raised from the levy is \$518,000. Unspent funds are kept in reserve and will be put towards remediation of the more significant sites such as Brand Road and Dawson/Pioneer Park once the detailed site investigations are complete,

the extend of remediation works are defined and risks associated with the various sites are better understood.

APPLICABLE LAW

23. Rates are levied on all rateable properties within the boundaries of the City in accordance with the Act. The overall objective of the proposed rates and charges in the 2021/2022 budget is to provide for the net funding requirements of the Council's activities and works programs.
24. In accordance with s6.36 of the Act, the City is required to ensure that a notice is published in sufficient time to allow submissions to be made by an elector or a ratepayer in respect of the proposed rate within 21 days of the publication of the notice.

The minimums used ensured compliance with S6.35 of the *Local Government Act 1995*.

"(2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.

(3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —

- (a) 50% of the total number of separately rated properties in the district; or*
- (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.*

(6) For the purposes of this section, a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —

- (a) to land rated on gross rental value; and*
- (b) to land rated on unimproved value; and*
- (c) to each differential rating category where a differential general rate is imposed."*

APPLICABLE POLICY

25. The City's Rates Policy continues to be based around differential rates.

STAKEHOLDER ENGAGEMENT

26. Planning for the future and the various elements of the proposed budget for 2021/2022 commenced with Councillors in February 2021. In addition, several budget workshops were undertaken to detail the City's revenue and expenditure estimates for the 2021/2022 financial year.
27. Subject to the approval of the recommendation of this report, a notice of the adopted figures will be advertised. A consultation period of 21 days will exist in which ratepayers can make comment or objection submissions to the proposed RID and minimums. This public consultation is done in line with the requirements of the *Local Government Act 1995*.

FINANCIAL CONSIDERATIONS

28. Throughout the 2021/2022 budget, the City will continue to monitor the implications of the COVID-19 and the associated financial, health and economic impacts on the City's residents and businesses.
29. The proposed rating structure is a critical element in ensuring ongoing financial sustainability. It is also vital in enabling the City to deliver its significant capital works program and provide the services required by the community.

SUSTAINABILITY

Social Implications

30. Increasing rates will generally have an adverse impact on low income homeowners. The City has in this respect introduced several mechanisms in the past few years, to assist Ratepayers such as:
 - a) "Smarter Way to Pay";
 - b) Direct Debit Payment arrangements;
 - c) BPay View; and
 - d) eRates.

Economic Implications

31. The rating structure is proposed to remain the same, with the aim to spread the rates generated in similar proportions compared to last year.

Environmental Implications

32. The continuation of the WARR Levy will enable the City to meet its community expectations and statutory requirements to remediate and manage contaminated sites.

RISK MANAGEMENT

33.

| | | |
|--|-------------------|---------------|
| Risk: Delay in approving proposed rates could result in rate notices unable to be issued by early July 2021 leading to cash flow problems | | |
| Consequence | Likelihood | Rating |
| Possible | Major | High |
| Action/Strategy | | |
| Ensure that Council consensus is achieved by continuous briefing and updates on the budget. | | |

34.

| | | |
|---|-------------------|---------------|
| Risk: Community dissatisfaction with rate levels. | | |
| Consequence | Likelihood | Rating |
| Possible | Moderate | Medium |
| Action/Strategy | | |
| A comprehensive communication and information plan will be implemented to assist the community in understanding as part of issuing of the Rate Notices. | | |

CONCLUSION

35. The City has undertaken a thorough analysis of its budget working proactively with Councillors to generate efficiencies and reduce operating costs.
36. The rates charges contained within this paper are necessary to enable the City to meet its current and future obligations, and to continue operating in a financially sustainable manner.
37. Based on the comparison across 29 metro Local Governments, the City's rate in the dollar compares very favourably, in that the general residential Rate in the Dollar is 20% less than the average for the Metropolitan councils.

38. This report is submitted in order that the Council provides direction on the differential rates to be advertised for public comment as part of the 2021/2022 Budget process.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 81/2021

That Council:

1. APPROVE the City of Kalamunda 2021/2022 rate in the dollar and the minimum rates to be advertised by public notice as per the following:

| Category/Levy | Rate in \$ | Minimum Rate \$ |
|---|-------------------|------------------------|
| General GRV | 0.070843 | 882 |
| Industrial/Commercial GRV | 0.074927 | 1,102 |
| Vacant GRV | 0.088164 | 700 |
| General UV | 0.003533 | 882 |
| Commercial UV | 0.004180 | 1,102 |
| Waste Avoidance and Resource Recovery Levy (All Categories) | 0.000418 | 20 |

2. ENDORSE the City of Kalamunda Objects and Reasons for Proposed Differential Rate Categories for the 2021/2022 Financial Year provided as Attachment 1 to this report.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Lisa Cooper**

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

10.5.5. Application for Leave – Chief Executive Officer

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

Rhonda Hardy declared an impartiality interest in relation to item 10.5.5 Application for Leave - Chief Executive Officer. The item relates to Ms Hardy's employment as the CEO.

| | |
|-----------------|-------------------------|
| Previous Items | N/A |
| Directorate | Office of CEO |
| Business Unit | Chief Executive Officer |
| File Reference | |
| Applicant Owner | |
| Attachments | Nil |

TYPE OF REPORT

| | |
|---------------|--|
| Advocacy | When Council is advocating on behalf of the community to another level of government/body/agency |
| Executive | When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets) |
| Information | For Council to note |
| R 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 seek the approval of Council for leave arrangements for the Chief Executive Officer.
2. Council is responsible for the approval of leave for the Chief Executive Officer.
3. It is recommended leave be approved for the Chief Executive Officer for the periods of Monday 12 July 2021 to Friday 23 July 2021 inclusive.

BACKGROUND

4. Nil.

DETAILS AND ANALYSIS

5. The Chief Executive Officer, Rhonda Hardy, wishes to be absent from the position on annual leave from Monday 12 July 2021 to Friday 23 July 2021 inclusive.
6. The Chief Executive Officer has accrued sufficient leave and this approval will enable leave accrued to be acquitted.

APPLICABLE LAW

7. *Local Government Act 1995 Section 5.36*

APPLICABLE POLICY

8. Governance 18 – Appointment of Acting CEO

STAKEHOLDER ENGAGEMENT

9. N/A

FINANCIAL CONSIDERATIONS

10. There are no financial implications arising from this proposal, as annual leave is paid from the annual leave provision account.

SUSTAINABILITY

11. N/A

RISK MANAGEMENT

| | | | |
|-----|--|-------------------|---------------|
| 12. | Risk: Annual leave liabilities accrue and become a significant financial risk which will be identified by auditors. | | |
| | Consequence | Likelihood | Rating |
| | Minor | Unlikely | Low |
| | Action/Strategy | | |
| | Ensure leave liabilities are managed and all staff utilised their leave entitlements regularly. | | |

CONCLUSION

- 13. The leave requested is an entitlement of the CEO’s contract of employment.
- 14. The role of Acting Chief Executive Officer will be undertaken by the Director Asset Services.

Voting Requirements: Simple Majority

RESOLVED OCM 82/2021

That Council

- 1. APPROVE the Chief Executive Officer, Rhonda Hardy, to have annual leave for the period Monday 12 July 2021 to Friday 23 July 2021 inclusive.
- 2. NOTE that pursuant to Council Policy Governance 18 – Appointment of Acting CEO, the Director Asset Services will be the Acting Chief Executive Officer.

