



Public Agenda Briefing Forum

12 March 2024



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1. Official Opening

The Presiding Member opened the meeting at 6:36pm and welcomed Councillors, Staff, Members of the Public Gallery and those watching via live stream. 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**Mayor**

Margaret Thomas JP

Councillors**South East Ward**

John Giardina

South West Ward

Mary Cannon

Brooke O'Donnell

North West Ward

Lisa Cooper

Dylan O'Connor (Presiding Member)

North Ward

David Modolo

Kathy Ritchie

Members of Staff**Chief Executive Officer**

Nathan Ritchie - Acting Chief Executive Officer

Executive Team

Freya Ayliffe - A/Director Community Engagement

Gary Ticehurst - A/Director Corporate Services

Chris Lodge - A/Director Development Services

Management Team

Regan Travers - Manager Approval Services

Darren Jones - Manager Community Development

Administration Support

Darrell Forrest - Governance Advisor

Donna McPherson - Executive Assistant to the CEO

Members of the Public 168**Members of the Press** Nil.**Apologies**

Cr Geoff Stallard

Sinead McGuire - Director Asset Services

Leave of Absence Previously Approved Nil.

3. Declarations of Interest**3.1. Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matter 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*.)

3.1.1 Nil.

3.2. 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.

3.2.1 Nil.

4. Announcements by the Member Presiding Without Discussion

With heavy hearts, we shared the sad news of the passing of Rhonda yesterday. Rhonda leaves behind a legacy of remarkable leadership and dedication to the community.

Her tenure as CEO, spanning from July 2013 to September 2023, was characterised by her unwavering commitment to the City's growth and prosperity.

She spearheaded numerous initiatives that significantly contributed to the growth and development of the region. Her leadership was instrumental in restoring the City's financial health, navigating through local government reform, and facilitating major land development projects, including the Forrestfield train station precinct.

Rhonda was an exceptional leader whose impact on the City will be deeply felt for years to come. Her dedication, vision, and tireless efforts have left an indelible mark on our community.

Rhonda's journey to becoming CEO was marked by resilience and dedication. Prior to joining the City, she held significant positions at institutions such as the Lady Gowrie Child Centre, the WA Institute of Sport, and Edith Cowan University. She also served in various capacities

within local governments, including the City of Joondalup and the Eastern Metropolitan Regional Council.

Rhonda's professional achievements were widely recognised, with accolades such as being a finalist in the 2017 Telstra Women's Business Awards and receiving the Meritorious Award for her service to Local Government by Local Government Professionals WA in 2018.

As we know outside of work she shared the same passion for surfing, travelling, gardening and exploring leadership and human motivation in the workplace endeared her to many. She will be sorely missed.

We will liaise with the family in the coming days to offer whatever support they require and also seek from them some guidance as to public recognition.

5. Public Question Time

Public questions will be allowed and received following the presentation of the report.

6. Public Statement Time

Public statements will be allowed and received following the presentation of the report.

7. Public Submissions Received in Writing

No submissions presented in writing to the meeting although varies items of correspondence has been received from residents.

8. Petitions Received

A petition was tabled by Ravi Kumar on behalf of

9. Confidential Items Announced But Not Discussed

- 9.1 Item 10.4.5 Ray Owen Sports Centre Management Committee New Nomination – **Confidential Attachments** - Attachment 1 - ROSCMC nomination 23-25 and Attachment 2 - ROSCMC Nomination 23-25

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

10. Reports to Council**10.1. Development Services Reports****10.1.1. Funeral Parlour and Offices - Lot 192 (326) Hale Road, Wattle Grove**

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

The Manager Approval Services provided a presentation on this report.

Tenzing David provided a statement to the meeting opposing the proposal.

Daryl Stewart provided a statement to the meeting opposing the proposal. Mr Stewart statement focused on Attachment 10.1.1.3 - Transport Impact Statement - Lot 192 (326) Hale Road, Wattle Grove. The A/Director Development Services provided commentary on aspects of Mr Stewarts statement. Mr Erceg, Seasons Funeral, advised the meeting he was of the view many of the issues raised by Mr Stewart were from an earlier Transport Impact Statement which had now been updated.

