



Annual General Meeting of Electors

Minutes for 16 March 2021



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1. Official Opening

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

2. Attendance and Apologies

Councillors

South East Ward

John Giardina
Janelle Sewell
Geoff Stallard

South West Ward

Lesley Boyd
Mary Cannon
Brooke O'Donnell

North West Ward

Sue Bilich
Lisa Cooper
Dylan O'Connor

North Ward

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

Members of Staff

Chief Executive Officer

Rhonda Hardy

Executive Team

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

Management Team

Alida Ferreira - Manager Financial Services
Jamie Paterson - Manager Information Technology
Alison Egan - Manager Human Resources
Nicole O'Neill - Manager Customer & Public Relations

Administration Support

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

Members of the Public - 22

Members of the Press 1

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Apologies Nil.

Leave of Absence Previously Approved Nil.

3. Business of the Meeting

3.1 Presentation of the 2019/2020 Annual Report

The Presiding Member invited questions in relation to the 2019/2020 Annual Report.

3.1.1 Charles Dornan, Wattle Grove

Q. In the introduction to the Annual Report the CEO states "*we are courageous in our endeavours to ensure environmental protection*". In the Draft Local Biodiversity Strategy, it is stated since 2008 the City has managed to conserve only 2.2 hectares of local natural areas while over the same period of time it has facilitated the destruction of 730 hectares of local natural area. Who do you think is responsible for this would you put it down to the City or the Councillors or would you put it down to both?

A. Taken on Notice.

3.1.2 Bev Dornan, Wattle Grove

Q. In viewing the Annual Report of the City it is very difficult to ascertain which of the four senior executives in the City has operational responsibility of outlining any strategies to Councillors aimed at protecting the environmental values of the City despite this being one of the City's Priority areas. The Draft Biodiversity Strategy clarifies there is approximately 2,500 hectares of mapped conservation value land remaining in the City. Is it correct to assume the CEO has direct oversight and accountability for liaising with councillors regarding protecting and conserving the remaining 2,500 hectares of local natural area left in the City? If this is not the case could the CEO clarify which senior position has this allocated responsibility and accountability?

A. Taken on Notice.

3.1.3 Kathleen Edmonds, Wattle Grove

Q. Given it cost the City \$43,500 why is there no reference in the 2019/2020 Annual Report of the City's receipt of the AECOM Ecological Survey regarding the biodiversity values of so-called Wattle Grove South or

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Crystal Brook. The report showed Wattle Grove South/Crystal Brook is a unique biodiversity hotspot well worthy of protection. Given this is an important survey directly related to the four published priorities of the Strategic Plan. Why during the last financial year was it never tabled for discussion by council and/or referred to the Kalamunda Environmental Advisory Committee for consideration and advice to Council?

- A. The Director of Development Services advised the environmental survey undertaken by AECOM informed and assisted with the concept planning process for Wattle Grove South which was considered by Council in this financial year and will be referenced in the next Annual Report.

3.1.4 Steven Lock, Wattle Grove

- Q. Did not see any mention within the Annual Report of Local Environmental Strategy or protecting the environment?

- A. Taken on Notice

3.1.5 Kim Manson, Wattle Grove

- Q I seek clarification on the response provided to Ms Edmonds in relation to the inclusion of the AECOM Ecological Survey in the 2019/2020 Annual Report.

- A. The Director Corporate Services advised an item is reference in the Annual Report in the financial year to which the expense is incurred.

- Q. Given the statement in the 2019/2020 Annual Report says, *'we have driven rezoning of key areas of rural land within the City'* and the overwhelming response from residents in the City to stay rural has the City prepared, or began to prepare, a submission to Western Australian Planning Commission (WAPC) review of the Perth and Hills Plan? If so, will the submission be provided to affected residents of Wattle Grove, Maida Vale and Pickering Brook prior to submission and if not why?