Moved: **Cr John Giardina**

Seconded: **Cr Janelle Sewell**

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

10.5.6. City of Kalamunda Code of Conduct - Council Members, Committee Members and Candidates

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

| | |
|-----------------|--|
| Previous Items | OCM58/2021 |
| Directorate | Office of the CEO |
| Business Unit | Governance |
| File Reference | N/A |
| Applicant Owner | |
| Attachments | <ol style="list-style-type: none"> 1. City of Kalamunda Code of Conduct [10.5.6.1 - 10 pages] 2. Code of Conduct Complaints Management [LS1F] - Draft Policy [10.5.6.2 - 12 pages] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to finalise the adoption of the City of Kalamunda Code of Conduct for Elected Members, Committee Members and Candidates (Code), a Complaints Management Policy (Policy).
2. At the April 2021 Ordinary Council Meeting (OCM), Council adopted a Complainants Form and Authorised a number of Councillors to receive complaints and withdrawals of complaints in accordance with clause 11.3 of the Code.
3. In summary, it is recommended Council:
 - a) withdraw the current Code of Conduct and adopt the proposed new Code of Conduct.
 - b) adopt the draft Behaviour Complaints Management Policy
 - c) establish the Behaviour Complaints Committee and appoint members to the Committee.
 - d) amend the appointment of the authorised persons to receive complaints and withdrawals, made at the April 2021 Ordinary Council Meeting.

BACKGROUND

4. Council was provided a detailed report on the genesis of the requirement for a new Code and various matters Council needed to make decisions on at the OCM of 27 April 20021, copy at (Attachment 1).
5. The following decisions were made by Council at the April 2021

RESOLVED OCM 58/2021

That Council:

1. *Pursuant to the clause 11 (2) of the Local Government (Model Code of Conduct) Regulations 2021 ADOPT the Complaint - Alleged Breach Form (Attachment 3).*
2. *Pursuant to Clause 11(3), temporarily AUTHORISE the following persons to receive complaints and withdrawals of complaints, relating to Council Members, Committee Members and Candidates:*
 - i) *Complaints against Councillors, Committee Members and Councillor Candidates that become Councillors, excluding complaints made by the Mayor – The Mayor to be appointed complaints officer.*
 - ii) *Complaints made by the Mayor against Councillors, Committee Members and Councillor Candidates that become Councillors, - The Deputy Mayor to be appointed complaints officer.*

- iii) Complaints about the Mayor, excluding complaints made by the Deputy Mayor – The Deputy Mayor to be appointed complaints officer.*
 - iv) Complaints about the Deputy Mayor made by the Mayor; or complaints about the Mayor made by the Deputy Mayor – a committee comprising all remaining Councillors.*
3. *REQUEST that the Chief Executive Officer draft a policy to assist with the investigation of complaints for behavioural breaches for the May round of meetings.*

All other parts of the Recommendation were not adopted by Council.

DETAILS AND ANALYSIS

6. The following matters now need a decision by Council to finalise the adoption of the Code and consequential outcomes.

1. Withdrawal of the current Code of Conduct and Adoption of City of Kalamunda Code of Conduct for Council Members, Committee Members and Candidates

To fulfill the requirements of the amended legislation it is necessary for Council to withdraw the previous Code of Conduct – Elected Members and adopt the proposed City of Kalamunda Code of Conduct for Elected Members, Committee Members and Candidates (Attachment 2).

2. Adoption of Code of Conduct Complaints Management Policy

It is considered that a Policy to assist guide the handing of any complaints is essential.

The draft Policy has been developed utilising guideline documentation provided by the WA Local Government Association (WALGA). WALGA consulted with the Department of Local Government, Sport and Cultural Industries (DLGSCI) in preparing the guidelines.

A key component of the Policy is the establishment of a Complaints Committee. Establishing such a Committee provides the opportunity for Council to maintain oversight of the process and reduce opportunities for inadvertent breaches of confidentiality relating to complaint matters.

Additionally, a small Committee enables the consideration of complaints to be handled quickly and without the need to call

additional Special Council Meetings to meet appropriate timeframes in handling complaints.

The draft Policy is provided at (Attachment 3).

3. Establishment of Behaviour Complaints Committee and Appointment of Members

The Policy provides for the establishment of a Behaviour Complaints Committee (Committee).

The functions of the Committee would be to:

- a) undertake an initial assessment of complaints and determination of a process;
- b) where necessary, approval of an appropriate Complaints Assessor;
- c) consideration of the outcome of Complaints Assessor Report and Recommendation to Council of appropriate sanction;
- d) oversight of the implementation of any sanction;
- e) advise Council of any refusal by a complainant to comply with a Council imposed.

It is proposed that the Committee have a membership of four (4) comprising:

- a) The Mayor
- b) Three (3) councillors, one (1) from each of the other Wards.

All other councillors would be appointed as Deputy Members to cover situations where an appointed member is the subject of a complaint.

4. Reconsideration of the appointments made at the April OCM of the Authorised Complaints Officer (clause 11.3 of the Code)

Advice and guideline provided by WALGA and DLGSCI are based on the appointment/authorisation of a person/s to receive complaints and withdrawal of complaints pursuant to clause 11.3 of the Code being an employee of the local government.

This is further demonstrated by the role of this person as defined in the draft Policy involving many Administrative/Operational matters.

To ensure that there are no conflicts between the role of councillors and administrative/operational matters, it is considered

appropriate that Council revokes the decision made at the April OCM to appoint a number of councillors pursuant to clause 11.3.

It is recommended that the new appointments pursuant to clause 11.3 be the Governance Advisor and Director of Corporate Services.

APPLICABLE LAW

7. *Local Government Act 1995*
Local Government (Administration) Regulations 1996
Local Government (Model Code of Conduct) Regulations 2021

APPLICABLE POLICY

8. N/A

STAKEHOLDER ENGAGEMENT

9. No community consultation is considered necessary for this matter.

FINANCIAL CONSIDERATIONS

10. Future budget allocations will be required to fund expenditure which could be incurred if an outside Complaints Assessor is appointed. Specific costs would only be known once quotes for the appointment have been received.

SUSTAINABILITY

11. N/A

RISK MANAGEMENT

- 12.
- | | | |
|---|-------------------|---------------|
| Risk: Council does not meet legislative requirements to adopt a Code of Conduct and associated process documentation | | |
| Consequence | Likelihood | Rating |
| Medium | Possible | Moderate |
| Action/Strategy | | |
| Ensure Council is aware of its legislative obligations and the need to have appropriate process documentation to assist in the management of any issues arising from the Code of Conduct. | | |

CONCLUSION

13. The development of the proposed Code of Conduct and Complaints Management Policy have been guided by advice and guidelines provided by WALGA and DLGSCI and councillor briefings.
14. The documents presented to Council for consideration reflect current City objectives, practices and operations.

| |
|---|
| Voting Requirements: Absolute Majority |
|---|

RECOMMENDATION

That Council:

1. WITHDRAW the current Code of Conduct – Elected Members.
2. ADOPT the City of Kalamunda Code of Conduct for Council Members, Committee Members and Candidates (Attachment 2).
3. ADOPT draft Governance #- Code of Conduct Complaints Management Policy (Attachment 3).
4. Pursuant to section 5.8 of the *Local Government Act 1995* ESTABLISH the Behaviour Complaints Committee consisting of four (4) members.
5. pursuant to section 5.10 of the *Local Government Act 1995* APPOINT the following as members of the Behaviour Complaints Committee:
 - i. the Mayor
 - ii. Councillor
 - iii. Councillor
 - iv. Councillor
6. Pursuant to section 5.11A of the *Local Government Act 1995* APPOINT all other Councillors as Deputy Members of the Behaviour Complaints Committee.
7. REVOKE point 2 of Council Resolution 58/2021 passed at the 27 April 2021 Ordinary Council Meeting.
8. Pursuant to clause 11.3 of the City of Kalamunda Code of Conduct for Council Members, Committee Members and Candidates, AUTHORISE the Governance Advisor and Director Corporate Services to receive complaints and withdrawals of complaints.