XiXi Li provided a statement to the meeting opposing the proposal.

Liora Roy provided a statement to the meeting opposing the proposal.

Ravi Kumar provided a statement to the meeting opposing the proposal. Mr Kumar tabled a petition.

Sachin, on behalf of the Bangladesh Community, provided a statement to the meeting opposing the proposal.

Stephen Erceg and Vanessa Wilson addressed the meeting and responded to many of the issues raised in statements opposing the proposal.

Cr Cannon asked several questions of Mr Erceg and Ms Wilson. Mr Erceg and Ms Wilson provided responses to the queries which related to the development proposal.


Cr O'Donnell asked several questions of Mr Erceg and Ms Wilson on behalf of the community. Mr Erceg and Ms Wilson provided responses to all questions.

The Presiding Member adjourned the Briefing at 8:24pm to allow members of the public to leave if they desired. The Briefing recommenced at 8:37pm all elected members, staff and one member of the public returned.

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Previous Items	N/A
Directorate	Development Services
Business Unit	Approval Services
File Reference	3.009297
Applicant	Edge Planning & Property
Owner	S Quaresimin
Attachments	<ol style="list-style-type: none"> 1. Development Plans - Lot 192 (326) Hale Road, Wattle Grove [10.1.1.1 - 9 pages] 2. Renders - Lot 192 (326) Hale Road, Wattle Grove [10.1.1.2 - 8 pages] 3. Transport Impact Statement - Lot 192 (326) Hale Road, Wattle Grove [10.1.1.3 - 26 pages] 4. Civil Design Certification - Lot 192 (326) Hale Road, Wattle Grove [10.1.1.4 - 11 pages] 5. Arborist Report - Lot 192 (326) Hale Road, Wattle Grove [10.1.1.5 - 19 pages] 6. Planning Report - Lot 192 (No. 326) Hale Road, Wattle Grove [10.1.1.6 - 15 pages] 7. Consultancy Report - Lot 192 (326) Hale Road, Wattle Grove [10.1.1.7 - 17 pages] 8. Submissions Table - Lot 192 (326) Hale Road, Wattle Grove [10.1.1.8 - 13 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 3: Kalamunda Develops****Objective 3.3** - To develop and enhance the City's economy.**Strategy 3.3.1** - Facilitate and support the success and growth of businesses.**Strategy 3.3.2** - Attract and enable new investment opportunities.**EXECUTIVE SUMMARY**

1. The purpose of this report is to consider a development application for a Funeral Parlour and Offices at Lot 192 (326) Hale Road, Wattle Grove (the subject site).
2. The development application was advertised in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Kalamunda Local Planning Policy 11 – Public Notification of Planning Proposals. There was a significant community response.
3. It is recommended Council approve the application for the proposed Funeral Parlour and Offices at Lot 192 (326) Hale Road, Wattle Grove, subject to appropriate conditions and advice notes.

BACKGROUND4. **Land Details:**

Land Area:	9,293sqm
Metropolitan Region Scheme Zone:	Urban
Local Planning Scheme Zone:	Urban Development
Use Class and Permissibility:	Funeral Parlour – “D” in commercial zone Funeral Parlour – “A” in mixed use zone

5. **Locality Plan:**6. **Site Details:**

The subject site is located within the Wattle Grove Cell 9 Structure Plan. The Structure Plan designates a commercial zone to the front of the lot addressing Hale Road and a mixed-use zone to the rear of Lot 32 as shown in the image below.



7. Under the City of Kalamunda's Local Planning Scheme No. 3, a Funeral Parlour is 'D' land use under the commercial zone and an 'A' land use under the mixed-use zone. An Office is a 'P' use in the commercial zone and a 'D' use in the mixed-use zone. The proposed land uses are capable of approval, subject to mandatory advertising and the normal regulated planning considerations in accordance with cl.67 of the deemed provisions.

