



# Ordinary Council Meeting

MINUTES

Tuesday 26 April 2022

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**1. Official Opening**

The Presiding Member opened the meeting at 6:32pm 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**

Mary Cannon  
Kellie Miskiewicz  
Brooke O'Donnell

**North West Ward**

Sue Bilich  
Lisa Cooper  
Dylan O'Connor

**North Ward**

Andrew Osenton  
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**

Nicola Parker - Manager Asset Delivery  
Darren Jones - Manager Community Development  
Nic Daxter - Leisure Planning Project Manager  
Jamie Paterson - Manager Information Technology

**Administration Support**

Darrell Forrest - Governance Advisor  
Sara Slavin - Executive Assistant to the Director Corporate Services

**Members of the Public** 25

**Members of the Press** 1

**Apologies**

Nil.

**Leave of Absence Previously Approved**

2.1 Nil.

**3. Public Question Time**

**3.1. Questions Taken on Notice at Previous Meeting**

3.1.1 Fiona and Tim Agnew, Kalamunda

Written submission for question during public question time meeting 12 April 2022.

Q1. Parking: What provision has been made for extra parking? Currently the parking is insufficient, and this design appears to have even less. Ample parking is required to prevent driveways being blocked and the safety of children and families.

A. Extra parking has not been provided as part of the project construction. Safety has been heavily considered and areas of fencing included in the Design.

Q2. Lighting: Will the park have lighting that won't affect residence? Or lock out times for the park. Already there is often unwanted noise and antisocial behaviours especially at night. People walking through and residence want to feel safe and noise at night kept at a minimal.

A. The lighting that is going to be used will be Solar lighting. Lighting designs were done to inform where the lights should go, minimising light pollution to surrounding residences. Lighting of paths and barbeque areas, will help to make the area safer and more accessible

Q3. Crime: Will this park affect the crime which is already on the rise? Having this extra facility will bring various people and behaviours. Parks are often difficult to police, equipment and vegetation makes it hard to police and this design is very large and busy with many locations unable to be under surveillance.

- A. The principals of Safety in Design and CPTED - Crime Prevention Through Environmental Design have been a key part of the design process. The 4 main principles of CPTED are Natural Surveillance, Access Control, Territorial reinforcement, and Space Management. This is a tactical approach to design that uses the built environment to reduce crime and the fear of crime.
- Q4. Traditional feel: Why not keep it simple? The design is like an amusement park taking away the traditional feel of the Hills and Stirk Park, shady trees, simple picnic areas, autumn leaves and colours, this is what people visit the hills for.
- A. The City has undertaken a comprehensive program of community engagement and consult as to the facilities they would like to have in Stirk Park. A key focal point of the design was to reflect the key features of the hills; nature play, the natural feel and colour palette of the park. We have worked closely with the Parks and Environment team, to not only used the existing canopy but also plant additional trees and shrubs to further enhance the natural feel of the park.
- Q5. Wildlife: What provisions have been made for the wildlife? Stirk Park and Kalamunda has an abundance of birds, (especially the popular ducks) and Quendas. How will this be managed with the extra traffic, litter, pollution, and people? Will speed humps be installed?
- A. In the current project 'Stirk Park Lake and Drainage upgrades' the local wildlife has been a strong focus. Working with local environmentalists turtles and frogs were relocated and we are confident that they will return via the watercourse that feeds the lake. Each summer some of the ducks move away to Kostera Oval dam and come back in the autumn / spring are resilient. We will ensure during construction impact on wildlife is kept to a minimum. The playground is full of families now with minimal impact on wildlife, and we expect this to continue. The day to day operations of the park, litter bins and the like will be managed by the Operational teams, Rangers and regularly reviewed.
- A6. Ambulance: Will it affect the ambulance service? Elizabeth street runs straight up to St Johns Ambulance station, Mead medical and other medical services. Will this extra traffic and overcrowded parking affect these services and access to these?
- A. Traffic movements and volumes in the City are regularly reviewed by our traffic Engineering team. The ambulance service should not be affected.

### **3.2. Public Question Time**

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

#### **3.2.1 Peter Forest – Item 10.2.1 - Stirk Park Playground Upgrade**

- Q. Part of the funding of this project was provided by Lotterywest and the remainder was funded by Rates. Could you please indicate how much was contributed by Lotterywest?
- A. The Director Asset Services outlined the Funding arrangements for this project. There was a target budget of \$3.8million for the project, of that \$3.8million \$1.715million will be funded from Lotterywest through the Federal Government Local Roads and Community Infrastructure funding approximately. \$1.52million will be funded. Though a Public Open Space (POS) Cash in Lieu Reserve with State Minister Saffioti's support of approximately \$262,500. The Rotary Club of Kalamunda are contributing \$75,000 and approximately \$220,000 comes from the City's unexpended Capital Reserve which has been raised through Rates, therefore the Ratepayers contribution to this project was rather small as outlined in the report at paragraph 27.

### **4. Petitions/Deputations**

- 4.1 A deputation was received by Andrea Williams regarding item 10.4.1 Draft Business Case for New Aquatic Facility: Results of Public Advertising. Ms Williams also provided a deputation on behalf of Ms Glad McGough. Ms Williams spoke against the recommendation.
- 4.2 A deputation was received by Alan Malcolm regarding item 10.4.1 Draft Business Case for New Aquatic Facility: Results of Public Advertising. Mr Malcolm spoke against the recommendation.
- 4.3 A deputation was received by William Degli Esposti regarding item 10.4.1 Draft Business Case for New Aquatic Facility: Results of Public Advertising. Mr Degli Esposti spoke against the recommendation.
- 4.4 A deputation was received by Frank Lindsey regarding item 10.4.1 Draft Business Case for New Aquatic Facility: Results of Public Advertising. Mr Lindsey spoke against the recommendation.

**5. Applications for Leave of Absence**

5.1 Nil.

**6. Confirmation of Minutes from Previous Meeting**

6.1 RESOLVED OCM 36/2022

That the Minutes of the Ordinary Council Meeting held on 22 March 2022, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Lisa Cooper**

Seconded: **Cr Geoff Stallard**

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

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

Nil.

**8. Matters for Which the Meeting may be Closed**

8.1 Nil.

8.2 Nil.

**9. Disclosure of Interest**

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

a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.56 of the *Local Government Act 1995*.)

b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

9.1.1 Nil.

**9.2. Disclosure of Interest Affecting Impartiality**

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

9.2.1 Nil.

## 10. Reports to Council

### 10.1. Development Services Reports



#### 10.1.1. High Wycombe South - Development Contribution Arrangement: Information Update

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

Previous Items	Nil.
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-STU-035
Applicant	N/A
Owner	N/A

Attachments	1. Population and Dwelling Report [ <b>10.1.1.1</b> - 22 pages]
	2. Transport Modelling Report [ <b>10.1.1.2</b> - 45 pages]
	3. Community Infrastructure Strategy [ <b>10.1.1.3</b> - 57 pages]
	4. Public Open Space Concept Plans [ <b>10.1.1.4</b> - 15 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 2031*



### **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** -- Ensure the entire community has access to information, facilities and services.

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

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

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

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

**Objective 3.2** - To connect community to key centres of activity, employment and quality amenities.

**Strategy 3.2.2** - Develop improvement plans for City assets such as parks, community facilities, playgrounds to meet the changing needs of the community.

## **EXECUTIVE SUMMARY**

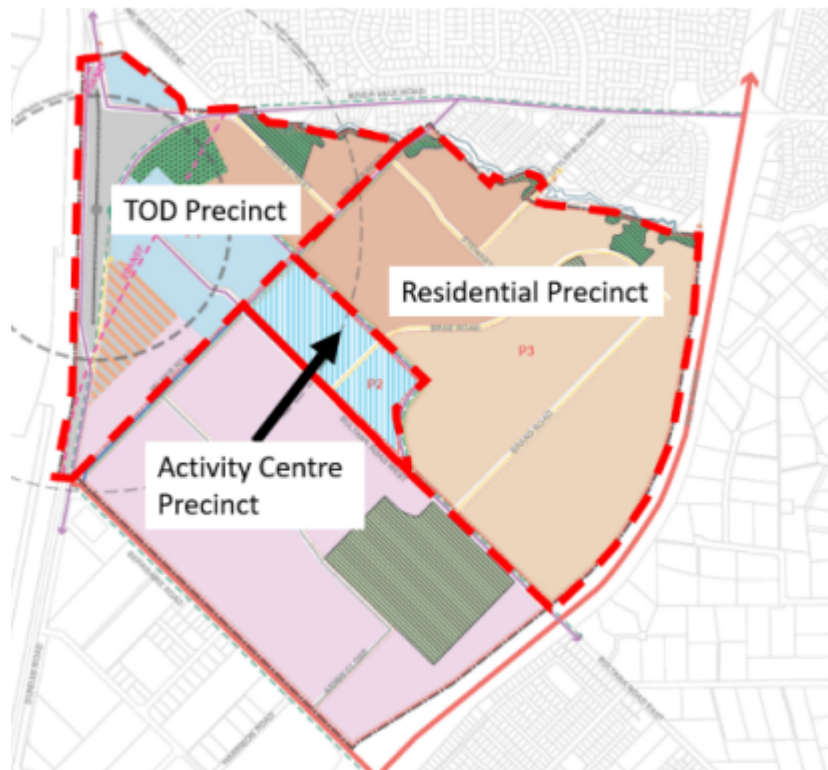
1. The purpose of this report is for the Council to consider and note the key inputs and information that has been prepared to inform the on-going preparation of the High Wycombe South Development Contribution Plan (DCP).
2. Several technical investigations have been progressed sufficiently for the purposes of the Council being presented information that will inform the preparation of the DCP Report, Local Planning Scheme Amendment and Apportionment Schedule for future consideration for public advertising.
3. Council is recommended to:
  - a) Note the information received.
  - b) Request the Chief Executive Officer to actively pursue the finalisation of cost estimates to inform further consideration of the High Wycombe South - Development Contribution Plan.

## **BACKGROUND**

4. In June 2014, the State Government announced its decision to proceed with the Forrestfield-Airport Link (FAL) project and subsequently requested that the City investigate land use opportunities, including the preparation of a District Structure Plan (DSP) around the future High Wycombe train station.

5. In late 2014, the City commissioned the preparation of a DSP in order to identify new land use opportunities, guide the urban structure, vision and objectives of future urban development for the area, arising from the FAL project and High Wycombe Station.
6. In September 2016, the Forrestfield North DSP was approved by the Western Australian Planning Commission (WACP). The DSP required further detailed investigations to be undertaken to articulate the vision and objectives during the detailed planning phase and through the preparation of Local Structure Plans.
7. In February 2017, the City commenced the preparation of detailed planning for the three precincts outlined in the DSP:
  - a) TOD Precinct
  - b) Activity Centre Precinct
  - c) Residential Precinct.
8. The three precincts (illustrated in the figure below) were subsequently reduced to two to enable efficiencies in the preparation of the planning framework. The Activity Centre Precinct was divided and amalgamated into the TOD Precinct and Residential Precinct.

9.



10. In April 2018, the Council resolved to adopt the draft Residential Precinct LSP for the purpose of public advertising.
11. In December 2018, the Council considered submissions and endorsed the draft LSP subject to modifications.
12. On 27 July 2020 the WAPC, subject to a series of further modifications, approved the Residential Precinct LSP.
13. On 6 August 2020, DevelopmentWA commenced public advertising on the draft Metronet East Redevelopment Scheme Amendment (the Redevelopment Scheme). The Redevelopment Scheme was gazetted on 25 May 2021.
14. Following the gazettal of the Metronet East Redevelopment Scheme over the TOD Precinct, DevelopmentWA assumed planning authority, with the following broad responsibilities:
  - a) Preparing a project vision to inform the intended outcomes for the area;
  - b) Preparing a planning framework to guide future development; and
  - c) The determination of Development Applications in the TOD Precinct.
15. In October 2021, the Council resolved to adopt the TOD Precinct LSP for the purposes of forwarding the documentation to DevelopmentWA, and for DevelopmentWA to initiate their assessment and subsequent public advertising.
16. In October 2021, the Council considered a series of modifications to the Residential Precinct LSP for the purposes of public advertising. The primary reason for the modifications were to ensure alignment with the TOD Precinct LSP and to consider market analysis undertaken in relation to dwelling yields associated with the TOD and Residential Precinct LSPs.
17. The draft modifications to the Residential Precinct LSP were advertised between November 2021 – January 2022 and submissions are currently being considered and a report is being prepared for the Council's future consideration.
18. Subsequent to and in parallel with the above processes, the City has been working through the preparation of a DCP to support the coordination and delivery of infrastructure required to support the development envisaged by the LSPs. The finalisation of the DCP is a desirable and required milestone to provide certainty for all stakeholders involved in the development of the area.

19. Since July 2020, the following has taken place:
- a) Engagement has occurred with key State Government agencies including Development WA on the key technical investigations required to inform the analysis of the DCP.
  - b) Market analysis into commercial and dwellings/population yields for the TOD and Residential Precincts were undertaken by DevelopmentWA in consultation with the City and informed modifications to housing density in the Residential Precinct.
  - c) The findings from the market analysis were consolidated and informed revised traffic and community infrastructure modelling for the TOD and Residential Precincts.
  - d) Outcomes from the revised traffic and community infrastructure modelling informed infrastructure requirements and timing to support the development of the area.
  - e) Outcomes from the revised traffic and community infrastructure modelling informed the apportionment between the TOD and Residential Precincts and other demands outside of the LSP areas.
  - f) Preliminary designs are currently in the process of being refined along with infrastructure cost estimates.
20. To move forward and in the context of the information currently available, it is important that Council considers the information that has been prepared, to-date, to inform the DCP.

## **DETAILS AND ANALYSIS**

21. This report provides Council with the opportunity to note key information inputs into the DCP ahead of progressing further through formal statutory processes and stakeholder engagement. It is also important to note that the DCP for the area is being progressed over both the Residential and TOD precincts.
22. Key information inputs summarised in this report are as follows:
- a) Market and development yield analysis outcomes.
  - b) Community and transport infrastructure modelling outcomes.
  - c) Apportionment of infrastructure across the project area.
  - d) Status of preliminary infrastructure designs and cost estimates.
  - e) Public open space distribution across the project area.
  - f) Land valuation for land needing to be purchased for public purposes.
  - g) Period of operation based on development horizons.
  - h) Methodology of contribution calculation (sqm or per lot).
  - i) Road widening to be included.
  - j) Principles for the priority of infrastructure items.