RESOLVED OCM 83/2021

That Council:

1. WITHDRAW the current Code of Conduct – Elected Member.
2. ADOPT the City of Kalamunda Code of Conduct for Council Members, Committee Members and Candidates (Attachment 2).
3. ADOPT draft Governance #- Code of Conduct Complaints Management Policy (Attachment 3), subject to:
 - a. deletion of the word “Behaviour” in the definitions of “Complaints Officer” and “Complaints Assessor”.
4. Pursuant to section 5.8 of the Local Government Act 1995 ESTABLISH the Behaviour-Complaints Committee consisting of four (4) members.
5. Pursuant to section 5.10 of the Local Government Act 1995 APPOINT the following as members of the Behaviour Complaints Committee:
 - i. the Mayor
 - ii. Councillor Bilich
 - iii. Councillor O’Donnell
 - iv. Councillor Giardina
6. Pursuant to section 5.11A of the Local Government Act 1995 APPOINT all other Councillors as Deputy Members of the Behaviour Complaints Committee.
7. REVOKE point 2 of Council Resolution 58/2021 passed at the 27 April 2021 Ordinary Council Meeting.
8. Pursuant to clause 11.3 of the City of Kalamunda Code of Conduct for Council Members, Committee Members and Candidates, AUTHORISE the Governance Advisor and Director Corporate Services to receive complaints and withdrawals of complaints.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Cameron Blair**

Vote:

For

Cr John Giardina
Cr Janelle Sewell
Cr Geoff Stallard
Cr Mary Cannon
Cr Brooke O'Donnell
Cr Sue Bilich
Cr Lisa Cooper
Cr Dylan O'Connor
Cr Cameron Blair
Cr Kathy Ritchie
Cr Margaret Thomas

Against

Cr Lesley Boyd

CARRIED/ABSOLUTE MAJORITY (11/1)

10.5.7. Chief Executive Officer Performance Review Process - 2020/2021

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

Rhonda Hardy declared an impartiality interest in relation to item 10.5.7 Chief Executive Officer Performance Review Process - 2020/2021. The item relates to Ms Hardy's employment as the CEO.

| | |
|-------------------------|---|
| Previous Items | OCM 59/2021 |
| Directorate | CEO's Office |
| Business Unit | People Services/Governance |
| File Reference | |
| Applicant | |
| Owner | |
| Attachments | 1. Governance Recruitment Performance Review Termination of CEO - Revised Policy [10.5.7.1 - 10 pages] |
| Confidential Attachment | 1. CEO Performance Review Committee Independent Observer 2. Request for Quotation Assessment Performance Review Facilitator 2021 |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to approve the Chief Executive Officer Performance Review process for 2020/2021.
2. Council, at the April 2021 Ordinary Council Meeting (OCM), adopted the new City of Kalamunda Standards for Recruitment, Performance Appraisal and Termination of the CEO (Standards) and a revised Policy - Governance 12:- Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer Policy to complement the Standards.
3. Because of the adoption of these Standards and Policy a number of Council decisions are required to initiate the 2020/2021 Review.
4. It is recommended that Council establish and appoint members to the Chief Executive Officer Performance Review Committee, appoint a Performance Review Facilitator, appoint an independent observer and approve amendments to Governance Policy 12.

BACKGROUND

5. The CEO was appointed to the position with effect from 9 July 2013. The CEO's contract was renewed on 17 May 2016 and extended for a further five years, being from 9 July 2016 to 8 July 2021. In late 2021, the Council renewed the CEO's contract for a further 4 years effective from 9th July 2021 to 8th July 2025. It should be noted this will be the final review under the existing contract.
6. Council at its Ordinary Council Meeting of 28 July 2020 endorsed the Chief Executive Officer's (CEO) Performance Criteria for 2020/2021. These criteria will form the basis for assessing the CEO's performance for the period July 2020 to June 2021.
7. Clause 4 of the CEO's contract of employment, dated 17 May 2016, requires the CEO's performance to be reviewed and determined,

(i) *"by reference to the Performance Criteria"* and

(ii) *“at least annually”*.

Council established a performance framework, where performance criteria are defined according to the following 7 Key Result Areas:

1. Integrated planning and reporting.
 2. Financial sustainability.
 3. Risk management.
 4. Identifying future opportunities and challenges.
 5. Delivery of major projects and initiatives
 6. City Leadership.
 7. Organisational Culture
8. The *Local Government (Administration) Amendment Regulations 2021* and *Local Government Legislation Amendment Act 2019* introduced in February 2021, include a requirement for standards covering the recruitment and selection, performance review and termination of employment of local government CEO's.

Council adopted these Standards and a revised Policy which included provisions with respect to the Performance Review of the CEO, at its April 2021 OCM.

9. Clause 4.4(b) of the CEO's contract employment states:
“Reports and other documentation prepared under, or for the purposes of this clause are to be treated by the parties as confidential”.

DETAILS AND ANALYSIS

10. Because of the adoption of these Standards and Policy the following matters need to be decided by Council to initiate the 2020/2021 Review: -

1. Establishment of CEO Performance Review Committee (CEOPRC)

The Policy provides for the establishment of a CEOPRC consisting of the following membership: -

- a) the Mayor (Chairperson);
- b) the Deputy Mayor.
- c) a Council representative from each Ward (4); and
- d) an independent Observer

Expressions of Interest (EOI) were sought from five community members considered suitable for appointment as the Independent Observer. Of those approached, 2 accepted, 2 declined and one

indicated they would accept provided the CEOPRC met during normal business hours. Unless the current practice for meetings of the CEOPRC is amended, then this EOI would be considered as a non-acceptor.

Full details, are contained in Confidential Attachment 1.

2. Appointment of Performance Review Facilitator

The Policy provides for the appointment of Performance Review Facilitator (PRF) to assist Council undertake the overall performance review process.

The appointment of a PRF adds a further element of independent expertise and assistance, providing for procedural fairness and transparency in the conduct of the process.

A request for quote to be appointed as the PRF was provided to three people/organisations. Full details of the submissions received and the assessment of each is provided in Confidential Attachment 2.

3. Amendment to Governance 12: - Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer Policy (Policy)

Due to a misunderstanding of the Standards and guidelines with respect to matters associated with the CEO Performance Review process, an error occurred in finalising clause 3.8 of the draft Policy. It is proposed that the Policy be amended to reflect the intentions of the Standards and Guidelines provided to assist Council undertake the CEO Performance Review.

The proposed amendments are: -

Clause 3.8 -

- a) Amend the first point d) from "*an Independent Consultant*" to "*an Independent Observer*".
- b) Delete the two sentences immediately after that point: and
- c) Insert the following heading and replacement sentence: -

3.9 Performance Review Facilitator

An Independent Consultant, experienced in performance reviews in a local government setting, can be appointed to assist the Performance Review Panel with the overall review process, including etc.-.

The revised Policy is provided at (Attachment 1)

APPLICABLE LAW

- 11. *Local Government Act 1995*
Local Government (Administration) Amendment Regulations 2021
Local Government Legislation Amendment Act 2019

APPLICABLE POLICY

- 12. Governance 12: - Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer

STAKEHOLDER ENGAGEMENT

- 13. Invitations were issued to number of people for consideration to be appointed as the Independent Observer on the CEOPRC.
- 14. An RFQ was issued for appointment as the Performance Review Facilitator.

FINANCIAL CONSIDERATIONS

- 15. Provision will be required to be made in the 2021/22 Budget to fund the cost of the Performance Review Facilitator.

SUSTAINABILITY

- 16. N/A

RISK MANAGEMENT

| 17. | Risk: Council does not implement a Performance review of the CEO in accordance with legislative and contractual requirements. | | | | | | |
|-------------|--|-------------|------------|--------|--------|----------|----------|
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Consequence</th> <th style="text-align: left; padding: 2px;">Likelihood</th> <th style="text-align: left; padding: 2px;">Rating</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Medium</td> <td style="padding: 2px;">Possible</td> <td style="padding: 2px;">Moderate</td> </tr> </tbody> </table> | Consequence | Likelihood | Rating | Medium | Possible | Moderate |
| Consequence | Likelihood | Rating | | | | | |
| Medium | Possible | Moderate | | | | | |
| | Action/Strategy | | | | | | |
| | Ensure Council is aware of the necessity to meet its legislative and contractual requirements. | | | | | | |

CONCLUSION

18. The recommendations provided for Council decision will ensure timely commencement of the CEO Performance Review process for 2020/21 and meet the intended principles of the recently introduced legislative standards.

| |
|---|
| Voting Requirements: Absolute Majority |
|---|

RECOMMENDATION

That Council:

1. Pursuant to section 5.8 of the *Local Government Act 1995* ESTABLISH the Chief Executive Officer Performance Review Committee consisting of seven (7) members as detailed in clause 3.8 of Governance 12: Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer Policy.
2. Pursuant to section 5.10 of the *Local Government Act 1995* APPOINT the following as members of the Chief Executive Officer Performance Review Committee:
 - a) the Mayor
 - b) the Deputy Mayor
 - c) Councillor Bilich
 - d) Councillor Sewell
 - e) Councillor Ritchie
 - f) Councillor Boyd
 - g) Michael Fernie
3. ADOPT revised Governance 12: Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer Policy (Attachment 1).
4. APPOINT Portland Broome as the Performance Review Facilitator.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Cameron Blair**

Vote:

Council considered the nominations for the Independent Observer as presented in Confidential Attachment 1.