- A. The Director Development Services advised the City, through its various plans and strategies, has identified matters that would be raised as part of any future review of the North East Subregional Planning Frameworks. The City has been advised through discussions with the Department of Planning they are in the process of reviewing and will release it for public comment. When the City has prepared its submission, it will be providing Council the opportunity to endorse the submission prior to it being lodged with the Department of Planning.

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- Q. When you say Council you mean this is when it will be made available to the public?
- A. Yes, the City's submission will be made public through a Council Agenda prior to council's determination. The engagement process for the review is being undertaken by the Department of Planning. The broader community can put submissions on the Framework directly to the Department of Planning.
- Q. There is reference to salaries, bonus etc within the 2019/2020 Annual Report. Do any staff employed at the City of Kalamunda have KPI bonus' of cash or otherwise and if so, why are those figures not reported separately in the 2019/2020 Annual Report?
- A. The Chief Executive Officer advised no staff receive bonus'.
- 3.1.6 Andrea Bowe, Wattle Grove
- Q. A recent 2020 Royal Melbourne Institute of Technology Study found the City of Kalamunda has presided over the loss of more tree canopy than all, bar one, local government in the whole of Australia in the past five years due to environmentally unregulated development. Can the CEO explain whilst the Annual Report has not proposed Council adopts any local planning policies focusing on biodiversity protection despite planning and development in the City being the single greatest factor contributing to habitat fragmentation and loss of biodiversity in the City?
- A. The Director Development Services advised the key action from the City's Local Environmental Land Use Strategy is the preparation of a local planning policy for the protection of significant trees on private development sites and the City is in the process of preparing the policy for presentation to Council for public advertising.
- 3.1.7 Iris Jones, Lesmurdie
- Q. On page 11 of the Annual Report there is reference made to Aged Care within the City. Has Council's Aged Care Advisory Committee had an opportunity to discuss the recommendations and provided advice to Council in relation to the finding of the Aged Care Royal Commission?
- A. No.
- Q. Has Council discussed the Aged Care Royal Commission's full report and recommendations?
- A. No.

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3.1.8 Cr Janelle Sewell

Q. I seek clarity in relation to somewhat defamatory comments made in an earlier question. I do not recall moving a motion in relation to the destruction of land the "size of Kings Park". I would like some clarification in relation to the comment?

A. The CEO advised she was of the view the statement was referring to the report presented on Wattle Grove South/Crystal Brook and the conclusions and recommendation contained therein. She also advised Cr Sewell would need to seek clarification directly from the person who made the statement you require more explanation was required in relation to the comments made.

Q. Can the Director Development Services please advise what the alternative recommendation encompassed to enable clarification?

A. The Director Development Services advised a key consideration of the alternative motions was to provide modifications to the report to make clear there is opportunities for landowners who own property with conservation value on them to pursue a route of having conservation covenants placed on private property. Conservation covenants will seek to protect the environmental values on those private land holdings through notifications on land titles.

3.1.9 Liz Grow, Wattle Grove

Q. After reading the 2019/2020 Annual Report, pages 24 to 33, it seems to portray the City has made great strides in protecting the Hills environment, I cannot see where this has occurred. What is being done by Councillors and officers to mitigate foreseeable environmental loss in the City of Kalamunda?

A. The Director Development Services advised the City has a number of strategies which covers matters dealing with development and the environment some of those strategies are:

- Local Environmental Strategy
- Local Biodiversity Strategy
- Urban Forest Strategy

The City has an adopted Environmental Land Use Planning Strategy. Of relevance within this Strategy is the action to prepare a local planning policy to look at the protection of significant trees on development sites and this local planning policy will be developed and presented to council for the purposes of public advertising.

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In relation to the AECOM Report, it was mentioned earlier in the meeting the report was undertaken as part of work during the current financial year and as such was not report in the Annual Report presented to you this evening.

- Q. Is ‘Significant Trees’ a species or an individual?
- A. The Director Development Services advised it could be multiple trees on a development site or private property and the trees are not necessarily native they could also be of significance. The process of identification and policy will be presented to Council for the purposes of public advertising within the current financial year.