23. **Market and development yield analysis outcomes**  
 To inform the analysis of infrastructure requirements in the broader High Wycombe South precinct, market sounding, dwelling and population yields analyses were undertaken.
24. The analysis calculated a development yield and population forecast in a low, medium and high case scenario. In addition, the analysis calculated the anticipated build out timeframe in each scenario with development apportioned across three different time horizons (2031, 2041 and 2050+).
25. In collaboration with DevelopmentWA and their consultant team, it was determined the 'medium' yield scenario should be adopted which included some key assumptions on the level of government investment in High Wycombe South, including development of community facilities, train station, multi-deck carpark and lots being connected to reticulated sewer. The scenario adopted for the purposes of infrastructure planning is projected to result in:

<b>Residential Precinct - Full Build Out - Year 2050+</b>	
Dwellings	2,417
Population	6,195
<b>TOD Precinct - Full Build Out - Year 2050+</b>	
Dwellings	743
Population	1770
Commerical Floor Space	11,310m2

26. The projected development yields for the density bands and dwelling types across the two precincts are outlined as follows:

**Residential Precinct Yield Assumptions**

Density	R30	R40	R60	R80	R100	Total
	360	578	1,056	423	0	2,417

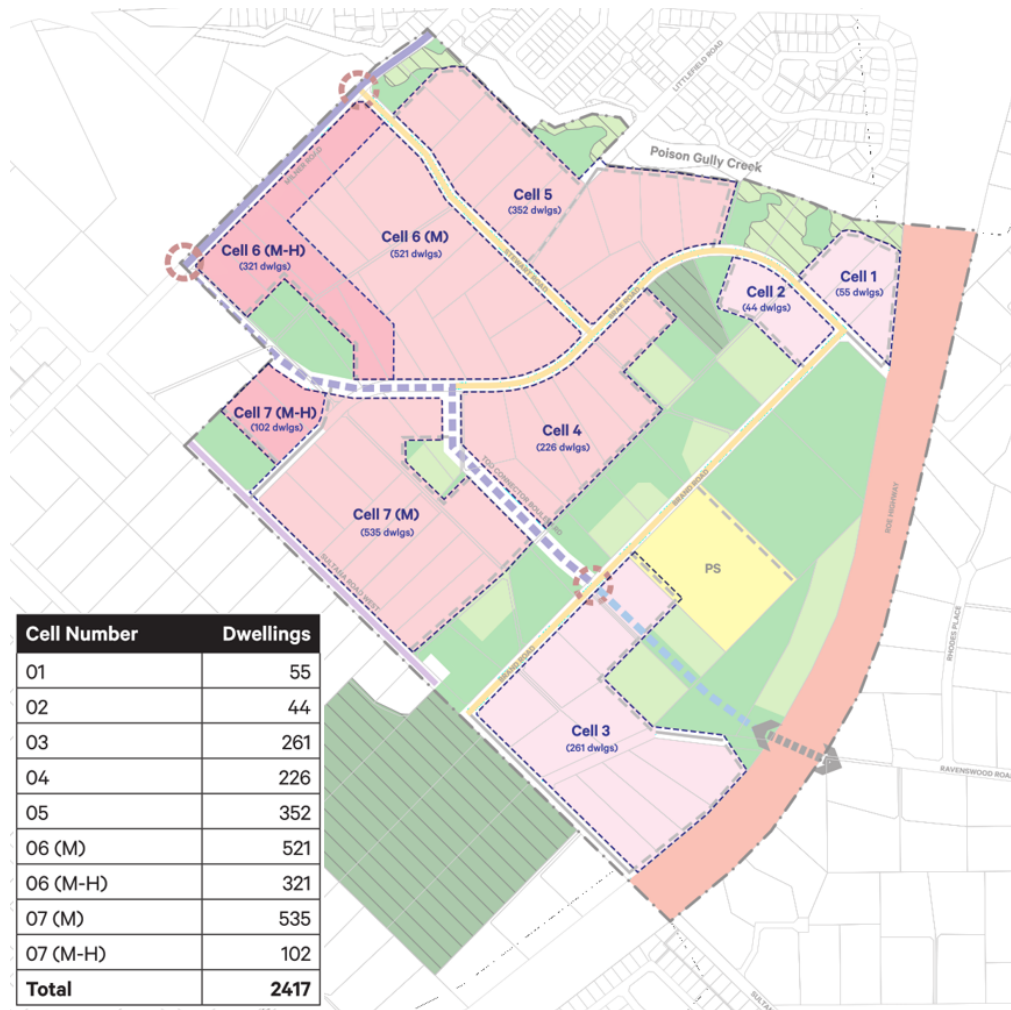
Source: Urbis, City of Kalamunda (Element)

**Combined Adopted Yield Assumptions, Dwelling Typologies**

Lot Types	Residential Precinct	TOD Precinct
Single Lot	938	0
Medium Density	1,329	625
Apartments	150	118
<b>Total Dwellings</b>	<b>2,417</b>	<b>743</b>

Source "Local Structure Plan Amendment Report – Volume 2, Appendix F - Transport Impact Assessment"

27. The indicative spatial distribution of development yields for the Residential Precinct is illustrated below:



28. The distribution of development yields in the TOD Precinct have not been spatially represented given the Metronet East Redevelopment Scheme provides for a range of land uses and densities. Furthermore, the land use, development density, and built form outcomes will be heavily influenced by design guidelines which are currently being prepared by DevelopmentWA. Notwithstanding, the market analysis has outlined the projected total dwelling and commercial yield to support modelling, needs assessment and apportionment.
  
29. The timeframe and development yields were considered appropriate as the planning framework for the precinct is well progressed, with an approved DSP and LSP and supporting reports such as a Local Water Management Strategy (LWMS) in place.
  
30. The planning for the area has been in progress for the past decade. By way of comparison, a similar sized development area with land fragmentation in the City (Cell 9 – Wattle Grove) has taken approximately 20 years to develop to 70% build out.

31. It should be noted that there is an inherent degree of uncertainty with undertaking long term forecasting given the various economic and market factors and variables that can significantly affect dwelling and commercial take up rates over an extended period of time.
32. Notwithstanding, it is important to outline predicted development outcomes and timing while ensuring the land use planning framework and infrastructure analysis is robust enough to adjust over time and, as required, in response to changing market factors and conditions.
33. The DCP is required to establish a lifespan and provide justification based on the need for infrastructure to service the development envisaged. Further discussion regarding the lifespan of the DCP is provided below under 'Period of operation based on development horizons'.
34. **Community and transport infrastructure modelling outcomes**  
The earlier analysis calculated a development yield and population forecast that was input into modelling to inform the required levels of infrastructure to service the development of the area. This infrastructure includes transport and community infrastructure.
35. *Transport*  
A traffic model has been developed by traffic engineers in consultation with Main Roads WA and the City to inform the form and function of transport infrastructure required to service the development envisaged by the LSPs for the area.
36. The traffic model is projected to 2031, 2041 and 2051 and has regard for the timing and phasing of development. The model outputs also inform the scale of upgrades required to support the development envisaged by the LSPs.
37. A copy of the various traffic modelling outputs for the development timeframes are included in the Transport Modelling to Inform Development Contribution Plan Apportionment Report (Transport Modelling Reports) (Attachment 2).
38. Based on the outcomes of the traffic model, the various roads are allocated a typical cross-section which provide a guide as to the composition of the required roads to cater for the envisaged traffic type and volumes.
39. The typical cross-sections are guided by the requirements of the WAPC Liveable Neighbourhoods Policy document. The cross-sections also cater for a variety of transport modes (cycling, pedestrian, and vehicle).

40. The typical cross-sections also inform more detailed designs, land requirements for any widening or intersections and cost estimates. The cross-sections are also informed by traffic modelling, and its composition is reflective of the type and number of vehicles it is required to accommodate.
41. In addition to roads, intersection requirements have also been modelled with many of the intersections being primarily made up of sign-controlled intersections and proposed roundabouts. The treatments at the various intersections are based on the traffic modelling outputs and guided by specific intersection analysis.
42. The modelling has identified 11 roads (incorporating two new roads) and 25 intersections (incorporating 4 new intersections) which would be required to accommodate the growth in traffic generated by the development in the Residential and TOD Precincts.
43. Based on the modelling, the following key infrastructure items have been identified with their corresponding existing and proposed general composition/ hierarchy.

Road		Existing	Proposed Composition / Hierarchy
Dundas Road	North of TOD Precinct boundary	Two-way undivided carriageway	Integrator B (Modified) – Two-way one lane divided carriageway
	Berkshire to Northern TOD Precinct Boundary		
	South of Berkshire		
TOD Connector	North of Milner	The road does not currently exist	Neighbourhood Connector A – Two-way one lane divided carriageway
	South of Milner		
	Brae to Brand		
Raven Street	South of Milner	The road does not currently exist	Neighbourhood Connector A – Two-way one lane divided carriageway
	North of Milner	Two-way undivided carriageway	
Berkshire Road	Roe to Walters	Two-way undivided	Integrator A (Modified) – Two-way two lane



	Walters to Milner	carriageway	divided carriageway
Maida Vale Road	Dundas to Raven	Two-way undivided carriageway	Integrator B (Modified) – Two-way one lane divided carriageway
	Raven to Milner		
	Milner to Roe		
Milner Road	Maida Vale to Stewart	Two-way undivided carriageway	Integrator B (Modified) – Two-way one lane divided carriageway
	Stewart to TOD Connector		Integrator B – Two-way one lane divided carriageway
	TOD Connector to Berkshire		Integrator B (Modified) – Two-way one lane divided carriageway
Sultana Road West	North of Milner	Two-way undivided carriageway	Local Road – Two-way one lane undivided carriageway
	Milner to Brae		
	South of Brae		
Stewart Road	Milner to Brae	Two-way undivided carriageway	Neighbourhood Connector A – Two-way one lane divided carriageway
Enterprise Boulevard	Station to Maida Vale Road	Two-way divided carriageway	Neighbourhood Connector A – Two-way divided carriageway (No change)
Brand Road	TOD Connector to Brae	Two-way undivided carriageway	Local Road - Two-way one lane undivided carriageway
Brae Road	Sultana to Brand	Two-way undivided carriageway	Neighbourhood Connector B (Two-way one lane undivided carriageway)

44. *Community Infrastructure*

A Community Infrastructure Strategy (CIS) (Attachment 3) has been prepared to identify the strategic basis for the identification of community facilities, establish the facility needs based on population growth and demographic profile, and outlines the methodology for apportionment of community infrastructure between the Residential and TOD Precincts.

45. The CIS takes into consideration population growth and forecasts from not only the HWS project area but also the surrounding infill development areas in Forrestfield, High Wycombe, Maida Vale and Wattle Grove.
46. Community infrastructure items that are permitted to be considered by SPP 3.6 for inclusion in a DCP include:
- a) Local sports, cultural and recreation facilities (at local / neighbourhood and district level parks);
  - b) Multi-purpose community building;
  - c) Library and cultural buildings;
  - d) Childcare / after school centre buildings; and
  - e) Basic facilities associated with the above.
47. Three broad elements of community infrastructure planned within the HWS project area, which are considered to fall within the permitted inclusions include:
48. Community Hub  
Incorporating an aquatic centre, branch library, multipurpose community facilities, childcare centre, and associated facilities including parking and services. Final layout, make-up and design of the community hub is to be determined through further investigations and planning.
49. Sports Precinct  
Incorporating playing fields, changerooms and clubrooms over the old Brand Road landfill site.
50. Town Park  
Incorporating a centralised high quality urban green space with areas for civic and social events, play equipment, parking, and necessary supporting facilities.
51. The abovementioned infrastructure has been identified having regard to needs analysis contained in the Community Infrastructure Strategy and a forecast staged approach to development has been prepared based on the revised forecast land release and population growth projections.
52. It should be noted that the concept level plans prepared for the Town Park in the Community Infrastructure Strategy is consistent with the version in the draft Amended Residential Precinct LSP adopted by the Council in October 2021 for public advertising. These concepts have been further refined with landscape concepts. The assessment of facilities and upgrades required will draw on both

53. **Apportionment of infrastructure across the project area**  
 To inform the DCP and to ensure compliance with the principles outlined in State Planning Policy 3.6 – Infrastructure Contributions (SPP3.6), apportionment analysis of the infrastructure items was also required to be undertaken.
54. The principles of need and nexus established under SPP 3.6 provide clear guidance for the apportionment of infrastructure. That is, the need for the infrastructure included in the DCP must be clearly demonstrated and the connection between the development and the demand created should be clearly established.
55. The analysis sought to determine the origin of demand or generator for upgrades to, or the provision of, the various infrastructure items. While upgraded infrastructure is necessary to service the development envisaged by the LSPs, the infrastructure also services areas and development outside of the LSPs. This is particularly relevant for district level community facilities and arterial roads.
56. It is important that the DCP analysis differentiates the demand and only includes the portion of infrastructure contributions that are attributed to the demand generated by the development envisaged by the LSPs. This is required to take into account the likely total volumes or usage of the proposed infrastructure, any external factors, and the likely demand generated only by the development envisaged by the structure plan.
57. *Roads / Intersections*  
 From a roads and intersections perspective, the apportionment analysis considered the distribution of demand as follows:
- a) Apportionment between the TOD and residential precinct.
  - b) Background traffic (i.e., existing traffic).
  - c) Development generated traffic (traffic generated by the development envisaged by the structure plans).
  - d) Traffic generated by key attractors (i.e., train station, community facilities).
58. Based on this analysis, the following apportionment is shown for roads (note intersections are outlined separately below).

Road		Apportionment
<b>Dundas Road</b>	North of TOD Precinct boundary	Residential: 15.25%
Integrator B		TOD: 10.16%
(Modified) –		Other: 74.59%

Two-way one lane divided carriageway	Berkshire to Northern TOD Precinct Boundary	Residential: 0% TOD: 2% Other: 98%
	South of Berkshire	Residential: 7.73% TOD: 3.22% Other: 89.05%
<b>TOD Connector</b> Neighbourhood Connector A – Two-way one lane divided carriageway	North of Milner (New)	Residential: 0% TOD: 60.82% Other: 39.18%
	South of Milner to TOD / Residential boundary (New)	Residential: 69.4% TOD: 17.51% Other: 13.09%
	TOD / Residential boundary to Brand (New)	Residential: 100% TOD: 0% Other: 0%
<b>Raven Street</b> Neighbourhood Connector A – Two-way one lane divided carriageway	South of Milner (New)	Residential: 100% TOD: 0% Other: 0%
	North of Milner	Residential: 64.83% TOD: 18.64% Other: 16.53%
<b>Berkshire Road</b> Integrator A (Modified) – Two-way two lane divided carriageway	Roe to Walters	Residential: 15.96% TOD: 8.62% Other: 75.42%
	Walters to Milner	Residential: 15.96% TOD: 8.62% Other: 75.42%
<b>Maida Vale Road</b> Integrator B (Modified) – Two-way one lane divided carriageway	Dundas to Raven	Residential: 47.24% TOD: 11.88% Other: 40.88%
	Raven to Milner	Residential: 0.72% TOD: 24.06% Other: 75.22%
	Milner to Roe	Residential: 37.42% TOD: 17.25% Other: 45.33%
<b>Milner Road</b>	<b>Maida Vale to Stewart</b> Integrator B (Modified) – Two-way one lane divided carriageway	Residential: 52.67% TOD: 17.75% Other: 29.58%
	<b>Stewart to TOD Connector</b> Integrator B – Two-way one lane divided carriageway	Residential: 54.17% TOD: 11.34% Other: 34.49%

	<b>TOD Connector to Berkshire</b> Integrator B (Modified) – Two-way one lane divided carriageway	Residential: 42.06% TOD: 14.81% Other: 43.13%
<b>Sultana Road West</b> Local Road – Two-way one lane undivided carriageway	North of Milner	Residential: 0% TOD: 100% Other: 0%
	Milner to TOD / Residential Boundary	Residential: 57.75% TOD: 12.98% Other: 29.27%
	South of TOD / Residential boundary	Residential: 100% TOD: 0% Other: 0%
<b>Stewart Road</b> Neighbourhood Connector A – Two-way one lane divided carriageway	Milner to Brae	Residential: 100% TOD: 0% Other: 0%
<b>Enterprise Boulevard</b> Neighbourhood Connector A – Two-way divided carriageway (No change)	Station to Maida Vale Road	Residential: 0% TOD: 100% Other: 0%
<b>Brand Road</b> Local Road - Two-way one lane undivided carriageway	TOD Connector (new) to Brae	Residential: 100% TOD: 0% Other: 0%
<b>Brae Road</b> Neighbourhood Connector B (Two-way one lane undivided carriageway)	TOD Connector (new) to Brand	Residential: 100% TOD: 0% Other: 0%