Cr Boyd proposed an amendment to the composition of the Chief Executive Officer Performance Review to include all councillors. This amendment was put to a vote and carried. The amendment to the recommendation was included in substantive motion before being put to the vote.

RESOLVED OCM 90/2021

That Council:

1. Pursuant to section 5.8 of the *Local Government Act 1995* ESTABLISH the Chief Executive Officer Performance Review Committee consisting of thirteen members as detailed in clause 3.8 of Governance 12: Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer Policy.
2. Pursuant to section 5.10 of the *Local Government Act 1995* APPOINT all Councillors and the Independent Observer Candidate, Michael Fernie, as members of the Chief Executive Officer Performance Review Committee.
3. ADOPT revised Governance 12: Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer Policy (Attachment 1) subject to appropriate changes to reflect point 1 and 2 above.
4. APPOINT Portland Broome as the Performance Review Facilitator.

Moved: **Cr Lesley Boyd**

Seconded: **Cr Geoff Stallard**

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

CARRIED (11/1)

RESOLVED OCM 91/2021

That Council:

1. Pursuant to section 5.8 of the *Local Government Act 1995* ESTABLISH the Chief Executive Officer Performance Review Committee consisting of thirteen members as detailed in clause 3.8 of Governance 12: Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer Policy.
2. Pursuant to section 5.10 of the *Local Government Act 1995* APPOINT all Councillors and the Independent Observer Candidate, Michael Fernie, as members of the Chief Executive Officer Performance Review Committee.
3. ADOPT revised Governance 12: Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer Policy (Attachment 1) subject to appropriate changes to reflect point 1 and 2 above.
4. APPOINT Portland Broome as the Performance Review Facilitator.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Cameron Blair**


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

10.5.8. Award of RFT 2027 - The Provision of Wet Hire Skid Steer and Truck Services

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

| | |
|-------------------------|---|
| Previous Items | OCM 74/2017 |
| Directorate | Asset Services |
| Business Unit | Asset & Waste Operations |
| File Reference | AD-TEN-005 |
| Applicant | N/A |
| Owner | N/A |
| Attachments | Nil |
| Confidential Attachment | <u>Reason for Confidentiality:</u> Local Government Act 1995 s5.23 (c) "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting." |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.1 - Optimal management of all assets.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the award of a tender RFT 2027 to provide wet hire skid steer and truck services to the City.
2. It is recommended that the Council accept the tender for:
 - a) *Infrastructure Services sub-panel*: by Hawley's Bobcat Services, ABN 7455 122 8895 (ACN not applicable), of 14 Connaught Street, Forrestfield WA 6058, and;
 - b) *Waste Services sub-panel*: by Kala Bob Kats Pty Ltd, ACN 136 540 353, of 4 Kirkdale Road, Kalamunda WA 6076.

As per the Schedule of Rates set out in the Confidential Attachment 1, to this report.
3. The total estimated expenditure within this contract is \$340,000 (ex GST) per annum with an initial term of three years and two further one-year extensions at the City's discretion.

BACKGROUND

4. The City of Kalamunda (the City) sought to engage a suitable and experienced panel of contractors for the provision of wet hire skid steer and truck to provide services to City's Infrastructure Services and Waste Services.
5. The City chose to call one tender covering both services on the premise that that one contractor may best meet the need for both services but retaining the flexibility to appoint separate contractors for each service if needs be.
6. For Infrastructure Services the services proposed primarily requires boxing out for road works, road shoulder maintenance, carpark maintenance, kerbs, and footpath repairs. For the Waste Services, removal of illegal dumping, removal of dead animals and Asbestos Contaminated Material (ACM) are primarily the services required. Due to the specialist and skilled operator and licences needed, it is more effective to utilise external contractors for these services rather than the City undertake the services with 'inhouse' staff and plant.

DETAILS AND ANALYSIS

7. The City issued RFT 2027 through its E-Tendering Portal and an advertisement in the West Australian newspaper on Wednesday 24 March 2021. Receipt of Tender submissions closed on Thursday 15 April 2021.

8. Tender submissions were received from (in alphabetical order):
 - a) CCS Rentals Pty Ltd
 - b) GT Bobcats
 - c) Hawley's Bobcat Services
 - d) Kala Bob Kats Pty Ltd
 - e) McKay Earthmoving Pty Ltd

9. An Evaluation Panel was convened of suitably qualified City Officers to assess the tenders received.

10. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again, these were set out in the tender invitation).

11. The Qualitative Criteria and weighting were determined as follows:

| Qualitative Criteria | Weighting |
|-----------------------------------|-----------|
| Relevant Experience | 40% |
| Key Personnel Skills & Experience | 30% |
| Tenderer's Resources | 25% |
| Local Benefits | 5% |

12. All tender submissions met the compliance criteria and then were assessed against the qualitative criteria.

13. The five tender submissions were ranked as follows regarding the qualitative criteria:

| Company Name | Qualitative Total Score (Weighted @100%) | Rank | Sub-panel |
|---------------------------|---|------|-------------------------|
| Hawley's Bobcat Services | 70.5% | 1 | Infrastructure Services |
| Kala Bob Kats Pty Ltd | 69.5% | 2 | Waste Services |
| McKay Earthmoving Pty Ltd | 63% | 3 | Waste Services |
| CCS Rentals Pty Ltd | 40% | 4 | Infrastructure Services |
| GT Bobcats | 32.5% | 5 | Waste Services |

14. The Tender Assessment Panel determined that a Qualitative Pass Mark (QPM) of 60% would be set for a tender of this nature.
15. A price assessment was then undertaken to determine the best value for money outcome for the City.
16. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report.
17. The recommended tenderers submission best satisfied the City's requirements by:
 - a) exceeding the qualitative assessment benchmark;
 - b) proven capacity and capability to provide the required services with experienced operator;
 - c) has the relevant licences and experience to provide the proposed services;
 - d) available in short notice for emergency works; and
 - e) providing the best value for money outcome.
18. There was no Tender offer covering both services that was deemed to provide better value for money for the City having one contractor provide both services than separating the contracts and awarding to individual different contractors.
19. Of the three qualifying and compliant qualitative tender responses, Hawley's Bobcat Service and Kala Bob Kats Pty Ltd, provided the lowest total value for the required services.
20. The Tender Assessment Panel has recommended that the contract for RFT 2027 The Provision of Wet Hire Skid Steer and Truck Services be awarded to Hawley's Bobcat Services, for Infrastructure Service and to Kala Bob Kats Pty Ltd for Waste Services.
21. The Contract will be for an initial three-year term with two further one year extensions at the sole discretion of the City.

APPLICABLE LAW

22. *Local Government Act 1995.*

APPLICABLE POLICY

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

FINANCIAL CONSIDERATIONS

- 24. The use of machinery and equipment under this contract will form part of approved annual budgets in the drainage maintenance areas of the City.