8. The subject site is located on Hale Road and is currently occupied by existing rural buildings and structures such as sea containers. Across the road to the south of the site, there are residential dwellings with an R20 density code. To the west of the site, there is a neighbourhood shopping centre, including a day care centre, a restaurant, and a fuel station.
9. There are existing mature trees within the subject site, some of which are proposed to be retained by this development.
10. All vehicle access is proposed from Hale Road.
11. The objectives of the 'Urban Development' zone outlined within the City of Kalamunda's Local Planning Scheme No. 3 are:
 - a) To provide orderly and proper planning through the preparation and adoption of a Structure Plan setting the overall design principles for the area.
 - b) To permit the development of land for residential purposes and for commercial and other uses normally associated with residential development.

DETAILS AND ANALYSIS

12. The development proposes the following:
 - a) A funeral parlour with reception and office areas, viewing room, meeting rooms, body preparation area, fridges, toilets and parking for hearses;
 - b) Interim storage of bodies in a refrigerated facility;
 - c) Parking for the hearse and other funeral vehicles enables the loading/unloading of a body to be undertaken within the building;
 - d) Vehicle access to and from the site will be provided via an existing crossover plus an additional crossover onto Hale Road. Site access and on-site manoeuvrability will cater for hearses, other funeral vehicles and for delivery vehicles;
 - e) Total of 74 car parking bays (41x for visitors and 33x for staff);
 - f) 12 covered parking bays for hearses;
 - g) Seating for 100 people in the chapel with 3 staff;
 - h) A maximum of 2 services per day plus 1 viewing per day;
 - i) The office will accommodate 20 permanent staff plus as-required 30 additional staff who will work casual/part time hours. It is estimated that the maximum number of staff on site at any time will be 33;

- j) The expected funeral parlour operating hours are between 8.30am to 4.30pm Monday to Friday. There will only be occasional services on a Saturday; and
- k) Retention of significant trees on site.

13. There will be no crematorium on the site.

14. The operator of the Funeral Parlour is 'Seasons Funeral Homes'. Seasons Funeral Homes are seeking to operate the headquarters of their business from this site, with offices being located on the upper floor. The offices will be an incidental land use to the primary land use which is the funeral parlour.

15. A Funeral Parlour is defined as the following in the City's Local Planning Scheme No. 3:

- a) Means premises used to prepare and store bodies for burial or cremation.

Parking and Access

16. The City's Scheme requires 1x car parking bay per every staff member and 2x visitor bays for a Funeral Parlour under Table 3 – Parking Requirements. A total of 35x car parking bays are required and the application proposes a total of 74x parking bays. There is an overall surplus of parking provided on site.

17. The application proposes two crossovers on Hale Road. One crossover will allow entry to the site and the other will allow exit from the site. All vehicles are only permitted to perform a left-in turn from Hale Road into the site and a left-out turn out of the site to Hale Road.

18. To ensure there is clear wayfinding, appropriate signage is provided at the entry and exit points to the site. Additional signage and wayfinding is also proposed within the site to assist with internal flow of vehicles in the parking area.

19. Due to the nature of the land use, people attending the site may not be familiar with the access arrangements to and from the site. Therefore, the City has also recommended a condition of the approval for the operator of the Funeral Parlour to engage personnel to assist with traffic management and traffic flow for visitors attending the site before and after a funeral service.

Traffic

- 20. As per the Transport Impact Statement, the peak traffic generation for this development is 50 vehicle movements during any hour.
- 21. Staff movements are unlikely to coincide with the service arrival and departure times and there will be sufficient time in between the services to ensure that the departure and arrival times do not overlap for staff working hours and funeral services.
- 22. In accordance with the Western Australian Planning Commission's Transport Impact Assessment Guidelines, an increase of 10 to 100 peak hour vehicles would have a low to moderate impact. The estimated 50 vehicles per hour is deemed as being acceptable and the traffic is not likely to coincide with the road network peaks.
- 23. It is also noted that Main Roads are currently working towards the upgrade of Tonkin Highway which will be transformed to a freeway standard link with six lanes, creating a free-flowing environment and a safer, more efficient transport route.

Community Benefit

- 24. With a view of providing additional community benefit as part of the proposal, the applicant has advised that they are supportive of some of the meeting rooms being available for community groups between 6.00pm – 9.00pm on weekdays within their site.

There is no requirement in the applicable planning framework to provide a measurable 'community benefit', which makes the provision of meeting rooms for community use a private matter for the operator to manage.