The following apportionment is shown for intersections (note roads are outlined separately above):

<b>Intersection</b>	<b>Apportionment</b>
<b>M01 – Roe Highway / Maida Vale Road</b> Half Interchange – RAB and Bridge modifications	Residential: 18.85% TOD: 14.36% Other: 66.79%

<b>M02 – Maida Vale Road / Milner Road</b> Roundabout	Residential: 33.35% TOD: 23.2% Other: 43.45%	
<b>M03 – Milner Road / Stewart Road</b> Roundabout	Residential: 64.72% TOD: 14.74% Other: 20.54%	
<b>M04 – Milner road / Raven Street</b> Roundabout	Residential: 61.43% TOD: 17.89% Other: 20.68%	
<b>M05 – Milner Road / TOD Connector</b> Signalised, four-way	Residential: 41.24% TOD: 16.36% Other: 42.4%	
<b>M06 – Milner Road / Berkshire Road / Dundas Road</b> Roundabout	Residential: 17.23% TOD: 7.7% Other: 75.07%	
<b>M07 - Berkshire Road / Roe Highway</b> Full interchange	Residential: 2% TOD: 1.2% Other: 96.8%	
<b>M08 - TOD Connector / Brand Road</b> Four-way, sign controlled, full movement	Residential: 100% TOD: 0% Other: 0%	
<b>M09 – TOD Connector / Brae Road / Raven Street</b> Four-way, sign controlled, full movement	Residential: 100% TOD: 0% Other: 0%	
<b>M10 – Brae Road / Stewart Road</b> T-Intersection, full movement	Residential: 100% TOD: 0% Other: 0%	
<b>M11 – Milner Road / Sultana Road West</b>	South of Milner T-Intersection, left-in left-out and right in	Residential: 54.6% TOD: 11.53% Other: 33.87%
	North of Milner Sultana Road West to be converted to cul- de-sac	Residential: 0% TOD: 100% Other: 0%
<b>M12 – Maida Vale Road / Dundas Road / PTA Parking Access</b> Roundabout	Residential: 21.87% TOD: 8.75% Other: 69.38%	
<b>M13 – Maida Vale Road / Enterprise Boulevard</b> T-Intersection, full movement	Residential: 36.91% TOD: 17.55% Other: 45.54%	
<b>M14 – Maida Vale Road / Raven Street</b> T-Intersection, full movement	Residential: 37.82% TOD: 19.6% Other: 42.58%	
<b>M15 – Dundas Road / Old Dundas Road (North of Station)</b>	Residential: 16.46% TOD: 7.85%	

Signalised Intersection, three-way, full movement	Other: 75.69%
<b>M16 - Maida Vale Road / Newburn Road</b> Roundabout	Residential: 37.72% TOD: 22.47% Other: 39.81%
<b>M17 - Maida Vale Road / Butcher Road</b> T-Intersection, full movement	Residential: 0.63% TOD: 20.91% Other: 78.46%
<b>M18 - Maida Vale Road Plover Road</b> T-Intersection, full movement	Residential: 37.13% TOD: 26.04% Other: 36.83%
<b>M19 - Maida Vale Road / Littlefield Road</b> T-Intersection, full movement	Residential: 36.52% TOD: 25.62% Other: 37.86%
<b>M20 - Milner Road / Nardine Close</b> T-Intersection, left-in left-out and right in	Residential: 41.57% TOD: 11.73% Other: 46.7%
<b>M21 - Berkshire Road / Bonser Road</b> T-Intersection, left-in left-out	Residential: 15.8% TOD: 8.5% Other: 75.7%
<b>M22 - Berkshire Road / Ashby Close</b> T-Intersection, left-in left-out	Residential: 13.33% TOD: 8.1% Other: 78.57%
<b>M23 - Berkshire Road / Walters Way</b> T-Intersection, left-in left-out	Residential: 14.78% TOD: 8.44% Other: 76.78%
<b>M24 - Berkshire Road / Harrison Road</b> T-Intersection, left-in left-out	Residential: 13.65% TOD: 8.3% Other: 78.05%
<b>M25 - Dundas Road / Dundas Road (South of Station)</b> T-Intersection, full movement	Residential: 0% TOD: 2.32% Other: 97.68%

59. *Community infrastructure*

From a community infrastructure perspective, the apportionment analysis considered the distribution of demand as follows:

- a) Apportionment between the TOD and residential precinct.
- b) Background demand from existing population
- c) Demand from development outside of the structure plan area.

60. Having regard for the percentage of population located within the assessed foothills catchment for the proposed community facilities, the forecast population of the catchment, and the assessed level of service

attributable to each area in the catchment, the CIS establishes the apportionment to each precinct, as follows:

Facility		Residential Precinct	TOD Precinct
<b>Community Hub</b>	<b>Community Centre</b>	13.7%	3%
	<b>Branch Library</b>	11.3%	2.5%
	<b>Aquatic Centre</b>	9.2%	2%
	<b>Fitness Centre</b>	12.1%	2.7%
	<b>Childcare Centre</b>	16.5%	3.6%
<b>Sports Precinct</b>		24%	5.2%
<b>Town Park</b>		30.4%	6.4%

61. SPP 3.6 establishes parameters for the levying of contributions towards community infrastructure, with all other costs required to come from other sources including local government contributions and State and Federal grant funding. This is intended to balance the ability for local governments to deliver this infrastructure, while also limiting the impact on housing affordability.
62. As the DCP preparation process continues, any possible contributions towards community infrastructure will be informed by the requirements and principles of SPP 3.6.
63. While the apportionment analysis indicates a level of demand from the TOD and residential precincts for these community infrastructure items, it is important to note that the City has not yet made a final recommendation on the inclusion of community infrastructure or otherwise.
64. The possible inclusion of community infrastructure will be further assessed as part of the broader DCP Report preparation process and as cost estimates become available.
65. *Drainage Infrastructure*  
Several drainage basins have been identified throughout the precinct in accordance with the Local Water Management Strategies and Infrastructure Servicing Reports prepared for both the Residential and TOD Precinct.
66. The management of stormwater is planned to be integrated with POS throughout the precinct. Liveable Neighbourhoods generally allow for the detention of stormwater to be credited as Local Open Space (LOS) where the area is the subject to a greater than 5 year average recurrence, and as



restricted LOS where the area is the subject to a greater than 1 year average recurrence.

67. There are however areas of dedicated drainage that are subject to more regular inundation that is not included in the LOS land area calculations. This equates to an area of approximately 1.61Ha in the TOD Precinct and 0.87Ha in the Residential Precinct (total 2.48Ha). These drainage areas will be required to facilitate development in both precincts and therefore will form an item included in the DCP and given the drainage infrastructure is contained in each precinct, apportioned to each precinct according to location.
68. The DCP will also provide for construction requirements associated with drainage infrastructure; this generally includes earthworks and landscaping, underground drainage storage areas, traffic management, overheads and contingencies. Where drainage infrastructure is integrated with roads, these costs will be assimilated into road items in the DCP.
69. **Cost Estimates for Infrastructure Items**  
Cost estimates for the provision of infrastructure are currently in the process of finalisation and further consideration as part of the broader DCP preparation process.
70. Key matters that are required to be addressed to finalise cost estimates as key inputs into the DCP preparation process include:
- a) Defined and detailed utility service cost estimates for roads and intersections.
  - b) Refinement of information and design to inform road and intersection requirements.
  - c) Geotechnical information and pavement condition analysis on existing roads proposed for upgrade.
  - d) Further consideration on the form and function of intersections.
71. While the City is actively pursuing the finalisation of this information to inform accurate and reliable cost estimates in the timeliest manner possible, it is required to work with an array of stakeholders including State Government agencies and utility providers.
72. At this point in time, the City is unable to provide a specific timeframe for the finalisation and release of this information and will keep landowners informed as this information progresses through monthly newsletters.

73. **Public open space distribution across the project area**

The WAPC Liveable Neighbourhoods Policy requires that a minimum contribution of 10% of the gross subdivisible area must be given up free of cost by the subdivider for POS.

74. In areas of highly fragmented landownership such as High Wycombe South, this would result in uncoordinated and smaller parcels of dispersed POS. To avoid this undesirable outcome, POS is coordinated and planned through the structure planning process with a DCP being established to coordinate the equitable distribution and contribution of POS from landowners throughout the structure plan areas.

75. *Residential Precinct*

In the case of the residential precinct, POS is broadly comprised of the following:

- a) Environmental Conservation areas that have been reserved under the Metropolitan Region Scheme (MRS) as Parks and Recreation reservations.
- b) Local Open Space (LOS) areas proposed to cater for active and passive local recreation and drainage areas – LOS

76. In the context of WAPC Liveable Neighbourhoods Policy requirements, the LOS areas for the residential precinct are calculated as follows:

Description	Area
Total Residential Precinct Site Area	121.75Ha
Deductions (Regional Road, Primary School, Bush Forever, Environmental Conservation, and Drainage)	28.51Ha
Gross Subdivisible Area	93.2Ha
Total Local Open Space required (10%)	9.32Ha
Local Open Space required (restricted and unrestricted)	Unrestricted: 21.24Ha 22.8% of Gross Subdivisible Area  Restricted: 0.54Ha 0.6% of Gross Subdivisible Area
Total Local Open Space Provision	21.78Ha (23.4%)*

	<i>*12.42Ha (113.3%) if City owned land Brand Road District Sporting Space (9.36Ha) is deducted.</i>
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77. It should be noted that 96,360m<sup>2</sup> (9.36Ha) of the POS provision in the Residential Precinct is owned by the City and are not proposed to form part of the infrastructure requirements apportioned through the DCP. Therefore, approximately 11.6Ha of the unrestricted POS will need to be acquired for the purposes of fulfilling the LSP POS provision.

78. *TOD Precinct*

Similarly, the TOD precinct POS is broadly comprised of the following:

- a) Environmental Conservation areas proposed to cater for key environmental values.
- b) Local Open Space (LOS) areas proposed to cater for active and passive local recreation, dual function environmental buffers and drainage areas – LOS

79. In the context of WAPC Liveable Neighbourhoods Policy requirements, the LOS areas for the TOD precinct are calculated as follows:

<b>Description</b>	<b>Area</b>
Total Residential Precinct Site Area	61.8Ha
Deductions (Railway Reserve, Community Purpose, Bush Forever, Environmental Conservation, and Drainage)	12.98Ha
Gross Subdivisible Area	48.82Ha
Local Open Space required (10%)	4.88Ha
Local Open Space required (restricted and unrestricted)	Unrestricted: 3.91Ha 8% of Gross Subdivisible Area  Restricted: 0.98Ha 2% of Gross Subdivisible Area
Total Local Open Space Provision	3.69Ha (7.6%)

80. Collectively, the TOD and residential precincts POS areas are calculated as follows:

Description	Area
Total Site Area	183.54Ha
Deductions	41.49Ha
Gross Subdivisible Area	142.02Ha
Local Open Space required (10%)	14.2Ha
Local Open Space required (restricted and unrestricted)	Unrestricted: 11.36Ha 8% of Gross Subdivisible Area  Restricted: 2.84Ha 2% of Gross Subdivisible Area
Total Local Open Space Provision	27.09Ha (19.07%)*  <i>*17.73Ha (12.48%) if City owned land Brand Road District Sporting Space (9.36Ha) is deducted.</i>

81. It is noted that the Residential Precinct includes a surplus of POS, whereas the TOD Precinct incorporates a deficiency to the 10% WAPC Liveable Neighbourhoods Policy requirement. Notwithstanding, this deficiency needs to be considered in the context of the presence of existing and proposed regional reserves and the proposed rehabilitation of the Brand Road landfill site.
82. These key open space areas will considerably “make-up” for the lower than 10% required by the WAPC Liveable Neighbourhoods Policy requirement in the TOD Precinct. In the context of the above, and significant land fragmentation, it is proposed that all creditable LOS is included as a shared infrastructure item across both precincts.
83. The apportionment of LOS is proposed to be calculated proportionally according to gross subdivisible area, as outlined in the following table:

<b>Total Local Open Space in both Precincts</b>		27.09Ha (19.07%)
<b>Local Open Space included as DCP funded infrastructure in both Precincts</b>		14.2Ha (10%)
<b>Apportioned contribution</b>	<b>Residential Precinct</b>	65% - 9.23Ha
	<b>TOD Precinct</b>	35% - 4.97Ha
<b>Local Open Space not funded by DCP</b>		12.89Ha (9.07%)

84. *Public Open Space Concept Plans*

Concept plans have been prepared for all areas of LOS in the TOD and Residential precincts (Attachment 4). The POS concepts seek to strengthen the aim of the LSP and ACSP to develop continuous urban forest and support the area's bush character. In addition, the designs seek to espouse the enhancement of existing environmental values and provision of amenity to future residents. The adopted principles generally seek to:

- a) Retain existing vegetation wherever possible;
- b) Management and enhancement of environmental values in open spaces adjacent to conservation areas;
- c) The utilisation of cleared areas for future turfed areas;
- d) The retention of mapped Carnaby's Cockatoo habitat trees;
- e) The retention of *Conospermum undulatum* populations (Smokebush); and
- f) The utilisation of irrigated planting in high impact locations only.

85. The DCP will incorporate the improvement of the apportioned areas of LOS in accordance with the minimum requirements established under Liveable Neighbourhoods, as outlined below:

*'The WAPC will generally require public open space to be developed by a subdivider to a minimum standard that may include full earthworks, basic reticulation, grassing of key areas, pathways that form part of the overall pedestrian and/or cycle network, and maintenance for two summers. Development of public open space should be carried out in accordance with a landscape plan first approved by the local government.'*

86. It is noted the concept plans depict a range of improvements to a completed standard rather than minimum requirements, to illustrate the total standard of provision necessary to meet the planning objectives for open space in the LSP and ACSP.

87. The extent of POS improvements to be considered for inclusion as part of the DCP analysis will be further assessed as part of the broader DCP preparation process and as cost estimates become available.

88. **Land valuation for land needing to be purchased for public purposes**  
The DCP will be required to identify land that will, over the course of the 30 year life of the DCP and development areas, be required for;
- a) Roads and intersections;
  - b) Public open space;
  - c) Drainage; and
  - d) Community facilities.

89. SPP3.6 provides broad guidance regarding the establishment of land value for the purposes of estimating costs for land to be acquired for

infrastructure included in a DCP. The value of land is required to be determined by a licensed valuer to determine the fair market value of the land.

90. A land valuation is in the process of being prepared by a licensed and experienced land valuer in accordance with the requirements of SPP3.6. Information regarding the outcomes of this valuation will be made available as the DCP preparation process continue and as part of future public advertising.
91. **Period of operation based on development horizons**  
SPP 3.6 establishes that the lifespan of a DCP should be linked to the completion of development or subdivision, and includes a recommendation that the maximum lifespan is 10 years.
92. Notwithstanding the maximum lifespan, SPP 3.6 does provide that a lifespan longer than 10 years can be considered in certain circumstances and if justification for such a timeframe can be demonstrated and linked to a capital works and staging program. Extended lifespans are also subject to the principle of equity being upheld.
93. At this point in the analysis of the DCP, it appears that any future DCP is required to operate for a period of approx. 30 years from the date of gazettal of the local planning scheme amendment that introduces the DCP into Local Planning Scheme No.3. The selected timeframe of 30 years has been carefully considered to correspond to the projected build out rates for future development in the TOD ACP and LSP. It also meets the SPP 3.6 requirements for a longer lifespan given that it is for a specific strategic urban project that has a minimum anticipated lifespan of 30 years.
94. Justification for a 30 year DCP timeframe is summarised as follows:
- a) According to yields analysis, the HWS project area is expected to be 15% developed In 2031, 65% in 2041 and 100% in 2050.
  - b) Infrastructure to service the future development is triggered over the course of 30 years in line with the needs and demand assessment, modelling and forecasts.
  - c) In accordance with SPP 3.6, infrastructure is required to be shared equitably amongst all beneficiaries. Accordingly, the DCP is required to have a sufficient timeframe to capture and distribute these costs in a fair and equitable manner.
  - d) A period of less than 30 years does not reflect the anticipated development growth rate for the area and will not provide the required certainty that the identified infrastructure items can be delivered. This would be inconsistent with SPP 3.6.