RISK MANAGEMENT

| | | | |
|-----|---|-------------------|---------------|
| 25. | <p>Risk: The Contractor fails to provide skilled and experienced operators to fulfil the requirements of the contract (in terms of scope, time or quality) leading to increased costs to the City due to rework and not timely attendance or delays in completion of the work.</p> | | |
| | Consequence | Likelihood | Rating |
| | Unlikely | Moderate | Low |
| | Action/Strategy | | |
| | <ul style="list-style-type: none"> a) clearly defined specifications have been developed; b) prior to the start of work ensure, the contractor is aware of the scope of work; c) monitor operator’s performance and quality of work. d) organise a meeting with the contractor and discuss the issue if it reappears more than twice; and e) itemised price schedule and quantities within the tender has been used and checked. | | |

CONCLUSION

- 26. The delivery of Tender RFT 2027 The Provision of Wet Hire Skid Steer and Truck Services will allow the City to maintain the road network and carpark throughout the City to an acceptable level and removal illegal dumping, dead animal and appropriately handle asbestos contaminated material.
- 27. The City is satisfied that the recommended tenderers have the capability, capacity, along with experienced operators to provide the services required under this contract.

Voting Requirements: Simple Majority

RESOLVED OCM 92/2021

That Council:

- 1. AWARD Tender RFT 2027 Provision Wet Hire Skid Steer and Truck Services for Infrastructure Services to Hawley’s Bobcat Services, ABN 7455 122 8895 (ACN not applicable).

2. AWARD Tender RFT 2027 Provision Wet Hire Skid Steer and Truck Services for Waste Services to Kala Bob Kats Pty Ltd, ACN 136 540 353.
3. Both tenders in line with the itemised prices as per the Schedule of Rates set out in the Confidential Attachment 1 to this report.

Moved: **Cr Cameron Blair**

Seconded: **Cr Geoff Stallard**


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

10.5.9. Award of RFT 2029 - Provision of Gully Eduction Services

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

| | |
|-------------------------|--|
| Previous Items | OCM 88/2016 |
| Directorate | Asset Services |
| Business Unit | Asset Waste & Operations |
| File Reference | AD-TEN-005 |
| Applicant | N/A |
| Owner | N/A |
| Attachments | Nil |
| Confidential Attachment | <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 s5.23 (c) "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."</i> |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.1 - Optimal management of all assets.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the award of a tender RFT 2029 to provide gully education services to maintain the City's stormwater drainage system.
2. It is recommended that Council accept the tender from Drainflow Services Pty Ltd, ACN 101 546 918 as per the Schedule of Rates set out in the Confidential Attachment 1 to this report. The estimated expenditure within this contract is \$300,000 (ex GST) per annum with an initial term of three years and two further one-year extensions at the City's discretion.

BACKGROUND

3. The services proposed within this contract primarily require the 'sucking out' of detritus and materials from stormwater pits and gullies (education), water jetting of blocked pipes and CCTV inspection of selected drainage systems. Due to the specialist nature of the equipment needed and the low frequency of its use, it is more effective to utilise external contractors for these services rather than the City undertake the services with 'inhouse' staff and plant.

DETAILS AND ANALYSIS

4. The City issued RFT 2029 through its E-Tendering Portal and an advertisement in the West Australian newspaper on Wednesday 24 March 2021. Receipt of Tender submissions closed on Thursday 15 April 2021.
5. Tender submissions were received from (in alphabetical order):
 - a) Drainflow Services Pty Ltd; and
 - b) Western Maze WA Pty Ltd.
6. An Evaluation Panel was convened of suitably qualified City Officers to assess the tenders received.
7. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again, these were set out in the tender invitation).

8. The Qualitative Criteria and weighting were determined as follows:

| Qualitative Criteria | Weighting |
|-----------------------------------|------------------|
| Relevant Experience | 35% |
| Key Personnel Skills & Experience | 30% |
| Tenderer's Resources | 30% |
| Local Benefits | 5% |

9. Both tender submissions met the compliance criteria and then were assessed against the qualitative criteria.

10. The two tender submissions were ranked as follows regarding the qualitative criteria:

| Company Name | Qualitative Total Score (Weighted @100%) | Rank |
|----------------------------|---|-------------|
| Drainflow Services Pty Ltd | 79% | 1 |
| Western Maze WA Pty Ltd | 60.5% | 2 |

11. The Tender Assessment Panel determined that a Qualitative Pass Mark (QPM) of 60% would be set for a tender of this nature.

12. A price assessment was then undertaken to determine the best value for money outcome for the City.

13. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report.

14. The recommended tenderers submission best satisfied the City's requirements by:

- a) exceeding the qualitative assessment benchmark;
- b) proven capacity and capability to provide the required plant and equipment with experienced operators;
- c) have the capacity to work both day and night;
- d) available 24/7 for emergency works; and
- e) providing the best value for money outcome.

15. Of the two qualifying and compliant qualitative tender responses, Drainflow Services Pty Ltd provided the lowest total value for the required services.

- 16. The Tender Assessment Panel has recommended that the contract for RFT 2029 Provision of Gully Eduction Services be awarded to Drainflow Services Pty Ltd.
- 17. The Contract will be for an initial three year term with two further one-year extensions at the sole discretion of the City.

APPLICABLE LAW

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

APPLICABLE POLICY

- 19. Policy C-PP01 – Purchasing has been followed and complied with.

FINANCIAL CONSIDERATIONS

- 20. The use of machinery and equipment under this contract will form part of approved annual budgets in the drainage maintenance areas of the City.

RISK MANAGEMENT

| | | | |
|-----|---|-------------------|---------------|
| 21. | <p>Risk: The Contractor fails to provide skilled and experienced operators to fulfil the requirements of the contract (in terms of scope, time or quality) leading to increased costs to the City due to rework and not timely attendance or delays in completion of the work.</p> | | |
| | Consequence | Likelihood | Rating |
| | Unlikely | Moderate | Low |
| | Action/Strategy | | |
| | <ul style="list-style-type: none"> a) clearly defined specifications have been developed; b) prior to the start of work ensure the contractor is aware of the scope of work; c) monitor operator’s performance and quality of work. If required contact the contractor and ask for a new experienced operator; d) organise a meeting with the contractor and discuss the issue if it reappears more than twice; and e) itemised price schedule and quantities within the tender has been used and checked. | | |

CONCLUSION

22. The delivery of Tender RFT 2029 Provision of Gully Eduction Services will allow the City to maintain the drainage throughout the City to an acceptable level. The City is satisfied that the recommended tenderer has the capability and capacity, along with experienced operators to provide the required gully eduction, jetting and camera inspection, and undertake work to the required standard.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 93/2021

That Council ACCEPT the tender RFT 2029 Provision of Gully Eduction Services to provide gully eduction, water jetting and camera inspection services from Drainflow Services Pty Ltd, ACN 101 546 918, for the itemised prices as per the Schedule of Rates detailed in Confidential Attachment 1, for a term of three years with two further one-year extensions at the City's discretion.

Moved: **Cr John Giardina**

Seconded: **Cr Cameron Blair**


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

10.5.10. Award of RFT 2030 - Provision of Extruded Concrete Kerbing Services

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

| | |
|-------------------------|--|
| Previous Items | OCM 65/2016; OCM 13/2020 |
| Directorate | Asset Services |
| Business Unit | Asset Delivery |
| File Reference | AD-TEN-005 |
| Applicant | N/A |
| Owner | City of Kalamunda |
| Attachments | Nil |
| Confidential Attachment | <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 s5.23 (c) "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."</i> |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.1 - Optimal management of all assets.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the acceptance of a tender for the provision of Extruded Kerbing Services – RFT 2030.
2. It is recommended that Council accept the tender from Allstate Kerbing and Concrete Pty Ltd, ACN 147 015 594 based on the schedule of rates included as Confidential Attachment 2 to this report.
3. The award is for a two-year contract with optional one year extension at City discretion of one year.

BACKGROUND

4. A previous tender for extruded kerbing (RFT 1919) was awarded by Council to Glenview Kerbing in April 2020. Due to ill health of the company owner, the company exercised their right to end their contract with the City in December 2020. The City has since sought new tenders for this work.
5. The services supplied under this contract are used for both operational and capital works. The funding of this service is through the individual project or operation cost codes attributed to the relevant project or maintenance activity as per the approved budget.

DETAILS AND ANALYSIS

6. The City issued RFT 2030 through its tendering portal and advertised in the West Australian on 27 January 2021. Responses closed at 2.00pm AWST Thursday 25 February 2021.
7. Tenders received by the closing date were from the following companies in alphabetical order:
 - a) The Trustee for Allstate Kerbing and Concrete Trust;
 - b) Roads 2000 Pty Ltd T/as Kerb Direct Pty Ltd; and
 - c) Freight Train T/as Kerbing West.

8. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. 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 | 30% |
| Tenderer's Resources | 20% |
| Key Personnel Skills & Experience | 20% |
| Demonstrated Understanding of the Requirements | 30% |

9. Tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.
10. Compliance Criteria were evaluated on a "Yes/No" basis, with the compliance assessment completed by the City's Coordinator Procurement.
11. The Three respondents were ranked as follows regarding the qualitative criteria:

| Tenderer | Score | Rank |
|---------------------------------------|--------------|-------------|
| Allstate Kerbing and Concrete Pty Ltd | 65.5% | 1 |
| Kerb Direct Pty Ltd | 43% | 2 |
| Kerbing West | 36.5% | 3 |

12. Only one conforming tender submission met the required QPM of 60% (Allstate Kerbing and Concrete Pty Ltd), but for consistency and bench marking all three respondents pricing submissions were reviewed and supplied below. A total of 90 items were requested for pricing.
13. Below is a table illustrating the number of items that each respondent gave the lowest cost for, out of the total 90 items;

| Tenderer | No of Items that were lowest price | Rank |
|---------------------------------------|------------------------------------|------|
| Allstate Kerbing and Concrete Pty Ltd | 43 | 1 |
| Kerb Direct Pty Ltd | 27 | 2 |
| Kerbing West | 14* | 3 |

* kerbing west only priced for 88 of the 90 items requested.

14. On the above Evaluation across all three Tenderers, Allstate Kerbing and Concrete Pty Ltd had a total of 43 (48%) of the lowest price items out of the 90 items and were also the only Tenderer to pass 60% QPM.
15. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report.
16. 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 the 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.
17. The Panel recommends Allstate Kerbing and Concrete Pty Ltd to be the Preferred Tenderer for their lump price of \$525,000 (plus GST).

APPLICABLE LAW

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

APPLICABLE POLICY

19. Policy C-PP01 – Purchasing, has been followed and complied with.

FINANCIAL CONSIDERATIONS

20. The recommended tender is based on an annual spend of between \$100,000 and \$175,000 per annum, dependent on the approved Capital

Works Program budget, capital and infrastructure improvement requirements for the City.

SUSTAINABILITY

21. N/A

RISK MANAGEMENT

| | | | |
|-----|--|-------------------|---------------|
| 22. | Risk: The contractor fails to fulfil the requirements of the contract (in terms of scope, time or quality) leading to increased costs to the City or delays in project completion. | | |
| | Consequence | Likelihood | Rating |
| | Moderate | Unlikely | Low |
| | Action/Strategy | | |
| | a) clearly defined scope of works and specifications have been developed; b) construction to be supervised by the City to validate quality; and c) the contract to be entered into provides for claims against the contractor for remedial action if needed. | | |

CONCLUSION

23. This contracted tender allows for the provision of Extruded Kerbing services to the City in both Capital and Infrastructure Maintenance works, with cost efficiencies achieved through the contract. The City is satisfied that the recommended tenderer has the capability and capacity to undertake the works to required scope, scale, time and cost.

Voting Requirements: Simple Majority

RESOLVED OCM 94/2021

That Council ACCEPT the tender RFT 2030: Provision of Extruded Kerbing across various sites within the City of Kalamunda from Allstate Kerbing and Concrete Pty Ltd, ACN 147 015 594 in accordance with the schedule of rates contained in Confidential Attachment 2.

Moved: **Cr John Giardina**

Seconded: **Cr Cameron Blair**


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

10.5.11. Community Safety and Crime Prevention Committee - Resolution to Request Police Assistance at the Zig Zag Closure

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.1

| | |
|----------------|---|
| Previous Items | OCM55/2021 |
| Directorate | Development Services |
| Business Unit | Environmental Health & Community Safety |
| File Reference | CO-CCS-073 |
| Applicant | N/A |
| Owner | N/A |
| Attachments | Nil |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the recommendation made by the City of Kalamunda (City) – Community Safety and Crime Prevention Committee (CSCPAC) as follows:
 - a) Ask Council to request the Chief Executive Officer to write to the Western Australian Police Force (WA Police) advising of the key concerns in relation to the Zig Zag Closure.
 - b) Seek a meeting between the City of Kalamunda administration with the WA Police to discuss resourcing, procedures, and priority of the matter.
2. At the CSCPAC meeting on the 12 May 2021, it was resolved by the committee to endorse a recommendation to Council to write to the WA Police advising of the key concerns in relation to the Zig Zag closure, and to seek a meeting to discuss resources, procedures and priorities.
3. It is recommended that Council support the recommendation from CSCPAC to write to WA Police advising of the key concerns in relation to the Zig Zag closure and seek a meeting to discuss resourcing, procedures and priorities.

BACKGROUND

4. At the CSCPAC meeting on the 12 May 2021, it was resolved by the committee to endorse a recommendation to Council to write to the WA Police advising of the key concerns in relation to the Zig Zag closure, and to seek a meeting to discuss resources, procedures and priorities.

DETAILS AND ANALYSIS

5. At the Ordinary Council Meeting on the 27 April 2021, Council received a report regarding the future of the Zig Zag Scenic Drive.
6. Council resolved amongst other things to endorse a trial opening of the Zig Zag Scenic Drive at 11am and closing it at 8:30pm each day until 30 June 2022.
7. The trial will consist of City of Kalamunda Rangers opening the gates at 11am and contracted security personal closing the gates at 8:30pm each day.

8. Council had previously resolved (SCM 43/2020) to close the Zig Zag Scenic Drive for a 6-month trial due to increasing number of complaints regarding speeding and anti-social behaviour.
9. Council resolved (OCM211/2020) to extend the 6-month trial for a further 6 months to consider the large number of survey and submissions received during community engagement.
10. The report received on the 27 April 2021 advised that prior to the closure from February to May (four months) there were 73 incidents reports, while during the June to September (four months) there were 22 incident reports.
11. Notwithstanding the reduction in reported incidents, there has been a perception of a lack of Police attendance to incidents at the Zig Zag. It was also acknowledged that WA Police did not attend any of the Zig Zag Reference Group Meetings chaired by the Hon Matthew Hughes MLA.
12. At the Ordinary Council meeting on the 27 April 2021 Councillor Cameron Blair foreshadowed a draft parliamentary petition to the legislative council regarding Police resourcing and priorities to assist with the new approach at the Zig Zag.
13. Following this meeting, the matter was put forward at CSCPAC as an alternative to progressing the parliamentary petition.

APPLICABLE LAW

14. Nil

APPLICABLE POLICY

15. Nil

STAKEHOLDER ENGAGEMENT

16. The item was discussed at the CSCPAC meeting which includes other members of Council, the community, and the Officer in Charge at Forrestfield Police.

FINANCIAL CONSIDERATIONS

17. Nil

SUSTAINABILITY

18. Developing and maintaining a strong relationship with the WA Police Force will have positive social benefits for the community

RISK MANAGEMENT

| | | | |
|-----|--|-------------------|---------------|
| 19. | Risk: Lack of Police resources towards the Zig Zag closure may create a safety issue for security personal closing the gates and directing people to move on. | | |
| | Consequence | Likelihood | Rating |
| | Moderate | Likely | Medium |
| | Action/Strategy | | |
| | Undertake engagement with WA Police to ensure resourcing, procedures and priorities are understood in the context of the Zig Zag closure. | | |

CONCLUSION

20. In summary, it is recommended that Council support the recommendation from CSCPAC to write to WA Police advising of the key concerns in relation to the Zig Zag closure and seek a meeting to discuss resourcing, procedures and priorities.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RECOMMENDATION

That Council REQUEST the Chief Executive Officer to write to the WA Police Force advising of the key concerns in relation to the Zig Zag Closure and seek a meeting between the City of Kalamunda administration with WA Police Force to discuss resourcing, procedures, and priority of the matter.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Cameron Blair**

Vote:

Cr Boyd proposed an amendment to the recommendation. The mover and seconder accepted the recommendation.