- 25. The applicant advised that they are willing to make all practical efforts to fit into and benefit the Wattle Grove community.

Planning In Bushfire Prone Areas

- 26. The subject site is not mapped as being Bushfire Prone by the Office of Bushfire Risk Management (OBRM). Therefore, the provisions of State Planning Policy 3.7 – Planning in Bushfire Prone Areas are not applicable to this development.

Design Review Panels (DRP)

27. This application was referred to the City's DRP on two occasions – in July 2023 and August 2023. The DRP commended the applicant on making significant changes to the plans since the original review of July 2023.
28. After the first round of the DRP meeting in July 2023, the applicant made the following changes to the proposal:
- a) Increase landscaping and retain more existing mature trees on site
 - b) Provide sustainable features such as water sensitive plant selections, energy efficient and water saving fixtures and fittings, provision of solar panels and batteries and sustainable design and construction methods.
 - c) Improved circulation for safety.
29. It is considered that the proposal is a high-quality development, with the built form and aesthetics which will set apart this building from the rest of the development on Hale Road. The proposal is located within a commercial strip and the City has a high expectation for the built form and landscaping outcome, which has been delivered by this application.
30. The subject site has key features such as the creek at the rear and existing trees on site. The creek and mature trees are key components of the site which add to the character of the locality. Incorporating these elements into the overall development to contribute to the local context and character of Kalamunda and add to the sense of place for visitors and staff of the premises.
31. The Panel provided the applicant with its review and commended the applicant on the overall built form and scale of the proposal and the landscape outcome which seeks to retain mature trees within the site. At the DRP meeting in August 2023, the following comments were provided to the applicant:
- "The panel commends the applicant on embracing the feedback to date. The overall impression was the applicant has responded to the feedback and where incorporated, has resulted in a much-improved design."*

Infrastructure Contribution Arrangements

32. Regulation 73(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that a local government must not levy a contribution for the provision of infrastructure unless there is a Development Contribution Plan (DCP) in place over an area.

- 33. Schedule 11 of the City's Local Planning Scheme No. 3 provides for infrastructure contributions under the Infrastructure Cost Sharing Arrangement (ICSA) to be made to support actual or anticipated growth in the Cell 9 area.
- 34. A condition and advice note have been recommended to ensure the payment of a contribution for the subject site towards the ICSA for Cell 9 pursuant to the Scheme.

Public Art Contributions

- 35. The City's Local Planning Policy 26 (LPP26) Public Art is applicable to all development where the estimated cost of development exceeds \$500,000 with the exception of some residential based proposals. The estimated value of the proposed development is \$3.5 million.
- 36. The City has considered the individual merits of the proposed development and concluded that it generates a planning need for public art for the following reasons:
 - a) The subject site is prominent in the context of the Wattle Grove commercial precinct and will be highly visible from Hale Road. The provision of public art is expected to offset the impact of the change in character of the site consistent with the aspirations of the planning framework.
 - b) There would be a benefit to passing traffic / pedestrians along Hale Road to incorporate some form of artwork that is visually pleasing.
 - c) The development encompasses a standalone building, with landscaping and carparking to the external boundaries of the site. Whilst there will be trees and landscaping provided along the lot boundaries, the area will not be entirely screened.
- 37. A condition has been recommended on the determination, requiring a public art contribution equal to \$35,000 within the subject site, or alternatively a cash-in-lieu payment made to the City of Kalamunda's Public Art Fund.

Vegetation

- 38. As this application was lodged and assessed prior to the Council's resolution to revoke Local Planning Policy 33 (LPP33) – Tree Retention, assessment has been completed against the provisions of the policy.

Note: the Urban Development Zone assessment has been applied as the LPS3 Zoning is Urban Development and the Structure Plan designates the Mixed Use and Commercial Zones.

39. The following assessment is conducted under LPP33:

Requirement	Provided	Complies
9 large trees and 9 small trees OR; 1 large tree and 17 medium trees.	9x existing trees are being retained on site. 31x additional new trees are being planted. Total of 40x trees on site.	Yes
1 tree to be provided for every 4 uncovered parking bays.	1 tree has been provided for every 4 uncovered parking bays as per the landscaping plan	Yes

40. The nine existing trees being retained on site is a positive outcome for the site. The mature trees will provide benefits through shade, habitat for birds, reduction in the urban heat island effect, increased canopy cover and contribution to the local sense of place to the City of Kalamunda which is known for its trees.