RESOLVED AGM 1/2021

That the 2019/2020 Annual Report of the City of Kalamunda be received as presented at Attachment 1.

Moved: Cr Cameron Blair

Seconded: Cr Geoff Stallard

Vote: **LOST (10/18)**

4. Any Other Business

Ms Bev Dornan presented a motion to the meeting and provided rationale for the motion.

The motion received a seconder before being put to a vote.

Cr Janelle Sewell proposed an amendment to the motion as presented. This amendment was not accepted by the mover.

RESOLVED AGM 2/2021

That this meeting of electors urges Councillors to place a moratorium on the rezoning of all rural zoned lands in the City until such time as Councillors have had the opportunity to fully consider the 2020 Kalamunda Local Biodiversity Strategy currently out for public consultation.

Moved: Bev Dornan

Seconded: Charles Dornan

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Vote: **CARRIED (20/2)**

5. Closure

There being no further business, the Presiding Member declared the Meeting closed at 7:26pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2021.

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APPENDIX 1 – Questions taken on Notice

3.1.1 Charles Dornan, Wattle Grove

Q. In the introduction to the Annual Report the CEO states “*we are courageous in our endeavours to ensure environmental protection*”. In the Draft Local Biodiversity Strategy, it is stated since 2008 the City has managed to conserve only 2.2 hectares of local natural areas while over the same period of time it has facilitated the destruction of 730 hectares of local natural area. Who do you think is responsible for this would you put it down to the City or the Councillors or would you put it down to both?

A The draft Biodiversity Strategy states on page 5 “Since the adoption of the 2008 Kalamunda Local Biodiversity Strategy, over 500 hectares (ha) of native vegetation has been cleared. Most vegetation loss can be observed on the Swan Coastal Plain portion of the City, but vegetation clearing also occurred in Carmel, Lesmurdie, Walliston and Bickley.

“In 2008, 24,081 hectares of native vegetation remained. In 2020, 23,552ha of native vegetation remained. The 2020 vegetation extent figure is based on the 2020 mapping by the Department of Primary Industries and Regional Development (DPIRD) and City’s LNA mapping, which identified additional 102 ha of native vegetation not captured in the DPIRD mapping. Then 24,081ha minus 23,552ha equals 529ha. Note, the vegetation loss figure listed in Appendix E does not include the City’s LNA mapping.”

It is important to understand there are a variety of causes resulting in clearing of native vegetation. A significant portion of clearing that has occurred in the City can be attributed to private land development for land identified in a strategic planning framework or zoned for urban and industrial development. Patterns of urban and industrial development in the City, particularly in the Foothills and escarpment have been developed over several decades. Historical decisions, the introduction land uses and infrastructure improvement has led to ongoing challenges with efforts to retain and rehabilitate vegetation on private land. The State Government has also introduced a Policy Framework to ensure land use planning addresses the ever-increasing threat of bushfires in Western Australia. This has meant the introduction of measures to manage, reduce and remove native vegetation to ensure the threat of bushfires is mitigated.

State and Federal governments have various levels of environmental legislation and policy that require a degree of assessment prior to planning, rezoning, subdivision and development progressing. The State Planning Framework also recognises the competing pressures between

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development and environmental protection; planning decisions strive to minimise trade-offs while balancing sustainable development outcomes.

Through its planning processes the City seeks, in the first instance, to achieve positive environmental outcomes. Where this is not possible, the City will pursue an outcome that minimises environmental impacts. For example, the City has worked closely with the State Government through the Environmental Protection Authority on the Forrestfield North (High Wycombe South) project to progress the planning of future urban areas to maximise the protection of local areas of high value conservation ensuring they are protected in perpetuity through the land use planning process.

The City has also undertaken significant efforts to further regulate environmental protection on private property, with the development of the Environmental Land Use Planning Strategy. The City is currently preparing a Local Planning Policy to guide the retention of trees worthy of retention on subdivision and development sites.