Cr Sewell proposed an additional amendment to the accepted recommendation. The mover and seconder accepted the additional amendment before it was put to a vote.

RESOLVED OCM 84/2021

That Council REQUEST the Chief Executive Officer write to the WA Police Force (Superintendent or Inspector of the Midland District Office and the Minister for Police) to arrange a meeting to advise of the key concerns in relation to the Zig Zag Scenic Drive closure and discuss resourcing, procedures, and priority of the matter.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Cameron Blair**

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


CARRIED (10/2)

10.5.12. Naming of Parks, Reserves, Streets & Infrastructure Policy

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

| | |
|----------------|---|
| Previous Items | OCM 2020 |
| Directorate | Office of the CEO |
| Business Unit | Customer and PR |
| File Reference | |
| Applicant | |
| Owner | |
| Attachments | <ol style="list-style-type: none"> 1. Naming of Parks, Reserves, Streets & Infrastructure Policy [10.5.12.1 - 4 pages] 2. Naming of Parks and Reserves Policy Submitters Comments [10.5.12.2 - 1 page] 3. Engagement Report Naming of Locations - Stages 1 & 2 [10.5.12.3 - 21 pages] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

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

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.

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 outcome of the community engagement on the draft Naming of Parks, Reserves, Streets & Infrastructure Policy (the Policy).
2. Council at its Ordinary Council Meeting of 23 March 2021 endorsed the draft Policy for community consultation. The community consultation occurred between 7 April and 3 May 2021.
3. It is recommended that Council notes the outcome of the community engagement and adopts the Naming of Parks, Reserves, Streets and Infrastructure Policy (Attachment 1).

BACKGROUND

4. Following a recommendation from the Audit and Risk Committee Meeting of 16 March 2021, Council at its Ordinary Council Meeting of 23 March 2021 endorsed the draft Policy for community consultation.
5. The draft Policy had been developed following initial community engagement in October 2020, and alongside the Policies and Standards for Geographical Naming in Western Australia,

DETAILS AND ANALYSIS

6. The City of Kalamunda has completed public advertising on the draft Policy. Targeted consultation ran from 7 April 2021 - 3 May 2021.
7. Ten submissions were received with 1 submitter not sure, 3 submitting comments opposed to the Policy and 6 supporting. Details of these submissions are provided in Attachment 2.

8. In finalising the Policy the following changes have been made to the advertised draft:-
- a) Part 2 Policy Statement
Para 2 amended:
Advertised version-
Where appropriate, the Council will consider naming parks, reserves or buildings in honour of persons considered to be pioneers, persons who have made an outstanding humanitarian contribution to the City, or who, in the opinion of the Council, are worthy of such an honour.
- Final version-
Where appropriate, the Council will consider naming parks, reserves or buildings in honour of persons considered to have made an outstanding contribution to the City, or who, in the opinion of the Council, worthy of such an honour.
- b) Part 3 Criteria for assessment
Point 6 c) iv amended.
- Advertised version-
Evidence of works undertaken being of a pioneering nature for the benefit of the community.
- Final version-
Evidence of works undertaken for the benefit of the community.
- c) Part 3 Criteria for assessment
Point 6 e) amended.
- Advertised version-
(if applicable) supporting commentary when Noongar name is proposed.
- Final version-
(if applicable) supporting commentary to explain the meaning of a proposed name.

APPLICABLE LAW

9. *Local Government Act 1995*

APPLICABLE POLICY

10. N/A

STAKEHOLDER ENGAGEMENT

- 11. The City issued information regarding the draft Policy and encouraged people to Have Their Say. Content was posted across the City’s buildings and shared with Stakeholders, such as local schools for placement in their newsletters; and an advert placed in the local paper.
- 12. A survey was listed on the City’s engage portal with hard copy forms placed at all City locations.
- 13. Electronic Direct Mail (EDM) as sent to City Subscribers (2054 email addresses) – Two (2) eNewsletters were sent in April and one (1) in May 2021.
- 14. A Social Media campaign received over 7,521 impressions and 128 Engagements. Promotional posts were published to Facebook, Instagram, LinkedIn and Twitter, with two paid Facebook posts to ensure an increased reach. A copy of the Community Engagement report is attached.

FINANCIAL CONSIDERATIONS

15. N/A

SUSTAINABILITY

16. N/A

RISK MANAGEMENT

| | | | |
|-----|--|-------------------|---------------|
| 17. | Risk: Policy is not adopted | | |
| | Consequence | Likelihood | Rating |
| | Moderate | Low | Low |
| | Action/Strategy | | |
| | Explain how the Policy has been formed, the community engagement and the reasons that it is necessary. | | |

CONCLUSION

18. The final version of the Policy reflects outcomes from two periods of extensive community engagement.

| |
|---|
| Voting Requirements: Simple Majority |
|---|

RESOLVED OCM 85/2021

That Council:

1. NOTE the outcome of the community engagement.
2. ADOPT the Naming of Parks, Reserves, Streets and Infrastructure Policy (Attachment 1).

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Janelle Sewell**


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

10.5.13. Civic Functions, Ceremonies and Receptions Policy

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

| | |
|----------------|---|
| Previous Items | OCM 240/2019 - Kalamunda Civic Functions Policy |
| Directorate | Office of the CEO |
| Business Unit | |
| File Reference | |
| Applicant | |
| Owner | |
| Attachments | 1. Civic Functions Policy - Draft [10.5.13.1 - 3 pages] |

TYPE OF REPORT

| | |
|---|--|
| Advocacy | When Council is advocating on behalf of the community to another level of government/body/agency |
| Executive | When Council is undertaking 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 1.3 - 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 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 a draft City of Kalamunda Civic Functions, Ceremonies and Receptions Policy (Policy).
2. The Policy has been drafted as a consequence of a Notice of Motion adopted by Council at its Ordinary Council Meeting on 15 October 2019.
3. It is recommended Council ENDORSE the draft City of Kalamunda Civic Functions, Ceremonies and Receptions Policy for the purposes of public advertising.

BACKGROUND

4. *At the Ordinary Council Meeting (OCM) of 15 October 2019 the following motion was adopted by Council that resulted from a Notice of Motion:-*

OCM 240/2019 - Kalamunda Civic Functions Policy

That Council:

1. *REQUEST the Chief Executive Officer to investigate and develop a draft City of Kalamunda Civic Functions Policy that includes the following functions but is not limited to this list.*
 - a) *Mayoral Reception*
 - b) *Volunteer recognition*
 - c) *Employee recognition and celebration*
 - d) *Australia Day*
 - e) *ANZAC Day and Remembrance Day*
 - f) *Citizenship functions*
 - g) *Official opening of council facilities*
 - h) *Christmas functions*
 - i) *Other Civic ceremonies and Appreciation functions.*
2. *REQUEST the Chief Executive Officer to present the draft policy to Council for the purposes of public advertising prior to final adoption.*

DETAILS AND ANALYSIS

5. The hosting of various functions by the City of Kalamunda (City) is an effective tool for fulfilling its civic objectives, to create a sense of community and a stakeholder management tool to help recognise and strengthen existing relationships and establish new ones.

6. The purpose of the Policy is to provide guidance on attendance and role clarity for dignitaries at Civic Functions, Ceremonies and Receptions.
7. The Policy has been drafted on the basis of the current Civic Functions, Ceremonies and Receptions the Council has approved to be conducted. Should Council wish to add addition functions, ceremonies or receptions, the Policy will be amended accordingly.
8. The Policy includes the criteria for invitation lists, relevant protocols and other administrative matters for the organising and conduct of functions, ceremonies and receptions.
9. The Policy does not cover functions, ceremonies or receptions organised by any community group, such as ANZAC and Remembrance Day events are held by the Returned Services League.
10. If the City co-hosts or sponsors the functions with a community group, there are other mechanisms which can be utilised to cover the matters included in the draft Policy.
11. A number of similar policies developed by other local governments have been assessed to guide the City in appropriate content for the draft Policy.