41. The proposal is consistent with LPP33.

Arborist Review and Retained Trees

42. As outlined within the Arborist Report, all bar one tree with a high or very high retention value has been incorporated into the design.
43. Two large lemon scented gums (*Corymbia citriodora*) which are closest to Hale Road are being retained, which will assist with the landscaping within the front setback area.
44. Four marri trees (*Corymbia calophylla*) have 'high' retention value due to their size and because they are endemic. The design of the development has facilitated the retention of these trees. The landowner will be required to carefully manage and protect the trees during the construction process.
45. Two large mature Weeping peppermint trees (*Agonis flexuosa*) in 'excellent' condition are located at the rear of the property and will be retained by this development.
46. Retention of the high and very high value trees is a positive outcome for the future visitors to the site which will benefit from the immediate amenity impact. Tree retention is also a good planning outcome for the community which have become accustomed to the large trees contributing to the character of the area for many years.

47. A condition is recommended that the applicant submit a tree protection plan prior to the commencement of works on site. The tree protection plan will require protective fencing and signage around each tree which is being retained to protect the tree from the construction process.

APPLICABLE LAW

48. Planning and Development Act 2005
 49. Planning and Development (Local Planning Schemes) Regulations 2015
 50. City of Kalamunda Local Planning Scheme No. 3

APPLICABLE POLICY

51. Wattle Grove Cell 9 Structure Plan
 52. State Planning Policy 7.0 – Design of the Built Environment
 53. Local Planning Policy 11 – Public Notification of Planning Proposals
 54. Local Planning Policy 16 – Design Review Panels
 55. Local Planning Policy 24 – Development Contribution Arrangements
 56. Local Planning Policy 26 – Public Art Contributions
 57. Local Planning Policy 33 – Tree Retention

STAKEHOLDER ENGAGEMENT

58. The development application was advertised in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Kalamunda Local Planning Policy 11 – Public Notification of Planning Proposals. The application was advertised for a 14-day period to landowners and occupiers within a 100m radius of the subject site.
59. The City went above the minimum advertising requirements to ensure that all landowners and occupiers within a 100m radius were provided with a letter to view the plans and make a submission on the proposal.
60. During the consultation process, the City received a total number of 274 submissions comprising of 250 objections, 20 submissions of support and 4 submissions providing comments only.
61. The key themes outlined in the submissions consisted of the following matters:
- a) Negative atmosphere and stigma.
 - b) Traffic and parking concerns.
 - c) Contradiction to residential character.
 - d) Impacts on local economy.
 - e) Incompatibility with the zone and residential surroundings.

- f) Community and cultural sensitivity.
- g) Religious considerations.
- h) Impacts on mental health and well-being.

62. The table below provides the City's responses to the key themes outlined in the submissions:

Summary of Submission	City's Response
Negative Atmosphere and Stigma	<p>It is noted that some elements of the community may hold negative views associated with Funeral Parlours. The proposed land use is capable of being considered on this land, and the proposed development has a high-quality built form and landscaping outcome with the provision of up to 40x trees and the retention of 9x existing mature trees on the site.</p> <p>The overall built form and landscaping will create a positive amenity to allow for families and friends to honour and celebrate the life of a loved one.</p>
Traffic and Parking Concerns	<p>The development provides 74x car parking bays and 12x covered parking bays for the hearses. The total amount of car parking bays provided exceeds the Parking Requirements (Table 3) of the City of Kalamunda Local Planning Scheme No. 3.</p> <p>The development ensures all vehicles will enter and exit the property in forward gear which is important for safety.</p> <p>The Transport Impact Statement prepared for this application states that the peak development traffic is unlikely to coincide with the road network peaks.</p>
Contradiction to Residential Character	<p>The subject site is zoned Commercial and Mixed Use under the Wattle Grove Cell 9 Structure Plan.</p> <p>Under the City' Scheme, a Funeral Parlour is 'D' land use under the commercial zone and an 'A' land use under the mixed-use zone. Therefore, the land use can be considered under these zones, subject to the City's review and assessment of the proposal on its merits after advertising has been completed. The land use is considered to be compatible with the commercial and mixed-use zoning allocated to the site. The</p>