Similarly, with regard to Wattle Grove South the City undertook extensive assessments of vegetation on private land, where landowners gave permission, and this resulted in identifying the high value environmental areas within the proposed Urban Expansion area identified in the State Government's North East Sub-Regional Planning Framework. The City also identified that landowners of private land can also play a significant role in protecting biodiversity on private land by seeking to place conservation covenants over their own properties. Hence, protection of the environment is also a responsibility of private landowners.

Regarding private land development, proposals are assessed by the City's Development Services team and Asset Service Team, both with varying roles to play.

Private land development is more complex, given the legislative frameworks required, and such matters are always considered when making decisions that will have environmental impacts. The City will engage professionals to provide technical and expert advice on all such matters, and then, it is incumbent upon the City and the Council to establish the balance between development and environmental protection.

The City's environmental agenda is a responsibility of the Community, Council, and the City's administration. The City protects and manages 830 ha of reserves, comprising developed, undeveloped and bush reserves. Public lands are managed by the Asset Services team. This is a significant task.

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The City of Kalamunda has a long history of showing significant regard for the environment and being at the forefront of environmental protection and enhancement of City managed assets. Programs such as Plants for Residents, which has operated for the past 22 years, have seen backyards across the City of Kalamunda transform with residents taking home some 220,000 free plants.

Over the past decade the City has:

- established a team dedicated to the management of natural areas in City vested lands and to support community volunteers.
- supported the growing number of community volunteers engaged in natural area management (the current register of bushcare volunteers lists 47 Friends Groups active in the City).
- been implementing ongoing restoration projects in its reserves.
- developed the publication of various resources and fact sheets on best practice bushland management including the Private Landholder Bushland Information Package (Shire of Kalamunda 2013), Plants Out of Place booklet and weed identification glove box guide.
- undertaken mapping and assessing the condition of all City's natural areas. This mapping informed the conservation priorities in this updated Local Biodiversity Strategy.

The City of Kalamunda has stewardship 830ha of enhanced Local Natural Areas under the its control.

In conclusion the City does not agree with the assertion made in this question *"that the City has managed to conserve only 2.2 hectares of local natural areas while over the same period of time it has facilitated the destruction of 730 hectares of local natural area."*

The City cannot find any such reference made within the draft Biodiversity Strategy 2020.

3.1.2 Bev Dornan, Wattle Grove

Q. In viewing the Annual Report of the City, it is very difficult to ascertain which of the four senior executives in the City has operational responsibility of outlining any strategies to Councillors aimed at protecting the environmental values of the City despite this being one of the City's Priority areas. The Draft Biodiversity Strategy clarifies there is approximately 2,500 hectares of mapped

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conservation value land remaining in the City. Is it correct to assume the CEO has direct oversight and accountability for liaising with councillors regarding protecting and conserving the remaining 2,500 hectares of local natural area left in the City? If this is not the case could the CEO clarify which senior position has this allocated responsibility and accountability?

- A. Th annual report does not distinguish portfolio responsibility and there is no requirement for that to occur. In terms of responsibility for managing natural areas this is a shared responsibility whereby Council sets direction and allocates resources and the CEO implements the directions of Council.

3.1.4 Stephen Lock, Wattle Grove

Q. Did not see any mention within the Annual Report of Local Environmental Strategy or protecting the environment?

- A. The City of Kalamunda has documented its work in the protection of the Environment throughout the Annual report. It should be note that the Local Environment Strategy 2019-2029 was adopted in July 2019 and is a 10-year plan. As the City progresses the many and various actions it will report these annually as progress is made. The Annual Report 2019-20 reports on actions that occurred in the 11 months from August 2019 to June 2020 since the Local Environmental Strategy was adopted. It is reasonable to expect that any long-term strategy is priortised over the life of the strategy as resources and capacity becomes available. Please refer to pages 23 – page 32. Page 30 specifically references the Local Environment strategy