- e) While the yields analysis undertaken on behalf of Development WA indicated a build-out timeframe to 2060, 2050 has been assumed for the purposes of traffic modelling for the DCP.
95. Importantly, the costs of infrastructure in the DCP will be reviewed annually, whilst the provisions in LPS 3 are required to be reviewed every five (5) years. These reviews will ensure that the capital works and staging program is linked to the evolving nature of development in the Residential Precinct and that principles of equity are upheld as required by SPP 3.6.
96. The proposed timeframe is consistent with other approved DCPs for significant urban areas and aligns with the timeframes experienced in Cell 9 Wattle Grove.
97. **Methodology of contribution calculation (sqm/per dwelling)**  
There are two conventional approaches to calculating a unit of charge under a DCP; per dwelling unit, or per land area unit.
98. SPP 3.6 recommends that cost apportionment is based on a per dwelling unit of charge, rather than per land area unit, to scale the contribution according to the demand on infrastructure. For example, a higher density development would generate more residents/users than a medium or low-density development, which would generate higher demand on roads, POS and community facilities.
99. The application of a per dwelling unit methodology would achieve a greater degree of equity applying a strict principle of 'beneficiary pays'. This methodology may be appropriate in a DCP where there is greater certainty regarding development yields, rate of development, and therefore a shorter DCP lifespan.
100. However, in the context of a 30-year DCP and the range of densities provided for under the Residential Precinct LSP, and the RAC-0 classification in the TOD precinct. In addition, the TOD precinct provides for a range of residential and commercial land uses, there is a risk that varying development yields will result in overcollection or under collection of contributions over time.
101. This uncertainty also has the potential to create an inequitable environment for landowners and developers, and a financial risk to the City if additional municipal funds are required to supplement the provision of infrastructure.
102. Furthermore, given the DCPs for the Residential and TOD Precincts are required to be prepared, adopted, and administered under separate statutory instruments, there is a need to apply a consistent and

predictable unit of charge to guide the agreement of funding and timing of infrastructure over the DCPs lifespan.

103. There is a strong argument that DCPs should be simple to administer and apply. A single rate per square metre, each for the Residential Precinct and TOD Precinct would provide a single contribution rate for landowners and developers to apply, while recognising the different development needs of each precinct.
104. On balance and considering the risks and issues, it is considered a rate per square metre would represent an equitable split between the two precincts. The apportionment prepared to date recognises this approach.
105. Net development area will not change over the life of the DCP and will therefore create a consistent unit of charge to be applied through each review and re-calculation period. This will reduce the risks of under or over collecting contributions. This methodology is therefore favoured for the purposes of progressing the DCP.
106. Further engagement with DevelopmentWA and the Department of Planning, Lands and Heritage regarding the unit of charge is required for the purposes of distributing cost contributions across the precinct.
107. **Road widening**  
The Transport Modelling Report identifies new and improved roads and intersections.
108. It is a longstanding practice and policy position of the WAPC to require, where access streets (also referred to as local roads) are needed, subdividers to dedicated, construct and drain these roads at their cost as part of the subdivision process. In this regard, it is not proposed to include access streets as DCP funded infrastructure.
109. The Transport Modelling Report identifies Neighbourhood Connector roads (e.g. Raven Street and TOD Connector) within the Residential and TOD Precincts that are proposed to be DCP items. These higher order roads may be required by a subdivider to provide frontage and access to subdivided lots. In this instance, it is considered reasonable to require a contribution for the land, that would have otherwise been provided as an access street, to be ceded free of cost.
110. The standard width of an access street is identified as 15m in the Residential Precinct LSP. Any widening for the purposes of constructing DCP roads up to and including this width could be ceded by a subdivider, with all other land being acquired as a DCP item.



111. This approach would apportion cost only to the DCP for land required over and above what otherwise should have been provided by the subdivider, and will have the effect of reducing the land acquisition costs on the DCP
112. **Principles for the priority of infrastructure items**  
The infrastructure included in the DCP will be delivered via one or a combination of the following methods:
- a) Delivered by the City as part of its capital works program utilising funds from the DCP and alternative funding from grants and municipal sources;
  - b) Delivered by a developer under agreement with an offset against the developer's cost contribution liability, and where necessary under a pre-funding agreement.
113. The delivery of some infrastructure is anticipated to be triggered by subdivisions and delivered by subdividers. Notwithstanding, to plan for infrastructure to be delivered by the City, the DCP will, in the first instance, establish a planning and construction program incorporating the broad thresholds for community and traffic infrastructure consistent with the needs analysis in the CIS and the Transport Modelling Reports.
114. The assessment of the priority and timing of infrastructure will constantly evolve over the life of the DCP and will be assessed at each annual DCP review. Critical considerations include the rate and pattern of development together with the value of contributions collected, to ensure the essential infrastructure is provided for development, and acts to facilitate development of the precinct.
115. In this regard, the following key considerations will guide and need to be balanced through the identification of priorities for the provision of infrastructure and land acquisition:
- a) Ensuring a constant turnover of funds – By managing the cash flow of the DCP, the City can optimise the use of funds between land acquisition and civil works and recoupment of developer pre-funding.
  - b) Prioritising the purchase of land identified for public purposes that encompasses all of, or a substantial portion of, one landholding.
  - c) Constructing infrastructure on an “as needs” basis to facilitate development – This is especially apparent in the context of road upgrades.
  - d) Undertaking works and land acquisition in areas of fragmented ownership – this assists in the successful and coordinated development of these areas. In areas of consolidated ownership, most infrastructure and land is provided by the developer as offsets to cost contributions.
  - e) Grant funding opportunities – the City will actively seek grant funding to assist in the provision of DCP infrastructure. In most instances, the use

of grant funding is reliant on the City providing a matching or partial contribution. The City may utilise DCP funds and elevate the priority and timing of an infrastructure item to capitalise on grant funding opportunities. This approach is beneficial to the long-term financial viability of the DCP.

## **APPLICABLE LAW**

116. **Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)**
- a) Part 7 of the Regulations establishes the following requirements for DCPs: The DCP must set out the following:
    - i. The development contribution area to which it applies;
    - ii. The infrastructure and administrative items to be funded through the DCP;
    - iii. The method of determining the contribution of each owner of land;
    - iv. The priority and timing for the provision of infrastructure;
    - v. The review frequency and method; and
    - vi. The term for which the plan is to have effect.
  - b) Scheme amendments for DCPs are required to be progressed as a 'Complex' amendment, generally requiring additional approval requirements from the WAPC and advertising duration (60 days).
  - c) DCPs must be shown as a special control area on the scheme map; and
  - d) The requirement for a DCP to be established in order to levy contributions.
117. Once the DCP is adopted as a special control area under the City's Local Planning Scheme No. 3, it will have the effect of law and will enable the levying of contributions triggered by development, for infrastructure identified in the DCP.

## **APPLICABLE POLICY**

118. State Planning Policy 3.6 – Infrastructure Contributions (SPP3.6)  
SPP 3.6 provides the State's policy control and guidance, setting out a framework for the coordination and delivery of infrastructure in new and established urban areas throughout WA. The central intent of SPP 3.6 is to establish the core principles to be applied when preparing and administering DCPs, these are:
- a) Need and the nexus: The need for the infrastructure must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

- b) Transparency: Both the method for calculating the infrastructure contribution and the manner in which it is applied should be clear, transparent, and simple to understand and administer.
- c) Equity: Infrastructure contributions should be levied equitably from identified stakeholders within a contribution area, based on the relative contribution to need.
- d) Certainty: The scope, timing, and priority for delivering infrastructure items, and the cost of infrastructure contributions and methods of accounting for escalation, should be clearly identified.
- e) Efficiency: Contribution should be justified on a whole-of-life capital cost basis consistent with maintaining financial discipline on service providers by precluding the over-recovery of costs.
- f) Consistency: The system for infrastructure contributions for apportioning, collecting and spending contributions should be consistent, efficient and transparent.
- g) Accountable: That there is accountability in the manner in which infrastructure contributions are determined, collected and expended.

## **STAKEHOLDER ENGAGEMENT**

- 119. As noted in the Background section of this report, the City has developed the scope of the DCP preparation in liaison with DevelopmentWA and Department of Planning, Lands and Heritage. Further engagement with the Department of Planning, Lands and Heritage and DevelopmentWA is required to facilitate the finalisation of the DCP.
- 120. SPP 3.6 establishes advertising and consultation requirements as part of the statutory processes (local planning scheme amendment) and encourages early consultation with relevant stakeholders, including landowners in the DCA, providers of any infrastructure to be included in the DCP, and State Government planning agencies. It is anticipated that the release of available technical inputs informing infrastructure need and apportionment will assist with further stakeholder engagement processes.

## **FINANCIAL CONSIDERATIONS**

- 121. **Development Cost**  
DCPs are a financial consideration in the subdivision and development process. To fully understand this financial consideration, it is necessary to have full information on the scope of infrastructure required to service development, apportionment of infrastructure as it relates to the development and preliminary designs to provide for cost estimates.
- 122. The level of detail and information required to inform preliminary designs and cost estimates is an important factor to ensure accurate and reliable estimates are prepared to enable considered financial analysis.

123. As outlined earlier in this report, cost estimates for the provision of infrastructure are currently in the process of finalisation and under further consideration as part of the broader DCP preparation process.
124. Key engineering considerations are required to be addressed to finalise cost estimates as important inputs into the DCP preparation process.
125. As key engineering considerations are finalised, the City will prepare and undertake detailed financial analysis in relation to the DCP. This analysis will be undertaken in consultation with the State Government and having regard for several factors including but not limited to DCP requirements as an overall cost to enable subdivision and development.
126. **Remaining Infrastructure Demand**  
The detailed traffic modelling outlined in this report identifies the demand the development envisaged by the LSPs places on infrastructure required to be provided or upgraded to facilitate development.
127. In addition to the financial consideration of DCP requirements as an overall cost to enable subdivision and development, the City will be required to consider how and where financial contributions for infrastructure outside of the DCP will be provided.

## SUSTAINABILITY

128. The DCP will create a framework for the facilitation of infrastructure to service new development in High Wycombe South. The planning and coordination of infrastructure through a DCP is important for the long term economic and social development of the community.

## RISK MANAGEMENT

129.	<b>Risk:</b> The DCP, and development, is delayed due to the estimated costs not being finalised in a timeframe expected by the community.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Moderate	Likely	Medium
	<b>Action/Strategy</b>		
	Actively pursue the finalisation of cost estimates in the timeliest manner possible, to inform further consideration of the Development Contribution Plan.		

## CONCLUSION

130. A significant volume of information has been assembled to understand the infrastructure needs and rationale for apportionment for the High Wycombe South DCP.
131. While these technical investigations are ongoing, the release of this information will provide the Council and the community an opportunity to note this information and ascertain the status of the DCP preparation process.
132. Further liaison will occur with State Government agencies to continue to refine this information and with a view of preparing a DCP report, Scheme amendment, schedule of cost estimates and apportionment for the purposes of public advertising.

<b>Voting Requirements: Simple Majority</b>
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### RESOLVED OCM 37/2022

That Council:

1. NOTE the information contained in this report and attachments.
2. REQUEST the Chief Executive Officer to continue to actively pursue the finalisation of cost estimates to inform further consideration of the High Wycombe South - Development Contribution Plan.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Lisa Cooper**

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

## 10.2. Asset Services Reports


### 10.2.1. Stirk Park Playground Upgrade

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

Previous Items	OCM216/2017; OCM134/2018; OCM160/2020
Directorate	Asset Services
Business Unit	Asset Delivery
File Reference	KL-02/018
Applicant	City of Kalamunda
Owner	City of Kalamunda

Attachments	1. Adopted Concept Skate & Playground Design [10.2.1.1 - 1 page]
	2. Stirk Park Design [10.2.1.2 - 5 pages]

#### TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (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 2031

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

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

**Strategy - 1.2.1**- 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 active citizens.

**Strategy - 1.2.3** 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 in the City of Kalamunda.

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

**Objective 3.2** - To connect community to key centres of activity, employment and quality amenities.

**Strategy 3.2.2** - Develop improvement plans for City assets such as parks, community facilities, playgrounds to meet the changing needs of the community.

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

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

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

## **EXECUTIVE SUMMARY**

1. The purpose of this report is to adopt the design and budget for the Stirk Park Playground and Skate Park project (Project).
2. The Project forms a key component of the implementation of the broader Stirk Park Master Plan (Plan).
3. It is recommended the Project continues to finalise design, adopt the project budget, and proceed to tender and construction in 2022.

## **BACKGROUND**

4. Stirk Park is one of the City of Kalamunda's (City) premier Public Open Space (POS) areas and is classified as a District Level Park. Stirk Park is located within the Kalamunda Town Centre and is one of the City of Kalamunda's most popular POS areas, hosting regular events. Stirk Park also attracts both City residents and tourists regularly, which aids in activating the area and provides for economic benefits.
5. The City endorsed the Plan at the Ordinary Council Meeting on 25 August 2020 (OCM 160/2020). This Plan included indicative playground and skatepark concepts. The Plan is provided as Attachment 1.
6. The 2021/22 Budget provided funding for the appointment of the design team to finalise the design and deliver construction tender

documentation. This work has progressed to the stage of being able to adopt the design and project budget.

## **DETAILS AND ANALYSIS**

7. Design has progressed to the stage that it is ready for adoption to continue through to tender documentation. The design is provided for in Attachment 2.
8. The Playground is detailed as Part A to Attachment 1. Key elements include:
  - a) Sports Elements: ½ sized basketball court, exercise equipment, flying fox.
  - b) Picnic facilities: BBQs, bench seating and shade shelters.
  - c) Junior Play Equipment: Water play area with water fountain and sand play zones, timber arbour meeting place, board walk, rope walk, Mia Mia, shop front, zig zag climber and animal/human tracks telling a Dreamtime Story.
  - d) Youth: Zig zag boardwalk, triple swing, thread chimes, talking tube, school tiled pathway, double flying fox with all abilities seat, possum hangout.
  - e) New toilet block.
  - f) Viewing platform with Arbour.
  - g) Historic Bridge.
9. The Skate Park is detailed as Part B to Attachment 1. Key elements include:
  - a) Sections for a bowl, flow area and street plaza.
  - b) A variety of skate elements for more skilled participants, that align with the skate sections for a bowl, transition and street area.
  - c) The existing landscape being integrated into the design, to create a blend of green space and skate elements.
  - d) Provision for shade and seating options.
10. A key feature of this design is the use of nature play elements comprising of timber and natural materials for major play equipment rather than traditional painted metal and plastic equipment. This is more in keeping with being environmentally friendly and strengthening the natural surrounds of Stirk Park.
11. It is to be noted that the playground is now wholly located west of the lake whereas the concept showed parts of the playground east of the lake. This change has come about as a necessity once the lake and associated drainage works design progressed. It became apparent that for vertical



and horizontal geometry reasons that the playground extent east of the lake was not feasible.