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	<p>commercial land use is also consistent with the other commercial tenancies along Hale Road.</p> <p>The funeral parlour building is located 30m away from the primary street boundary. With the setback provided, the verge and the road in between, the funeral parlour is unlikely to impact on the character of the residential area across the road due to the buffer. The landscaping and trees being retained will also assist with the screening of the building.</p> <p>The proposed land use and hours of operation comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>
Impacts on Economy	The objection is not supported on the grounds argued in the submission table.
Incompatibility with the zone and the residential surroundings	The subject site is not zoned Residential. The site is zoned Commercial and Mixed Use under the Wattle Grove Cell 9 Structure Plan. The land use can be considered under these zones, subject to the City's review and assessment of the proposal on its merits after advertising has been completed.
Community & Cultural Sensitivity	<p>It is acknowledged that the local community of Wattle Grove has a unique and diverse range of cultural backgrounds and religious practices relating to funeral rituals.</p> <p>All the funeral related activities and operational activities will be located within the building and within the site. Outside of the building, there is carparking and a gathering space which is similar to the activities which would taken place in the adjoining commercial tenancies of Hale Road.</p> <p>It is acknowledged that the view of coffins passing by may be visible, however, the funeral hearses will be loaded within the building and hearses with coffins will be limited to two a day with services times being 10am and 2pm.</p>
Religious Considerations:	Although it is acknowledged that the community members may follow a diverse array of traditions, rituals and ceremonies during funerals, these are not valid planning issues for consideration under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .

Mental Health & Well-Being:	Mental health and well-being are not valid planning considerations under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
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63. Attachment 8 is a full summary of the submissions including both the applicant's response and the City's comments.

FINANCIAL CONSIDERATIONS

64. Should Council not support the officer recommendation and refuse the application, the applicant may exercise their rights to appeal the decision through the State Administrative Tribunal (SAT). In which case, the City would need to engage legal representation. The cost of SAT appeals varies based on the complexity of the matters in dispute. Officers estimate the cost of appropriately qualified representation for this development application to range from \$30,000 if conditions are changed and approximately \$60,000 if the application is refused.
65. Should Council not support the officer recommendation, the applicant may pursue approval as a fresh Joint Development Assessment Panel (JDAP) application. The final determination on such an application would be made by the five person JDAP panel, which includes two elected members. This would have a financial burden on the applicant due to additional application fees. There would not be any direct financial cost to the City, however the City would still need to provide a Responsible Authority Report to the JDAP panel which would take Officer's time to complete.

SUSTAINABILITY

66. N/A

RISK MANAGEMENT

67. **Risk:** If the development application is not supported by Council, the applicant may appeal the decision through the State Administrative Tribunal (SAT). Costs associated with an appeal are estimated to range between \$30,000 and \$60,000.
- | Consequence | Likelihood | Rating |
|---|------------|--------|
| Moderate | Possible | Medium |
| Action/Strategy | | |
| Demonstrating the planning merits of the proposal to Council through the report, and the financial implications associated with a SAT appeal. | | |

68.

Risk: The proposal may impact on the amenity of the adjoining properties.

Consequence	Likelihood	Rating
Moderate	Unlikely	Low

Action/Strategy

The City to provide appropriate conditions of planning approval to ensure potential amenity impacts are managed and adhered to.

69.

Risk: If the development application is not supported by Council, future applicants may be more likely to apply through the JDAP, which means that Council will have less visibility of the assessment process and application of discretion, as Council will not be the determining authority.

Consequence	Likelihood	Rating
Moderate	Possible	Low

Action/Strategy

The City to provide appropriate conditions of planning approval to ensure potential amenity impacts are managed and adhered to.

CONCLUSION

70. It is recommended that Council approve the application for the proposed Funeral Parlour and Offices at Lot 192 (326) Hale Road, Wattle Grove, subject to the recommended conditions and advice notes.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVE the Development Application for the Funeral Parlour and Offices at Lot 192 (326) Hale Road, Wattle Grove (DA23/0499), subject to the following conditions:

1. The development being carried out in accordance with the plan(s)/drawing(s) and document(s) (including any recommendations made) listed below, including any amendments to those plans as shown in red.