APPLICABLE LAW

12. *Local Government Act 1995*
Local Government (Financial Management) Regulations 1996
Australian Citizenship Act 2007

APPLICABLE POLICY

13. N/A

STAKEHOLDER ENGAGEMENT

14. Some initial briefings have been held with councillors in developing the draft Policy.
15. Community feedback will be sought should Council endorse the draft Policy.

FINANCIAL CONSIDERATIONS

16. N/A

SUSTAINABILITY

Social Implications

- 17. The policy provides clear guidance in regard to important civic events which have positive social implications.

Economic Implications

- 18. Any events must take place within the approved budget.

Environmental Implications

- 19. N/A

RISK MANAGEMENT

| | | | |
|-----|---|-------------------|---------------|
| 20. | Risk: Policy is not adopted. | | |
| | Consequence | Likelihood | Rating |
| | | | |
| | Action/Strategy | | |
| | Ensure the need for clarity is clearly understood in regard to this matter. | | |

CONCLUSION

- 21. A policy for Civic Functions, Ceremonies and Receptions will assist the City in ensuring clear guidance on attendance and role clarity for dignitaries at Civic Functions, Ceremonies and Receptions.

Voting Requirements: Simple Majority

RESOLVED OCM 86/2021

That Council ENDORSE the Civic Functions, Ceremonies and Receptions Policy for the purposes of public advertising for a period of not less than 28 days.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Geoff Stallard**


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

10.5.14. Australian Masters Games Cycling

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

| | |
|----------------|---|
| Previous Items | N/A |
| Directorate | Office of CEO |
| Business Unit | Customer & Public Relations |
| File Reference | |
| Applicant | |
| Owner | |
| Attachments | <ol style="list-style-type: none"> 1. Australian Masters Games 2021- STH - Sponsorship Proposal - City of Kalamunda [10.5.14.1 - 18 pages] 2. Australian Masters Games 2021 Road Cycling Proposal [10.5.14.2 - 5 pages] |

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 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 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 a request for sponsorship of \$15,000 from the Australian Masters Games (AMG). A sponsorship proposal has been presented to the City of Kalamunda (Attachment 1).
2. As the original master's event in Australia, it was first held in 1987 and has attracted over 136,000 participants since its creation.
3. Sponsorship to the value of \$10,000 is recommended.

BACKGROUND

4. AMG is owned by the Confederation of Australian Sport and is one of the largest multi-sport events in Australia that brings together weekend warriors from around Australia, and the world, to enjoy an extensive sporting and social program in an exciting holiday destination.
5. Traditionally the AMG comprises a sport program of between 40-55 sports, with no qualification criterion applicable other than participants must meet the minimum age requirement, which in most sports is 30 years. Generally participants are in the age range of 30 – 90 years, who represent healthy, active, lifestyles

DETAILS AND ANALYSIS

6. In October 2021, Perth will host the 18th AMG and will become the playground for the largest mass participation, multisport event the city has even seen. This is the second occasion that Perth has hosted the Games, the last time being in 1993.
7. Scheduled to run from 9 to 16 October 2021, the AMG organisers have indicated the games provide an opportunity to showcase the City to more than 8000 games participants, along with spectators.
8. Of particular relevance and potential benefit to the City is the games cycling program. Events proposed to take place include an individual and team time trial, a road race and a criterium circuit with Kalamunda slated for the criterium circuit.

9. Cycling has a long history with the AMG having featured at every games since the first iteration in 1987. Previous games have featured road cycling, track cycling, BMX, and mountain bike cross country. Road cycling remains the premier cycling event at the AMG with the highest and most consistent participation numbers.
10. The AMG organisers have advised that a conservative combined participation target across the three events of the road cycling program is 550. Further details on the races proposed are contained in the proposal in Attachment 2.
11. With the cancellation of the 2021 Kalamunda Show, it is proposed that the unused sponsorship of \$10,000 be reallocated to the AMG.

APPLICABLE LAW

12. *Local Government Act 1995*

APPLICABLE POLICY

13. N/A

STAKEHOLDER ENGAGEMENT

14. AMG will be responsible for developing the comprehensive marketing and communications plan to ensure maximum attendance and engagement. They have indicated the reach to include more than 32,000 contracts and more than 1.2 million website views.
15. City of Kalamunda event approval conditions will also clearly outline local community engagement requirements.

FINANCIAL CONSIDERATIONS

16. The request is for \$15,000. It is recommended support to the value of \$10,000 utilising unspent funds allocated in the current budget from an event in early 2021 due to COVID-19.

SUSTAINABILITY

17. N/A

RISK MANAGEMENT

| | | | |
|-----|--|-------------------|---------------|
| 18. | Risk: Sponsorship request not approved. | | |
| | Consequence | Likelihood | Rating |
| | Moderate | Possible | Medium |
| | Action/Strategy | | |
| | Ensure opportunity benefits provided for clear consideration, noting current economic circumstances. | | |

CONCLUSION

- 19. In reviewing the sponsorship proposal and the potential exposure for the region approval is recommended.
- 20. The partnership will potentially generate awareness of the City and the tourism offerings in the region amongst the 2021 AMG participants and accompanying persons.
- 21. The event should encourage visitation to the City with a positive economic benefit for businesses within the City.

Voting Requirements: Simple Majority

RESOLVED OCM 87/2021

That Council:

- 1. SUPPORT the Proposal for the Australian Masters Games to be hosted within the City of Kalamunda.
- 2. APPROVE sponsorship of \$10,000 to the Australian Masters Games, previously allocated for the Kalamunda Show.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Janelle Sewell**

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

11. Motions of Which Previous Notice has been Given

11.1 Nil.

12. Questions by Members Without Notice

12.1 Pindan Administration (Cr Ritchie)

Q. Does the City have any exposure to the Pindan Group in light of the Company recently going into Administration?

A. The Director Asset Services advised the contract the City entered into for the construction of the Kalamunda Community Centre was with Pindan Contracting which is a subsidiary of Pindan Group. Pindan Contracting is in Administration. The Administrator is in contact with the City.

12.2 Zig Zag Scenic Drive (Cr Blair)

Q. Concrete barriers have been installed at the bottom of the Zig Zag Scenic Drive. How would emergency services gain access if required?

A. The Director Asset Services advised this was a temporary arrangement due to the recent vandalism of the gate. A new gate will be installed as soon as possible.

12.3 Maida Vale Offramp Roundabout (Cr O'Connor)

Q. Can you please advise of the start date for the roundabout?

A. The Director Asset Services advised by Main Roads this will occur on or around the 14 June.

13. Questions by Members of Which Due Notice has been Given

12.1 Streetsweeper Scheduling – Cr Boyd

Q. Does the City still utilise streetsweepers and if so what sort of schedule could be expected down any given street?

A. The Director Asset Services advised the City does still operate a street sweeping fleet.

The target of the City's street sweeping program is to sweep each street 4 times per year. This target in some cases in specific streets may not be met for a variety of reasons including plant availability, reduced frequency for smaller streets where litter doesn't accumulate as often or diversion of

resources to other areas needing urgent attention for a variety of vehicle accident, weather or construction related issues. The City's planned fleet replacement program will afford higher sweeper availability.

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

14.1 Nil.

15. Meeting Closed to the Public

15.1 RESOLVED OCM 88/2021

That the Meeting be closed to the public to consider confidential items.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr John Giardina**

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

The Meeting closed to the public at 9.21pm. All members of the public gallery left the Meeting and all elected members and staff remained.

15.1 RESOLVED OCM 95/2021

That the Meeting be reopened to the public after consideration of confidential items.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Brooke O'Donnell**

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

The Meeting reopened to the public at 9.42pm. All members of the public gallery returned to the Meeting. The Presiding Member read the resolutions to the Meeting.

16. Tabled Documents

Kalamunda Tourism Advisory Committee Minutes 18 February 2021
Kalamunda Environmental Advisory Committee Draft Minutes 22 April 2021
Kalamunda Economic Development Advisory Committee Minutes 4 May 2021
DACAC Minutes 10 May
Public Agenda Briefing Forum Notes 11 May 2021

17. Closure

There being no further business, the Presiding Member declared the Meeting closed at 9:43pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2021.