12. It is to be noted that the proposed playground design and the lake designs are now suitably integrated.
13. The proposed construction tender budget for the Project is \$3.60m, inclusive of contingency. With design fees, external works and project management costs, the overall Project budget is \$3.80m.
14. It is noted that the concept level design budget for the Project was \$3.43m in 2020, however, the report at that time noted that the budget was high level and subject to change. The 10% increase since 2020 is reflective of movement in construction costs in the ensuing period.
15. It is anticipated that tender documentation will be complete by the end of June 2022. Site works are anticipated to commence by the end of the 2022 calendar year.
16. To ensure that this Project can commence as soon as possible (given high level of community expectations and optimum construction program), it is proposed that Council delegate authority to the Chief Executive Officer to award the construction contract as a means of starting works during the summer of 2022/23. It is proposed that Council are briefed on the construction contract tender outcome prior to the Chief Executive Officer exercising this proposed delegation.
17. It is anticipated that construction (from award of contract to completion) will take approximately eight months.

#### **APPLICABLE LAW**

18. *Local Government Act 1995.*

#### **APPLICABLE POLICY**

19. Nil.

#### **STAKEHOLDER ENGAGEMENT**

20. Local Aboriginal families were engaged as part of the design process and explained the *Hands of Human Dreamtime* story which tell the story of the animal tracks throughout the park. This also informed the naming of the eggs in the littlies play area as Yarkan (turtle) eggs which fits well into the area given the population of western snake necked turtles that reside within the lake.

21. Extensive community consultation was undertaken to develop the concept plan as detailed in the August 2020 Ordinary Council Meeting (OCM) report.

### **FINANCIAL CONSIDERATIONS**

22. The City sought a funding grant for the Project from Lotterywest. In December 2021, the City was advised that Lotterywest would provide a grant of \$1.715m towards the Project.
23. The City has received a grant of \$1.52m from the Local Roads and Community Infrastructure Phase 3 (Commonwealth) Scheme which will also be used for this project.
24. The Rotary Club of Kalamunda has donated \$75,000 towards this project.
25. The City also received Ministerial Approval to commit \$262,520 from its Public Open Space Cash in Lieu Reserve towards this Project.
26. The City has also provided \$314,126 from the Unexpended Capital Reserve as part of the approved 2021/22 Budget to undertake works in 2021/22. Only \$227,318 will now be necessary to achieve budget.
27. The Project to be funded as follows:

Funding Body	Budget
Lotterywest	\$1,715,000
Local Roads and Community Infrastructure Phase 3	\$1,520,162
Public Open Space Cash in Lieu	\$ 262,520
Unexpended Capital Reserve	\$ 227,318
Rotary Club of Kalamunda	\$ 75,000
<b>Total Budget</b>	<b>\$3,800,000</b>

### **SUSTAINABILITY**

28. **Social Implications**

The proposed improvements at Stirk Park will:

- a) significantly enhance the social experiences for the whole community;
- b) enable the fostering of positive community interactions across a diverse range and background of community members;

- c) cater for persons of all age ranges and abilities, which will provide a more inclusive environment at Stirk Park;
- d) strongly encourage and cater for large family and social outings;
- e) provide the community with an opportunity to connect with the local environment (flora and fauna) through various play elements and the nature play theme;
- f) provide the community with opportunities to explore local history and Aboriginal heritage information at the site, through the history bridge concept; and
- g) provide improved recreational opportunities, which will assist in increasing physical activity and providing mental wellbeing benefits to the community.

Overall, this will make Stirk Park a highly desirable destination for the whole community, particularly families and aid in strengthening the social connection and wellbeing across the entire community.

29. **Economic Implications**

- a) The implementation of the project will assist in providing local employment opportunities and provide increased economic activity to the Kalamunda community during the construction phase.
- b) Stirk Park is located within the Kalamunda Town Centre and is already a tourism driver within Kalamunda. The proposed improvements will further activate the site and enhance its reputation as a destination park that will further increase tourism within Kalamunda. The increased visitations to Stirk Park as a result of the improvements will have an economic benefit to the local business community within Kalamunda.

30. **Environmental Implications**

- a) The concept design incorporates the existing vegetation within Stirk Park into the design and in fact enhances the vegetation with additional tree planting and landscaping.
- b) The concept design will also enhance the northern portion of the Stirk Park stream by providing additional landscaping and rehabilitation works.
- c) Sustainability design opportunities such as the use of natural materials within the nature playground.

**RISK MANAGEMENT**

31.	<b>Risk:</b> That Construction Tenders exceed Budget allowance necessitating additional funding or reduction in project scope.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Moderate	Possible	Medium
	<b>Action/Strategy</b>		
	A thorough and recent project construction cost estimate has been completed prior to finalising the proposed budget. There is an allowance of contingency in the budget to cater for abnormal tender outcomes.		

	<b>Risk:</b> That delays in awarding Construction Contract push the works program into winter 2023 increasing delays due to rain.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Significant	Likely	High
	<b>Action/Strategy</b>		
	It is proposed that Council delegate the Award of the Construction Contract to the CEO in order to expedite the works program.		

**CONCLUSION**

- 32. An extensive community consultation process was undertaken to develop the designs and cost estimates for the Plans stage one priorities.
- 33. The delivery of the playground and skate park at Stirk Park will deliver much needed community infrastructure.

**Voting Requirements: Absolute Majority**

RESOLVED OCM 38/2022

That Council:

- 1. ENDORSE the design for Stirk Park Playground and Skate Park Project (Attachment 2) for purposes of finalising tender documents.
- 2. APPROVE project budget of \$3,800,000 (excluding GST) comprising:
  - a) Lotterywest - \$1,715,000
  - b) Local Roads and Community Infrastructure Phase 3 - \$1,520,162
  - c) Public Open Space Cash In Lieu - \$262,520
  - d) Unexpended Capital Reserve - \$ 227,318

- e) Rotary Club of Kalamunda - \$75,000
- 3. PROCEED to final design and call construction tenders for the Project.
- 4. In accordance with s5.42(1) of the *Local Government Act 1995* DELEGATE to the Chief Executive Officer the authority to award the construction contract for the Project up to a value of \$3.6m plus GST (inclusive of contingency) SUBJECT to Council being briefed on the outcomes of the construction tender prior to award.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Geoff Stallard**

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

**10.3. Corporate Services Reports**


**10.4. Office of the CEO Reports**

**10.4.1. Draft Business Case for New Aquatic Facility: Results of Public Advertising**

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

Previous Items	OCM 23/2013 and OCM 103/2021
Directorate	Office of Chief Executive Officer
Business Unit	Community Development
File Reference	
Applicant	N/A
Owner	City of Kalamunda
Attachments	1. Engagement Report - Aquatic Facility [ <b>10.4.1.1</b> - 110 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 2031*

**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 active citizens.

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

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

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

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

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

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

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

**Objective 3.2** - To connect community to key centres of activity, employment and quality amenities.

**Strategy 3.2.1** - Ensure existing assets are maintained to meet community expectations.

### **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 inform Council of the feedback received on the Needs Assessment Report and Business Case for new aquatic facilities within the City (the Business Case) and consider a preferred aquatic facility solution.
2. Council should note the community engagement process did not indicate a substantial preference for one facility location over the other as the preferred solution. The community did indicate and understand the operating costs associated with two aquatic facilities and agreed it was preferable to have only one facility rather than two.
3. The community also agreed it would rather reallocate services across the City than pay for the operating costs of an aquatic centre through rate increases.
4. It is recommended that Council adopt Option 2b - Foothills Aquatic Facility as the preferred option and once developed, agree that Kalamunda Water Park (KWP) be closed.

**BACKGROUND**

5. The Business Case was presented to Council at the June 2021, Ordinary Council meeting, where the following resolution (OCM103/2021) was carried:

*That Council:*

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

6. KWP has serviced the community well for over 55 years, however the facility is now no longer considered contemporary and is nearing the end of its useful life, which has been evidenced through several water leaks to the main pool shell which is eroding the pool shell structural integrity.

7. Consequently, and in consideration of a previous Council resolution (OCM23/2013), which agreed to the development of a comprehensive business case for a collocated Aquatic/Recreation facility within the City by 2023, the City engaged Complete Community Solutions (CCS) Strategic to develop a Needs Assessment Report and Business Case (the Business Case) in September 2019.

8. Based on the findings, the draft Business Case recommended the City implement a two aquatic facility model subject to detailed feasibility being:

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



	<ul style="list-style-type: none"> <li>• New administration and changerooms.</li> <li>• Café and Creche.</li> </ul>
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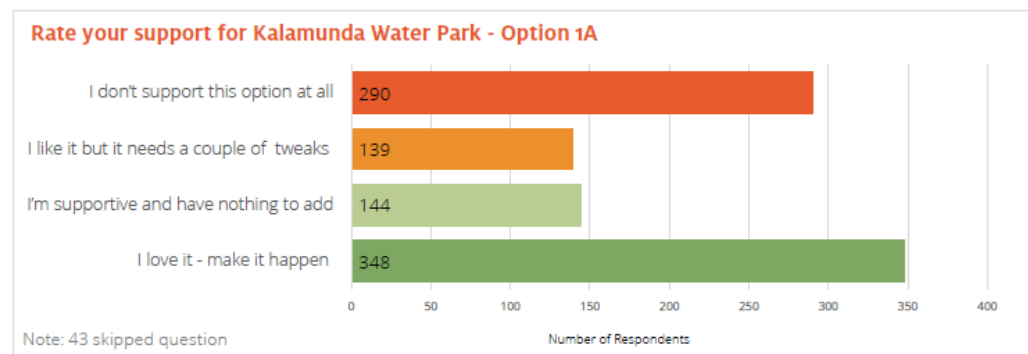
- The Business Case further recommended that if a two aquatic facility model is not deemed feasible, then the City is to only proceed with Option 2b – Foothills Aquatics Facility.

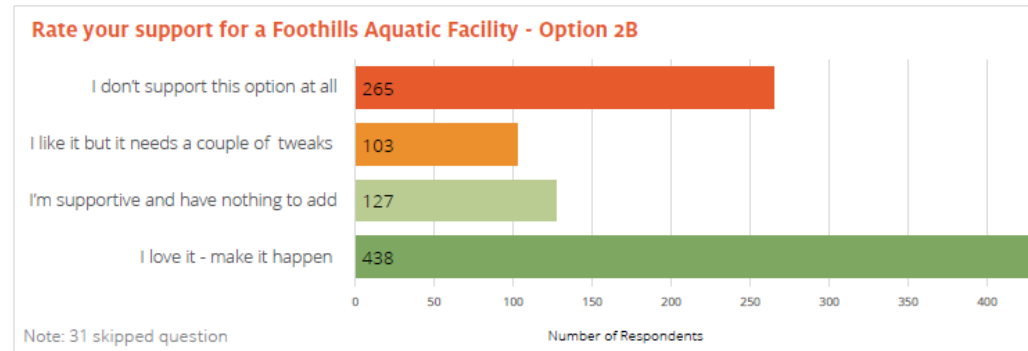
**DETAILS AND ANALYSIS**

- The community consultation process for the Business Case was advertised to the public for a period of 90 days concluding on 8 October 2021 with strong engagement from the community. In total there were over 2,700 visitors to the project’s engagement portal, 964 survey responses and one petition received from the community.
- The Community Engagement Summary Report for the Business Case detailing the quantitative and qualitative responses from the community is provided as Attachment One to this report.
- The report details the community’s feedback regarding a wide range of issues and some of the more salient matters are discussed herein.
- A total of 95% or 916 respondents from the community indicated that the provision of aquatic facilities by Council is of significant importance to them, highlighting the importance of aquatic facilities to the community.

**Support for Aquatic Facilities within the City**

- The key survey feedback received is shown as:





In summary, respondents indicated individual support for Option 1a (68% or 631 respondents) and Option 2b (72% or 668 respondents), noting that Option 2b received marginally increased support overall from the community.

**Option 1a – KWP Upgrade**

- 15. The key reasons advanced by respondents who supported Option 1a are:
  - a) It being the most cost effective approach for the City overall.
  - b) KWP being viewed as a local icon and tourist attraction for the hills.
  - c) The need to retain facilities 'up the hill' for families and young people and a strong sentiment from those who use KWP for it to be retained.

- 16. It was noted that while respondents supported Option 1a, a common theme emerged suggesting that their support was based on its location rather than the amenity proposed, as there was a desire for Option 1a to be similar to Option 2b i.e. have year round access and indoor heated pools.

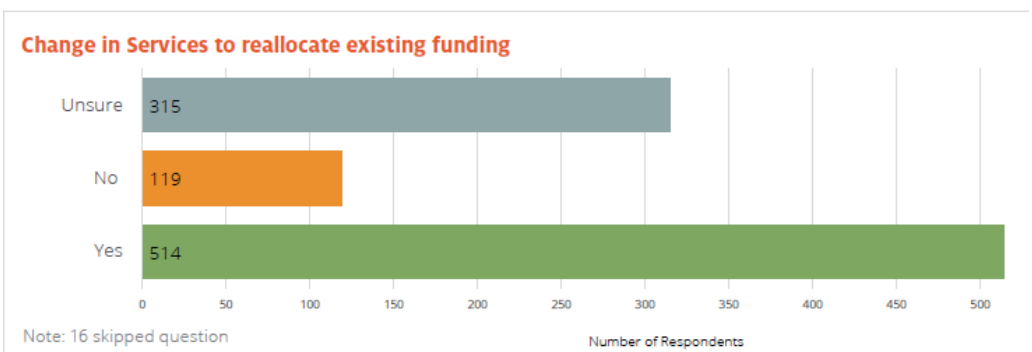
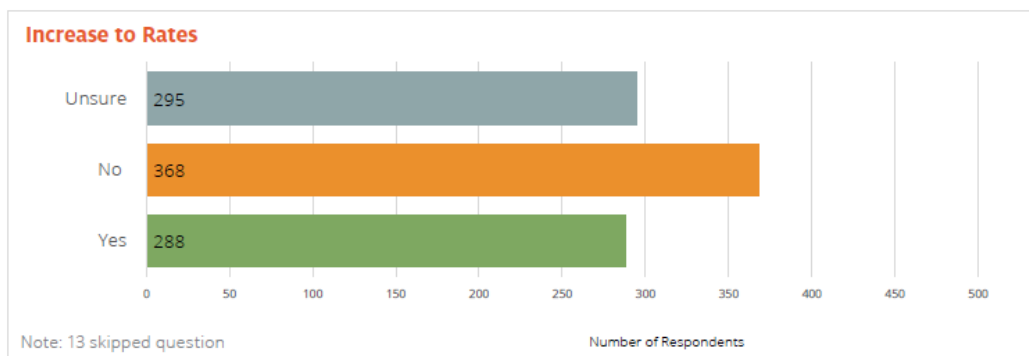
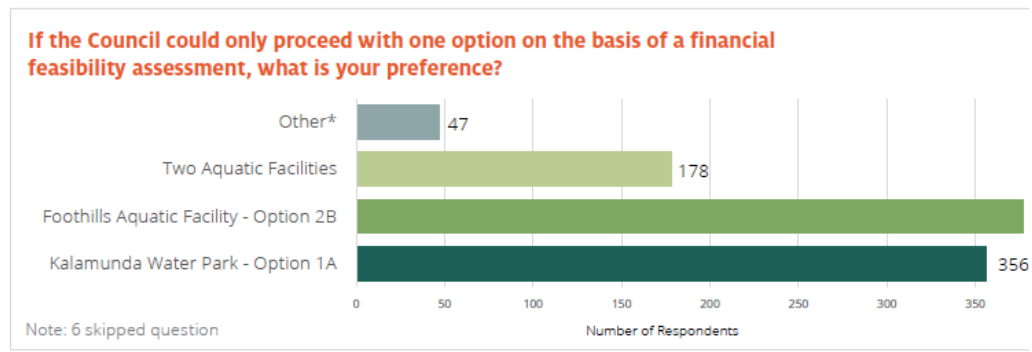
This approach, was explored throughout the Business Case (known as Option 1b), however was deemed the least feasible option for the City on the basis that two similar facilities in relatively close proximity to each other and operated year round would effectively be competing to attract the same customer base, thereby affecting attendance levels and income generation.