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2.

Rev.	Title	Date	Prepared by
SKO8	Development Plans	14/02/2024	Mulder Kampman Design
-	Arborist Report	15/09/2023	Treeswest Australia
C	Civil Design Certification	18/09/2023	Pritchard Francis
2306002-TIS-001 Rev C	Transport Impact Statement	8/02/2024	Shawmac

3. For the duration of development, all stormwater drainage from roofed and paved areas being disposed of onsite as per the Geotechnical report and Storm water Drainage Plans to the satisfaction of the City of Kalamunda.
4. The incidental use of office must be restricted to use by the occupier of the Funeral Parlour and must not be made available for public use, with the exception of community purpose, to the satisfaction of the City of Kalamunda for the duration of development.
5. Staff numbers must be limited to no more than 33 staff on-site at any one time to the satisfaction of the City of Kalamunda for the duration of development.
6. For the duration of the development, the operator of the Funeral Parlour must engage personnel to assist with traffic management and traffic flow for visitors attending the site prior to the commencement and following the conclusion of a funeral service, to the satisfaction of the City of Kalamunda.
7. For the duration of the development, car parking areas must always be available for their intended purpose and must not be used for any alternative purpose at any time to the satisfaction of the City of Kalamunda for the duration of development.
8. Chemical or fuel storage areas shall be suitably enclosed and bunded to the satisfaction of the City of Kalamunda for the duration of development.
9. The proposed mechanical wash-down bay must drain to a sewer via a sediment trap and oil separator to the Water Corporation's requirements and must comply with Department of Water: Water Quality Protection Note: Mechanical Equipment Wash-down to the satisfaction of the City of Kalamunda for the duration of development.
10. Prior to the commencement of development works on site, the applicant must provide a detailed Tree Protection Plan to the satisfaction of the City of Kalamunda. The Tree Protection Plan must outline management measures to ensure compliance with AS4970-2009 (Protection of Trees on Development Sites) and must include the following to the satisfaction of the City of Kalamunda:
 - i. Install protective fencing to prevent any damage to the trees in general accordance with Section 4.3 of AS4970-2009;

- ii. Provide signage identifying the 'Tree Protection Zone' on exclusion fencing;
 - iii. Ensure trees are protected from harm during works on site; and
 - iv. Include the protection trees on adjoining properties which have the potential to be impacted by development works.
- 11. Prior to the commencement of development works on site, a geotechnical report in accordance with AS 1726 Geotechnical Site Investigations is to be submitted to the satisfaction of the City of Kalamunda, to inform designs such as earthworks, subsoil drainage, groundwater management, stormwater drainage, erosion control, slope stability, retaining walls, small structure footings, and road pavements.
- 12. Prior to applying for a building permit, engineering drawings for the modifications of Hale Road (including but not limited to the median strip) are to be submitted to and approved to the satisfaction of the City of Kalamunda. Prior to occupation of the development, all works are to be completed at the cost of the applicant / landowner in accordance with the approved engineering drawings as per advice and recommendation of Transport Impact Statement and to the specification and satisfaction of the City of Kalamunda.
- 13. Prior to applying for a building permit, arrangements must be made to ensure that a Cost Contribution will be made for Lot 192 (No. 326) Hale Road, Wattle Grove towards the Infrastructure Cost Sharing Arrangement for Cell 9 pursuant to the City of Kalamunda Local Planning Scheme No. 3 to the satisfaction of the City of Kalamunda.
- 14. Prior to applying for a building permit, the applicant/landowner is to submit, and have approved by the City of Kalamunda, detailed information relating to external finishes and colour schemes. Prior to the occupation of the development, the approved external finishes and colour schemes are to be implemented into the development, to the satisfaction of the City of Kalamunda and maintained for the duration of the development.
- 15. Prior to applying for a building permit, a Construction Management Plan must be prepared by the landowner/applicant to the satisfaction of the City of Kalamunda. The Construction Management Plan shall detail how the construction of the development will be maintained including the following:
 - i. Public safety and security;
 - ii. Hours of construction;
 - iii. Traffic management plans during construction, including any proposed road closures;
 - iv. Dust management plan
 - iv. Toilet facilities for construction workers;
 - v. Protection of public infrastructure;
 - vi. How materials and equipment will be delivered, stored and removed from the site;
 - vii. Parking arrangements for staff, contractors and visitors;