- 17. The key reasons advanced by respondents who did not support Option 1a are:
  - a) The location not being easily accessible for the majority of the community due to a lack of public transport options to Kalamunda.
  - b) The location not being where the majority of the City's population resides.

- c) Not being a contemporary and multifunctional amenity, that caters to a variety of needs, not accessible year-round and is an old facility.
- d) The additional costs to the City to operate and maintain a facility when Option 2b could better service the entire community.

**Option 2b – Foothills Aquatic Facility**

- 18. The key reasons advanced by respondents who supported Option 2b are:
  - a) The range and scale of contemporary amenities being provided for the community, having all year-round access and the potential for the site to be a community hub.
  - b) The location being adjacent to the new High Wycombe Train Station resulting in numerous development opportunities and it being amongst the majority of the City's population, which will grow into the future.
  - c) City Residents being able to access and utilise contemporary facilities within its own locality.
  
- 19. The key reasons advanced by respondents who did not support Option 2b are:
  - a) The need to retain KWP as there are:
    - i. Already limited community facilities in the hills area, particularly for children and youth.
    - ii. Alternative aquatic facilities being available to the foothills community within neighbouring local government areas.
    - iii. Limited alternatives for the hills community to access aquatic facilities if only Option 2b was developed, resulting in additional travel times to access facilities, which is currently challenging due to the public transport options available.
  - b) The costs involved in developing and operating Option 2b – Foothills Aquatic Facility, when redeveloping KWP is a more affordable and timely approach.
  
- 20. **Financial Viability**
  
- 21. The engagement process then directed respondents to consider the financial viability of the proposed aquatic facility options available and how they may be operationally funded. Noting that the City was being open and transparent in communicating that operating aquatic facilities will need a subsidy from ratepayers as historically these community facilities are unlikely to be self-sustaining when they are aiming to provide a community service for all members of the community.
  
- 22. The key survey feedback received is shown as:



23. In summary, the Business Case’s preferred two aquatic facility model was not supported by the community when assessed from a financial feasibility perspective. There was also support to reducing or reallocating existing Council services rather than raising rates to operate new aquatic facilities within the City.

Should Council decide to activate the suggestion to amend services, the community would need to be advised of exactly what discretionary services will be reduced as this may lead to complaints about a loss in service delivery being raised after the fact. Whilst over 900 surveys were submitted, which can be said to be statistically valid, it is very likely that of the over 20,000 ratepayers and over 60,000 residents in the City, there is a high likelihood that once a service is cut or reduced complaints will be raised.

### **Summary Analysis of Public Comment Results**

24. In summary, following the public advertising period the below conclusions can be drawn from the community in relation to the Business Case:
- a) Reaffirmed that an aquatic facility is needed and expected;
  - b) Seeking a multifunctional contemporary aquatic and recreational facility with year-round access and within close proximity to their residence;
  - c) Support for both aquatic facility options (Option 1a & Option 2b) individually, with marginally increased support for Option 2b;
  - d) Preference for the reallocation of existing services rather than an increase in rates to fund the operation costs for aquatic facilities; and
  - e) The Business Case's preferred two aquatic facility model, was not supported by the community, based on financial feasibility, therefore indicated that the City invest in only one aquatic facility within the City.

### **Community Petition**

25. A community petition was received during the public advertising period from Mr Alan Malcolm, requesting Council to develop Option 1a – existing KWP to ensure an aquatic facility is retained in the hills for current and future generations. 618 persons signed the petition. This petition is noted.

### **Recommended Aquatic Facility Outcome**

26. Based on the results of the community consultation process and a feasibility assessment on the preferred two aquatic facility model as outlined in the Financial Considerations section of this Report, it is recommended that the City invest in the development of only one aquatic facility.
27. In simplest terms, the cheapest solution for the City would be to undertake Option 1a – KWP, however this is not being recommended as the outcome in terms of providing for the future of our community is sub optimal and doesn't meet the community's needs or expectations.
28. As per the Business Case, if a two aquatic facility model is not deemed feasible for the City then it is recommended that the City only invests in Option 2b – Foothills Aquatic Facility.

29. This is deemed to be the preferred facility, given the:
- a) significantly increased benefits to the community as a result of progressing a contemporary multifunctional facility model that will best service the community's needs and expectations for an aquatic facility now and into the future.
  - b) level of service it is proposed to offer the entire City as part of the multifunctional community hub approach.
  - c) proximity to the majority of the City's population base, therefore likely attracting the greatest utilisation.
  - d) improved financial performance, compared to operating a two aquatic facility model.
  - e) proximity to major transportation links, that can best service the entire City, thus best linking residents to an aquatic facility within the City.
  - f) offering activation opportunities for the community purposes site within the Forrestfield North District Structure Plan (FNDSP) (Commonly referred to as High Wycombe South) and the opportunity to attract external advocacy funding, given the preliminary study being undertaken by the State Government.
30. It is recognised that even with full construction funding being provided to the City, it will be some years before the facility would become operational. In the meantime, it is recommended that KWP remains open seasonally. Once Option 2b - Foothills Aquatic facility is operational the KWP will close.
31. The City will work with affected Kalamunda Water Park users, stakeholders and the community during the transition period between the old and new facilities.

#### **APPLICABLE LAW**

32. *Local Government Act 1995.*

#### **APPLICABLE POLICY**

33. Risk Management (Governance 8) ensures consistent, efficient and effective assessment of risk in all planning, decision making and operational processes.
34. Disability, Access and Inclusion (Service 3) ensures an inclusive community through compliance with the Disability Services Act 1993 and Regulations 2004.

35. Asset Management (Service 4) ensures assets reflect a sustainable approach to service delivery and meet the current and future needs of the community.
36. Communications and Engagement (Service 5) to guide the community engagement process and strategy for the Public Advertising period.

## **STAKEHOLDER ENGAGEMENT**

37. The Consultant and City have undertaken a detailed community consultation and stakeholder engagement process throughout the development of the Business Case, which has included:
  - a) Two community workshops which attract over 50 participants (in 2019);
  - b) A community visioning survey which attracted over 680 responses (in 2019);
  - c) Internal business unit consultation;
  - d) State Sporting Associations and local sporting clubs.
  - e) External State Government agency consultation including Department of Planning, Lands and Heritage, Development WA, METRONET; and
  - f) Councillor aquatic facility study tour to Armadale Aquatic and Fitness Centre and Cannington Leisureplex.
38. The Business Case was advertised and promoted to the community, through the following engagement strategy and process to seek public comment:
  - a) A media release and advertisement was placed in the local newspaper.
  - b) A copy of the Business Case was provided to relevant user groups and stakeholders.
  - c) A copy of the Business Case was placed on the City's website and other social media channels.
  - d) A copy of the Business Case was published on *Engage Kalamunda*.
  - e) A copy of the Business Case was located at key City of Kalamunda locations, including the Kalamunda Water Park.
  - f) A community feedback survey was conducted to obtain community feedback on the Business Case, including being sent to 12,000 households within the City via random selection.
  - g) One on one consultation with members of the community.

**FINANCIAL CONSIDERATIONS**

**Existing Net Subsidy KWP**

39. The existing net subsidy to operate the KWP, under a management agreement with Belgravia Leisure, is approximately \$245,000 per annum.

**Operational Financial Modelling**

40. The Consultant has developed financial models for the proposed developments within the Business Case. The financial models are based on a series of industry benchmarks, projected attendances (incorporating the anticipated impact of one or two facilities), existing performance of KWP and existing market conditions.
41. The financial model provides both a conservative and optimistic range to account for potential variables such as attendance projections. The financial models are also based on the assumption of mature facility operations which may not be the case in early years of operations and thus may result in lower than forecasted revenues in the early years, as a cliental base is established.
42. Section 10.3 of the Business Case identifies estimated revenues and costs both the two aquatic facility model and the one aquatic facility model (being Option 2b) as per the Table 1:

Table 1: Business Case Financial Modelling

	<b>One Aquatic Facility Model</b>		<b>Two Aquatic Facility Model</b>	
	<b>Option 2b - Foothills Aquatic facility Only</b>		<b>Option 1a and Option 2b - Operating together</b>	
	Optimistic	Conservative	Optimistic	Conservative
Annual Operating Subsidy (\$)	340,815	\$ 997,000	\$1,350,000	\$2,047,000
Annual Depreciation of Facility?	\$600,000	\$ 600,000	\$820,000	\$820,000
Sub TOTAL	\$940,815	\$1,597,000	\$2,170,000	\$2,867,000
OPEX Subsidy Less existing	\$695,815	\$1,352,000	\$1,925,000	\$2,622,000



KWP subsidy (\$245,000)				
Equivalent rate % that this new subsidy reflects	1.8%	3.4%	4.9%	6.6%

NOTE: Renewal of facilities is also a future cost, however it is likely that renewal costs will not be required until 5-10 years into the life of the facility.

43. In summary, the financial modelling indicates that operating only one aquatic facility, is a more sustainable approach for the City, as it would result in an estimated \$1.23 million to \$1.27 million per annum reduction in the forecasted operating subsidy, if Option 2b – Foothills Aquatic Facility is the preferred model.
44. This is largely due to a two aquatic facility model increasing competition in the catchment area and effectively sharing forecast attendances. A one aquatic facility model, located in a denser population setting would result in reduced competition and maximise facility usage, thus having a positive impact on the forecast operational costs.
45. It is considered however, that it is not pragmatic to increase rates or reduce Council services to the level that could sustain having two aquatic centres in concurrent operation by the City.
46. It should be noted that revenues from pool entrance fees would also impact the subsidy needed each year as this is dependent on patronage. If patronage increases substantially for either pool the subsidy will be reduced accordingly. Conversely if the patronage is reduced, then this will increase the subsidy.
47. The operational financial modelling will need to be continually analysed and updated by relevant industry experts during the next planning and facility detailed design stages. At the appropriate stage the City, will also further consider the management arrangements, i.e. operated by the City or externally outsourced to professional aquatic facility operators.

48. **Capital Funding Advocacy Strategy**

The total estimated Capital Cost as per the Business Case are outlined below:

	<b>One Aquatic Facility Model</b>	<b>Two Aquatic Facility Model</b>
	<b>Option 2b - Foothills Aquatic facility Only</b>	<b>Option 1a and Option 2b - Combined</b>
Capital Cost Estimate	\$32 million	\$39.5 million

49. It should be noted that at this stage these figures are high level cost estimates, inclusive of preliminaries, escalation, public art policy, contingencies, and professional fees. Detailed capital and whole of life costings will be developed prior to the implementation of each project identified within the draft Business Case.

50. Capital funding of the preferred aquatic solution can only be achieved through attaining significant external funding through both State and Federal Governments. The Foothills Aquatic Facility (Option 2b) project is currently part of the City's advocacy strategy to both State and Federal Governments.

51. A minimum of 5 years would be required to delivery Option 2b – Foothills Aquatic Facility. However, it is reasonable to expect that a 10-20 year timeframe, in line with development that will occur as an outcome of the FNDSP, will be required to complete the implementation of the Business Case, with the schedule of works needing to be staged in such a manner that will ensure maximum opportunity for the City to leverage external funding and advocacy.

**SUSTAINABILITY**

**Social Implications**

52. The Business Case has identified a strong need within the City for improved, contemporary and multifunctional community facilities to deliver health and wellbeing benefits to the community.

53. A healthy and active community can result in:  
 a) improved physical activity levels, therefore reducing common health issues amongst the community (i.e. diabetes, heart disease, etc.);

- b) improved mental wellbeing of the community, as physical activity can reduce mental stress and anxiety.
  - c) an activated community that will improve its social cohesion and networks; and
  - d) reduced reliance on the health system.
54. National sports participation data indicates that passive sporting pursuits such as the swimming, running, walking and gymnasiums are amongst the most popular activities in Australia, and likely to continue to grow into the future. Swimming is also known for being a lifelong healthy lifestyle activity for all ages and abilities.
55. Community hubs exposes a community to the full spectrum of services, resulting in increased community awareness and usage of these services and greater accessibility and throughput.
56. Contemporary aquatic and community facilities benefit from good public transport connections to provide accessibility for the entire community and to maximise usage. The best opportunity for the City to achieve this is for the proposed Foothills Aquatic Facility to be located within the area adjacent to the High Wycombe Train Station, and then effectively connecting to other key activity centres within the City (i.e. Kalamunda Town Centre – High Wycombe Station Precinct).

### **Economic Implications**

57. The implementation of the Business Case will assist in providing local job opportunities (during construction and operations) and provide increased economic activity to the City of Kalamunda during the construction phase and post construction. It is estimated that during the construction phase, based on the combined economic multiplier effects of a \$32 million investment, would result in an output of \$44.66 million impact on the Australian economy, with \$11.95 million added to the local economy over two years along with the creation of 57 jobs.

Once the facility is built, a further 35 ongoing jobs will be created.

58. The Foothills Aquatic Facility is proposed to be located adjacent to the High Wycombe Train Station, which is envisaged to be a mixed use residential and commercial area. It's development will highly likely activate and increase vibrancy of the High Wycombe Train Station precinct. This type of development may even stimulate additional commercial and residential development within the Transit Oriented development area.

**Environmental Implications**

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

**RISK MANAGEMENT**

- 61.
 

<b>Risk:</b> Existing KWP fails prior to any new Aquatic Facility/s being available leading to a community without aquatic facilities for some time.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Critical	Possible	High
<b>Action/Strategy</b>		
Consideration be given to having design ready for construction tender to minimise the overall time before a new pool is available. This will be an abortive spend if the Foothills facility is likely to be developed.		
City enter into agreements with other aquatic centre provides to facilitate resident access as an interim measure.		
  
- 62.
 

<b>Risk:</b> The adopted Business Case may raise community expectation for improvements that may not be delivered in the short term given its dependency on the city attracting external capital a funding from State and Federal governments.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Major	Likely	Extreme
<b>Action/Strategy</b>		
Ensure the community is informed as part of the communications process that improvements are subject to the final consideration of Council, external funding, and budget availability.		

63.	<b>Risk:</b> Parts of the community do not support the proposed future closure of KWP.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Moderate	Almost Certain	High
	<b>Action/Strategy</b>		
	A detailed Business Case has been developed. It supports the City progressing a multifunctional and contemporary aquatic facility to best the needs of the entire City community. The City will work with affected users, stakeholders and the community during the transition period.		

**CONCLUSION**

- 64. The community engagement process confirmed that a multifunctional contemporary aquatic facility, with year-round access, that is within close proximity to residence is needed and expected, however affordability was a key community concern.
- 65. Taking into consideration the community consultation outcomes, financial modelling and social benefits it is recommended that the City determines that only one aquatic facility, being Option 2b – Foothills Aquatics Facility is proceeded with due to the overall level of benefit to the community.
- 66. In order to transition to the new Foothills Aquatic Facility, whilst continuing to provide an aquatic service to the community, it is proposed that KWP will be maintained only as an interim measure and then closed once the City commences operating the proposed new Option 2b - Foothills Aquatic Facility.

**Voting Requirements: Simple Majority**

*Cr Margaret Thomas has provided all Councillors prior to the meeting with a proposed alternative motion.*

*Cr Kathy Ritchie foreshadowed an alternate motion and then provided a brief outline of her proposed alternative motion.*

## RECOMMENDATION

That Council:

1. NOTE Community Engagement Report regarding Needs Assessment Report and the Business Case for a New Aquatic Facility set out as Attachment 1 to this report.
2. ADOPT a one aquatic facility model with Option 2b – Foothills Aquatic Facility recognised as the preferred option.
3. AGREE the Kalamunda Water Park is to be closed once Option 2b - Foothills Aquatic Facility becomes operational.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Lisa Cooper**

### FOR

### AGAINST

Cr Brooke O'Donnell Cr Margaret Thomas  
Cr Mary Cannon Cr John Giardina  
Cr Kellie Miskiewicz Cr Geoff Stallard  
Cr Mary Cooper Cr Janelle Sewell  
Cr Sue Bilich Cr Andrew Osenton  
Cr Dylan O'Connor Cr Kathy Ritchie  
(6/6)

Due to the quantity of votes and in accordance with the *Local Government Act 1995* the Presiding Member casted a second vote against the motion. Therefore the motion was defeated.

Vote: **LOST (6/7)**

## **ALTERNATIVE MOTION**

### RESOLVED OCM 39/2022

THAT COUNCIL:

1. NOTE the Community Engagement Report regarding the Needs Assessment Report and the Business Case for a New Aquatic Facility set out as Attachment 1 to this report.
2. ADOPT the aquatic facility model 2b – Foothills Aquatic Facility.
3. AGREE to defer the Kalamunda Water Park Option 1a – to allow
  - a) the City of Kalamunda to continue to pursue advocacy to seek capital funding for Kalamunda Water Park – Option 1a.
  - b) the City of Kalamunda to continue to assess the future operational impacts should a 2-pool model (Option 1a and 2b) be externally funded

Moved: Cr Margaret Thomas

Seconded: Cr Geoff Stallard

#### **FOR**

Cr Margaret Thomas  
Cr Brook O'Donnell  
Cr John Giardina  
Cr Geoff Stallard  
Cr Kellie Miskiewicz  
Cr Mary Cooper  
Cr Sue Bilich  
Cr Andrew Osenton  
Cr Kathy Ritchie  
Cr Janelle Sewell

#### **AGAINST**

Cr Mary Cannon  
Cr Dylan O'Connor

Vote: **CARRIED (10/2)**

The Meeting was adjourned for a brief break at 8.59pm.

The meeting resumed at 9.08pm. All Councillors and Staff except for Manager Asset Delivery, Manager Community Development and Leisure Planning Project Manager returned to the meeting.


## 10.5. Chief Executive Officer Reports

### 10.5.1. Draft Monthly Financial Statements to 31 March 2022

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> <li>1. Statement of Financial Activity for the period ended 31 March 2022 [<b>10.5.1.1</b> - 2 pages]</li> <li>2. Statement of Net Current Funding Position as at 31 March 2022 [<b>10.5.1.2</b> - 1 page]</li> </ol>

#### 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 2031*

#### **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 Draft Financial Statements for the period ended 31 March 2022.
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 22 March 2022 for the 2021/2022 financial year.
3. It is recommended Council receives the draft Monthly Statutory Financial Statements for the period ended 31 March 2022, which comprise:
  - a) Statement of Financial Activity (Nature or Type);
  - b) Statement of Financial Activity (Statutory Reporting Program);
  - c) Net Current Funding Position, note to financial report

## **BACKGROUND**

4. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995 (Act)* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

## **DETAILS AND ANALYSIS**

5. 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.
6. The opening funding position in the Statement of Financial Activity reflects the audited surplus carried forward from 2020/2021.

## **FINANCIAL COMMENTARY**

### **Draft Statement of Financial Activity by Nature and Type for the period ended 31 March 2022**

7. This Statement reveals a net result surplus of \$13,358,993 compared to the budget for the same period of \$9,402,507.

### **Operating Revenue**

8. Total Revenue excluding rates is over budget by \$2,416,242. This is made up as follows:
  - a) Operating Grants, Subsidies and Contributions are over budget by \$2,089,159. The variance is mainly attributable to \$1,944,299 received

from the CELL 9 trust for the reimbursements of expenditure incurred on behalf of the trust.

- b) Fees and Charges are over budget by \$291,593 Which mainly relates to building applications and pool inspection fees.
- c) Interest earnings are over budget by \$16,694. The variance is considered to be a timing issue.
- c) Other Revenue is over budget by \$12,376. The variance is within the reporting threshold.

### **Operating Expenditure**

9. Total expenditure is under budget by \$5,620,223. The significant variances within the individual categories are as follows:
- a) Employment Costs are under budget by \$1,221,302, which is primarily due to delays in filling vacant positions and the aggregate result of minor variances in several business units.
  - b) Materials and Contracts are under budget by \$2,762,775. The variance is mainly due to lower consulting costs than budgeted for non-current projects under the development and traffic management business unit and Verge maintenance. These variances are considered to be timing issues.
  - c) Utilities are under budget by \$36,075, the variance is mainly due to the aggregate result of minor variances in several business units.
  - d) Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$1,384,310.
  - e) Interest and Insurance expenses are tracking below the reportable variance threshold.
  - f) Other expenditure is under budget by \$219,690. The variance is due to the land acquisition costs related to CELL 9 projects. The amounts paid for infrastructure works for CELL 9 projects were reimbursed drawing against the Trust account set aside for it.

### **Investing Activities**

#### **Non-operating Grants and Contributions**

10. The non-operating grants and contributions are over budget by \$717,805. The variance is mainly due to the timing of receiving grant funding related to various roads capital projects.

### **Capital Expenditure**

11. The total Capital Expenditure on Property, Plant, and Equipment, and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$501,095. This is considered to be a timing issue.
12. Capital works-in-progress expenditure of \$2,009,778 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 \$3,920,068 which is mainly due to the developer contributions and reserve transfers.

### **Rates Revenues**

14. Rates generation is over budget with a variance of \$84,748. The variance is mainly due to the interim rates.

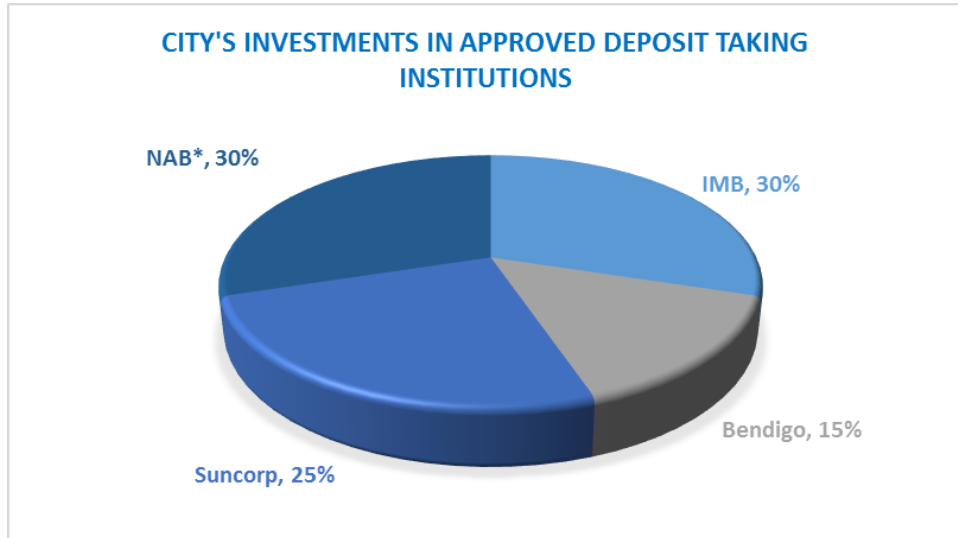
### **Statement of Financial Activity by Program for the period ended 31 March 2022**

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

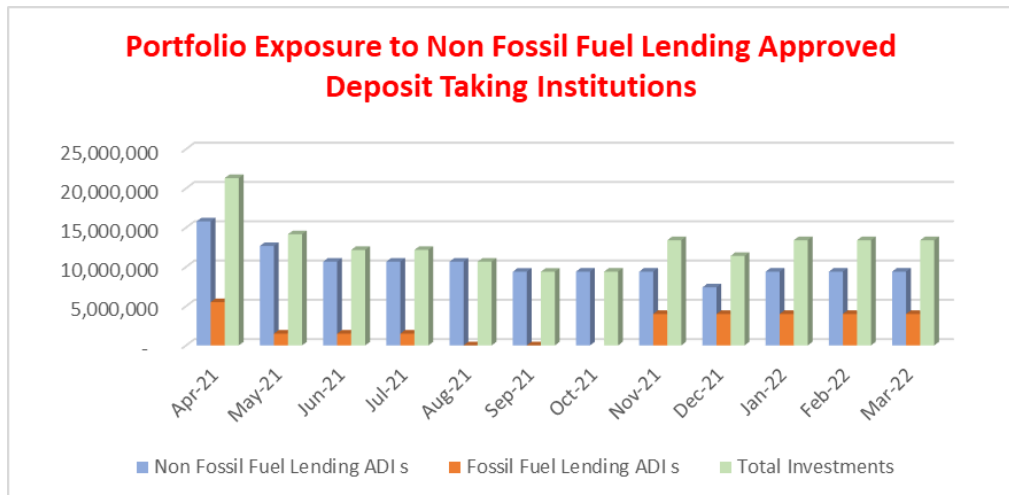
### **Statement of Net Current Funding Position as of 31 March 2022**

16. The commentary on the net current funding position is based on a comparison of March 2022 to the March 2021 actuals.
17. Net Current Assets (Current Assets less Current Liabilities) total \$34.6 million. The restricted cash position is \$25.6 million which is higher than the previous year's balance of \$17.5 million. The variance is mainly due to the increased reserve balances in unexpended capital works, and specific purpose grants reserve and waste management reserve.
18. The following graph indicates the financial institutions where the City has investments as of 31 March 2022;

19.



\*Financial Institutions with Investments in the Fossil Fuel Industry



20. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$3.8 million.

21. Sundry debtors have decreased from \$756,817 to \$451,711, of which \$87,704 consists of current debt due within 30 days. Details are contained in the Debtors and Creditors Report to Council.

22. Receivables Other represents \$2.1 million including:  
 a) Emergency Service Levy receivables \$0.5 million;  
 b) Receivables sanitation \$0.7 million

23. Provisions for annual and long service leave have increased by \$0.2 million to \$4.3 million when compared to the previous year.

## **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.

<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Possible	Moderate	Medium
<b>Action/Strategy</b>		
Monthly management reports are reviewed by the City and Council. Procurement compliance is centrally controlled via the Finance Department.		

33.

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

## **CONCLUSION**

34. The City's Financial Statements as at 31 March 2022 demonstrate the City has managed its budget and financial resources effectively.

<b>Voting Requirements: Simple Majority</b>
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### RESOLVED OCM 40/2022

That Council RECEIVE the Draft Monthly Statutory Financial Statements for the period ended 31 March 2022 which comprises:

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

Moved: **Cr Margaret Thomas**

Seconded: **Cr Lisa Cooper**


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

## 10.5.2. Debtors and Creditors Report for the period ended 31 March 2022

***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"> <li>1. Creditor Payments for the period ended March 2022 [<b>10.5.2.1</b> - 42 pages]</li> <li>2. Summary of Debtors for the month of March 2022 [<b>10.5.2.2</b> - 3 pages]</li> <li>3. Summary of Creditors for month of March 2022 [<b>10.5.2.3</b> - 1 page]</li> </ol>

### 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 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 2031*

**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 March 2022, 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 March 2022.
3. It is recommended that Council:
  - a) Receive the list of payments made from the Municipal and Trust Fund Accounts in March 2022 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 March 2022.

## **BACKGROUND**

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures.
5. In accordance with *the Local Government (Financial Management) Regulations 1996* (Regulation 13) reporting on payments made from Municipal Fund and Trust Fund must occur monthly.

## **DETAILS AND ANALYSIS**

### **Debtors**

6. Sundry debtors as of 31 March 2022 were \$451,711. This includes \$87,704 of current debts and \$12,988 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$339,147 debts of significance:
  - a) El Dujmovic Pty Ltd, \$216,000, Developer Contribution;
  - b) Municipal Workcare, \$79,860, Workers Compensation Claims;
  - c) Department of Education, \$29,090, Kalamunda Performing Arts Centre shared usage reimbursement;
  - d) City of Swan, \$4,146, Long Service Leave Reimbursement;
  - e) N-Com Pty Ltd, \$3,872, Lease Fees; and
  - f) Zig Zag Gymnastics, \$3,198, Lease Fees.
8. Invoices over 60 days total \$3,848 debts of significance:
  - a) Zig Zag Gymnastics, \$3,198, Lease Fees.
9. Invoices over 90 days total \$33,998 debts of significance:
  - a) Zig Zag Gymnastics, \$11,075, Lease Fees;
  - b) Private Citizen, \$4,950, Fire Break – Reimbursement



- c) Kalamunda & Districts Junior Football Club, \$2,250, Contribution to Extension Project
- d) Hills District Callisthenics, \$2,166, Hall Hire
- e) Dome Coffee Australia, \$1,558, Lease Fees;
- f) Hills Karate Club, \$1,550, Hall Hire; and
- g) Private Citizen, \$1,187, Hall Hire.

**Creditors**

- 10. Payments totaling \$9,411,316 were made during the month of March 2022. 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	\$
Department of Fire and Emergency Services	Emergency services levy payment – 3 <sup>rd</sup> quarter	2,076,863.94
Jeanetta Pty Ltd	Land and road constructions cost – Bonser road*	1,187,406.24
BOS Civil Pty Ltd	Central mall street scape – progress claim 3, Ray Owen car park construction work – progress claim	749,293.69
Australian Tax Office	PAYG payments	576,230.75
Cleanaway	Waste, recycling & bulk disposal services fees	343,996.09
Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	337,584.14
Fulton Hogan Industries Pty Ltd	Supply of road materials for various locations	307,513.14
AWARE Super Pty Ltd	Superannuation contributions	291,312.48
Dowsing Group Pty Ltd	Supply and maintenance of footpaths – various locations	229,151.28
BMD Urban Pty Ltd	Stirk Park Drainage upgrade	151,758.79
Synergy	Power charges – various locations	143,912.28
Kalamunda Electrics	Electrical repairs and maintenance at various locations	141,487.56

Eryk Matusik & Cagen Holdings Pty Ltd	Partial refund of Central car park contribution – Public Open space contribution **	127,720.59
Hill Top Group Pty Ltd	Building maintenance for various locations	120,327.58
AE Hoskins Building Services	Construction of Kalamunda Little Athletics Club – change rooms	90,525.69
Western Australian Treasury Corporation	Loan instalment repayment – loan 227	77,659.58
Satterly Property Group Pty Ltd	Release of maintenance bond	70,306.60
Office of the Auditor General	Audit fees for various services	67,650.00
Beaver Tree Services	General tree services / under power lines pruning for various locations	56,201.20

These payments total \$7,146,901.62 and represent 76% of all payments for the month.

\*The amounts paid for infrastructure works for Forrestfield Industrial Area Scheme Stage 1 were reimbursed drawing against the reserve set aside for it net of GST.

\*\* The amount paid for the partial reimbursement of developer contribution was reimbursed drawing against the Public Open Space Funds Trust account.

**Payroll**

- 12. Salaries are paid in fortnightly cycles. A total of \$1,831,360.90 was paid in net salaries for the month of March 2022.
- 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) Public Open Space funds;
  - c) NBN Tower Pickering Brook Trust
- 15. The following payments (GST exclusive) were made from the Trust Accounts in February 2022.

CELL 9		Amount (\$)
Date	Description	

31/03/2022	Tree Watering Services – tree watering along Hale Road	1,496.00
31/03/2022	Hawley's Bobcat Service – skid steer and truck services – Hale Road	276.00
<b>Public Open Space Funds Trust</b>		<b>Amount (\$)</b>
<b>Date</b>	<b>Description</b>	
25/03/2022	Eric Matusik & Cagen Holdings Pty Ltd – partial refund of contribution received for Kalamunda Central mall car park development	127,720.59
25/03/2022	City of Kalamunda – reimbursement of costs related to works completed at Central mall Kalamunda	6,000.00

### **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.

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

**Creditors**

25.

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

**CONCLUSION**

26. Creditor payments are above the normal trend due to the emergency services levy payment.

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 41/2022

That Council:

1. RECEIVE the list of payments made from the Municipal Accounts in March 2022 (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 & 3) for the month of March 2022.

Moved: **Cr Lisa Cooper**

Seconded: **Cr Geoff Stallard**


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

### 10.5.3. Rates Debtors Report for the Period Ended March 2022

*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 March 2022 [ <b>10.5.3.1</b> - 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 2031*

**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 2021/2022 on 1 July 2021 totalling \$38,954,466. As of 31 March 2022, \$39,099,794 has been collected for current and prior year outstanding rates for the 31 March 2022 period.
3. It is recommended that Council receive the Rates Debtors Report for the month of March 2022 (Attachment 1).

## BACKGROUND

4. Rate Notices were issued on 22 July 2021 with the following payment options available:

Options	Payment Dates			
Full payment	26 August 2021			
Two instalments	26 August 2021	29 December 2021		
Four instalments	26 August 2021	27 October 2021	29 December 2021	2 March 2022

## DETAILS AND ANALYSIS

5. A total of 23,697 notices were issued on 22 July 2021. This consisted of 20,223 mailed rate notices, 742 Bpay View and 2,732 eRates notices. Rates Levied and Collectable for the 2021/2022 Financial Year currently total \$42,903,027.
6. As of 31 March 2022, a total of \$39,099,794 has been collected since Rates Notices were released, representing a collection rate of 93.10%.
7. A total of 7,934 ratepayers have taken up the instalment option. The first due date was 26 August 2021. A total of 156 ratepayers have chosen to pay via direct debit. Refer to the table below:

Option	Description	Number
Option 2 on Rate Notice	Two instalments	1,559
Option 3 on Rate Notice	Four instalments	6,335
A Smarter Way to Pay	Pay by Direct Debit over a mutually agreed period.	43
Direct Debit	Payment to be received by April 2021	113
Total	Ratepayers on payment options	8,050

8. Interim rating has now commenced for 2021/2022. To 31 March 2022, \$714,134 has been raised for interim rating revenue.

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 improvement purposes. For the period 1 March 2022 to 31 March 2022, there was a total of 195 incoming calls and 71 outgoing calls, equating to 9.78 hours call time.

#### **APPLICABLE LAW**

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

#### **APPLICABLE POLICY**

11. The City's rates collection procedures are in accordance with the Debt Collection Policy S-FIN02.
12. The Financial Hardship Policy adopted by Council on 7 April 2020 enables the provision of Financial Assistance to those seriously impacted by Covid-19.

#### **STAKEHOLDER ENGAGEMENT**

##### **Internal Referrals**

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

##### **External Referrals**

14. The higher-level debt collection actions will be undertaken by AMPAC.

#### **FINANCIAL CONSIDERATIONS**

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

#### **SUSTAINABILITY**

##### **Social Implications**

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



17. The City has introduced “a smarter way to pay” to help ease the financial hardship to its customers. This has proved very effective with a growing number of ratepayers taking advantage of this option. A “Smarter Way to Pay” allows ratepayers to pay smaller amounts on a continuous basis either weekly or fortnightly, helping to reduce their financial burden.

**Economic Implications**

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

**Environmental Implications**

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

**RISK MANAGEMENT**

- 20.

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

**CONCLUSION**

21. With a current collection rate for the financial year of 93.10% (compared to 92.61% last year), the City continues to effectively implement its rate collection strategy.

**Voting Requirements: Simple Majority**

RESOLVED OCM 42/2022

That Council RECEIVE the Rates Debtors Report for the Period ended 31 March 2022 (Attachment 1).

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Lisa Cooper**


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

## 10.5.4. Paulls Valley Road Drainage Investigations

**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	AS-03/095, PL-05/319
Applicant	N/A
Owner	N/A
Attachments	1. Paulls Valley Road Drainage Upgrade [10.5.4.1 - 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 2031*

#### Priority 1: Kalamunda Cares and Interacts

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

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

#### Priority 2: Kalamunda Clean and Green

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

**Strategy 2.1.4** - Increasing and protecting local biodiversity and conservation, wherever possible, through integrating ecosystem and biodiversity protection into planning processes including schemes policies and strategies.

**Priority 3: Kalamunda Develops**

**Objective 3.2** - To connect community to key centres of activity, employment and quality amenities.

**Strategy 3.2.1** - Ensure existing assets are maintained to meet community expectations.

**EXECUTIVE SUMMARY**

1. The purpose of this report is to inform Council on investigations into stormwater drainage issues in and around 319 Paulls Valley Road and 95 Asher Road, Paulls Valley stemming from resident complaints.
2. It is possible (subject to funding) for the City of Kalamunda (City) to undertake works in the road reserve to manage most storm events, however, like a large proportion of the Darling Plateau, existing overland drainage to water catchments travel through private property and / or Crown land.
3. It is recommended that Council note the proposed City works for managing the stormwater, acknowledging the resident issues that cannot be readily resolved.

**BACKGROUND**

4. The property at 95 Asher Road, Paulls Valley (“No 95”) uses a primary vehicle crossover to Paulls Valley Road. The property to its immediate north is 319 Paulls Valley Road (“No 319”) which has its crossover on Paulls Valley Road. Attachment 1 provides an aerial image of both properties with each crossover in close proximity to each other.
5. Within both properties is an open drainage channel which forms part of the overall Helena Pipehead catchment flowing generally in a north – northeast direction to the Helena River.
6. The overland drainage system in this vicinity captures stormwater runoff from roads, Crown Land and private property collectively. Water flows from Paulls Valley Road in a south–east direction under the crossover of No 319, through uncleared land on No 95 to intercept the open drain flowing through No 95 and No 319.

7. The owner of No 95 has blocked the existing drainage system on his property where it abuts to No 319 causing stormwater to bank up and cause damage in No 319. Neighbour disputes have also been referred to past and present Councillors seeking relief (at City cost).
8. Despite many interactions with City Officers to reach a mutually acceptable outcome between the residents, none has been forthcoming.

#### **DETAILS AND ANALYSIS**

9. In May 2014, a subdivision application by the prior owners of No 319 provided lot access to Paulls Valley Road. Following this, in June 2014 a development application was made by the current owner of the property. A new crossover was constructed around February 2015, connecting No 319 to Paulls Valley Road.
10. This construction provided a PVC pipe under the crossover to allow continuity of the overland drainage system.
11. The City has contacted the owner of No 95 on several occasions requesting to unblock the pipe and return the water flow to previous conditions. The owner has refused, advised his reasons for blocking the pipe were:
  - a) he did not accept or agree for the water to flow into his property and believes the City does not have the right to discharge stormwater.
  - b) the drainage was causing erosion along what he referred to as his driveway; and
  - c) he did not believe the works undertaken for the crossover of No 319 were compliant. The City has no record of non-compliant work.
12. The claim regarding the City's right to use the drainage system that has existed for many years is beyond the scope of the City to currently address. It would take substantive legal resources to provide a position on this matter, noting issues:
  - a) This situation is not unique to these properties or in fact the City or any Local Government with similar issues;
  - b) The City's road network is only one small part of the issue noting the much larger land holdings of private property and the Crown.

13. Paulls Valley Road was sealed in 2000, which would have resulted in a reduction of infiltration of water in the road reserve and more water flowing into the drainage network. The City has undertaken investigations and has developed a concept plan for a series of swales within the road reserve locally to manage a “1 in 10 year” rainfall event. These works are estimated at \$35,000 and are proposed for consideration in the draft 2022/23 capital works program.
14. Design guidelines for road drainage consider it appropriate to manage only up to a 1 in 5 year rain event hence the proposal for management of water in the verge up to 1 in 10 year events provides further mitigation of water entering these properties.
15. It is noted however that the contribution of stormwater from the road reserve is slight compared to the adjacent larger National Park run off which is not managed within the National Park.
16. Upon review of imagery over the years, it is apparent that flow of stormwater from Paulls Valley Road was managed by a concrete pipe in No 95 to assist in diversion to the drainage channel. This has been subsequently blocked.
17. The City proceeded to issue a letter to the owner of No 95 requesting him to unblock the pipe (May 2021), and then (July 2021) issued a formal notice to do so. The intent was to restore pre-existing flow paths. The Owner sought Councillor intervention and requested further meetings to discuss other options, and the notice was put on hold while these were being resolved. Further meetings and options were discussed with no overall agreement being reached.
18. As a result of the discussions, a number of options have been raised by the City and respective landowners. These include:
  - a) creating an easement for drainage that overlaps both property boundaries;
  - b) modelling, designing and then upgrading drainage infrastructure within the Paulls Valley Road reserve, to ensure the stormwater is being managed appropriately;
  - c) constructing a creek or channel within 95 Asher Road to convey drainage from the PVC pipe outlet to the creek; and
  - d) constructing a pipe for the drainage to take it to the creek, but without agreement on where this pipe could be located.

19. The owners of No 95 and No 319 have not been able to agree on a mutually acceptable outcome.
20. Progression of the improvements within the road reserve by the City will reduce the number of stormwater events affecting both properties but will not fully resolve the matter.
21. It is not practicable to stop all stormwater from the road entering these properties. To do so would require resumption of private property in one or the other lot to construct a localised drainage sump. This would be detrimental to the owner's land holdings.
22. The remaining ideas that involve works on private property have been assessed and resolved into two main options.
- a) Option 1, for the City to undertake works within 95 Asher Road at its own cost and discretion as provided by the Local Government Act. Estimates of works range from \$75,000 to \$110,000.
  - b) Option 2 for the City to take no further action and advise the owners to seek mediation services.
23. From a regulatory perspective, Schedule 3.2 of the Local Government Act provides:
- "Schedule 3.2 — Particular things local governments can do on land even though it is not local government property:*
- 1. Carry out works for the drainage of land"*
- Section 3.27 of the Local Government Act provides:
- (1) A local government may, in performing its general function, do any of the things prescribed in Schedule 3.2 even though the land on which it is done is not local government property and the local government does not have consent to do it.*
24. In the hope of a mediated outcome, the City has not sought legal advice on this matter at this stage.

#### **APPLICABLE LAW**

25. The *Local Government Act 1995* provides for specific responsibilities and obligations regarding drainage.

#### **APPLICABLE POLICY**

26. There are no applicable policies.

## STAKEHOLDER ENGAGEMENT

27. Both the owners of 319 Paulls Valley Road and 95 Asher Road have been involved in a number of discussions to determine viable solutions.

## FINANCIAL CONSIDERATIONS

28. The proposed drainage upgrade for Paulls Valley Road, consisting of catch basins, is estimated at \$35,000. Funding will be sought for the 2022/23 capital budget, to enable the work to be undertaken.

## SUSTAINABILITY

29. The subject of this report mainly affects two landowners so has minimal social implications.
30. There are no notable economic implications.
31. Improving the management of stormwater volume and velocity, and thus reducing erosion, will have positive environmental impacts.

## RISK MANAGEMENT

32.	<b>Risk:</b> That the property owners singly or collectively do not agree with the selected course of action, and further drainage problems arise, or legal action eventuates against the City.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Moderate	Possible	Medium
	<b>Action/Strategy</b>		
	That the City seeks further legal advice to defend against any potential claim.		

## CONCLUSION

33. A drainage problem has arisen within private property, triggered by the actions of the owner of 95 Asher Road in blocking a stormwater pipe. This has caused a deleterious impact to the owner of 319 Paulls Valley Road. The City's public area drainage has not been directly affected by this action.
34. Investigations and assessments including design options have been prepared by the City to assist in resolving the problems.

35. Despite the City requesting rectification from landowners and a range of meetings and discussions being held regarding the drainage, an agreement and resolution have not been achieved.

<b>Voting Requirements: Simple Majority</b>
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**RECOMMENDATION**

That Council:

1. NOTE the proposed construction of drainage improvements in Paulls Valley Road to be listed in the draft 2022/23 Capital Works Budget.
2. NOTE that the City of Kalamunda proposes to take no further action regarding drainage within the properties of 95 Asher Road or 319 Paulls Valley Road.

Moved:

Seconded:

Vote: **LAPSED**

*As there was no mover or seconder the motion Lapsed.*

*Cr John Giardina moved an alternative motion to defer the item as Mr Medling was unable to attend the meeting to present his Deputation.*

**ALTERNATIVE MOTION**

RESOLVED OCM 43/2022

That Council DEFER consideration of this matter until the May Ordinary Council Meeting.

Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**

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



**11. Motions of Which Previous Notice has been Given**

**12. Questions by Members Without Notice**

12.1 Rates (Cr Geoff Stallard)

Q. In the rates debtors report, what numbers were used to derive the rates collection percentage?

A. The Director Corporate Services took this question on notice.

12.2 Walliston Transfer Station (Cr Dylan O'Connor)

Q. Are there any plans in place at the Walliston Transfer Station to cater for residents wanting to drop off different types of waste such as garden waste, steel, rubble within the same site, rather than exiting the site each time?

A. The Director Asset Services advised as part of the City's redevelopment of the Transfer Station, it will facilitate that so vehicles can move through the site to the various transfer drop off points for different types of waste, they won't have to exit and go back in again.

12.3 Trees (Cr John Giardina)

Q. I have received feedback from a Ratepayer regarding responses from the City about his tree, is it possible for the CEO to review the response that was provided?

A. The Chief Executive Officer indicated she would review the response.

12.4 Gooseberry Hill Primary School Cross Walk (Cr Janelle Sewell)

Q. Can you please provide an update regarding the Gooseberry Hill Primary School Crossing?

A. The Director of Asset Services advised the necessary works for enabling the type B crossing at Gooseberry Hill Primary School is listed as a consideration for Council in the draft capital works budget for 2022/2023 at this point in time there is no certainty that project will be funded unless Council determines.

12.5 Fire Hazard Control (Cr Geoff Stallard)

Q. Is the City going to have opportunity for community feedback regarding fire breaks and fire control?

A. The Director Development Services took the question on notice, however advised that a comprehensive presentation will be given to Councillors next week on the Fire Hazard Inspection Program.

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

13.1 Nil.

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

14.1 Nil.

**15. Meeting Closed to the Public**

15.1 N/A.

**16. Tabled Documents**

Kalamunda Environmental and Sustainability Advisory Committee Draft Minutes – 17 March 2022.

**17. Closure**

The meeting closed at 9.20pm

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

Signed: \_\_\_\_\_  
Presiding Member

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2022.