- viii. Construction Waste disposal strategy and location of waste disposal bins;
- ix. Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction, and how they are to be managed;
- x. How dust, noise, erosion, lighting and environmental hazards and will be managed during the stages of construction;
- xi. Complaint management procedure; and
- xii. Other matters likely to impact on surrounding property owners.

The Construction Management Plan must be implemented prior to the commencement of works and thereafter maintained for the duration of works to the satisfaction of the City of Kalamunda.

16. Prior to applying for a Building Permit, a Waste Management Plan must be prepared by the landowner to the satisfaction of the City of Kalamunda. The Waste Management Plan must include the following detail:
 - i. The location of the bin storage areas and bin collection areas (all storage and loading areas must be screened from the streetscape).
 - ii. The number, volume and type of bins, and the type of waste to be placed in the bins.
 - iii. Management of the bins and the bin storage areas, including cleaning rotation and moving bins to and from the bin collection areas; and
 - iv. Frequency of bin collections.
 - v. Appropriate traffic management measures to mitigate conflicts between private vehicles and waste collection vehicles.
 - vi. Other matters likely to impact on surrounding property owners.

The approved Waste Management Plan must be implemented for the duration of the development by the landowner to the satisfaction of the City of Kalamunda.

17. Prior to occupation of the development, the Funeral Parlour and Offices must be connected to the reticulated sewerage network to the satisfaction of the City of Kalamunda.
18. Prior to occupation of the development, crossovers and access driveways must be designed and constructed to the specification and satisfaction of the City of Kalamunda.
19. Prior to occupation of the development, the Landscape Plan must be implemented and then maintained in perpetuity to the satisfaction of the City of Kalamunda.
20. Prior to occupation of the development, hardstand areas must be paved, sealed and drained to the satisfaction of the City of Kalamunda.
21. Prior to occupation of the development, the landowner must locate and screen the following components of the development so that they are not visible from any road

to which the site has frontage, adjoining properties or otherwise on display from any public vantage point:

- i. Refuse storage areas.
- ii. Service equipment.
- iii. Mechanical ventilation.
- iv. Refrigeration units.
- v. Storage areas for machinery, materials or the like.

22. Prior to occupation of the development, the landowner/applicant must contribute towards public art, pursuant to City of Kalamunda Local Planning Policy 26.
23. Prior to occupation of the development, all car parking areas must meet the following requirements:
- i. The provision and maintenance of a minimum of 74 car parking spaces which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off street car parking;
 - ii. The provision and maintenance car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off street parking for people with disabilities and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1 2009, Design for access and mobility, Part 1: General Requirements for access New building work;
 - iii. Vehicle parking, manoeuvring and circulation areas are to be suitably constructed, sealed, kerbed, line marked and drained to the specification and satisfaction of the City of Kalamunda and Australian Standard AS2890; and;
 - iv. Comply with the above requirements and be maintained to the satisfaction of the City of Kalamunda for the duration of the development.
24. Prior to occupation of the development, bicycle facilities shall be provided in accordance with Australian Standard AS 2890.3 to the satisfaction of the City of Kalamunda. The facilities shall thereafter be retained for the duration of the development.

Advice Notes

1. With regard to condition 21, the City of Kalamunda's Local Planning Policy 26 (Public Art Contributions) provides a concise and documented procedure for public art contributions to provide for consistent management and transparent process by the City.
2. With regard to condition 21, the applicant/landowners are advised that a public art contribution of \$35,000 applies to this approval, which can be provided through either a public art contribution within the subject site or within a public area within the vicinity of the subject site equal to \$35,000, or alternatively the provision of a \$35,000 as in lieu payment to the City of Kalamunda's Public Art Fund.
3. With regard to condition 12, the Applicant is advised that Cell Infrastructure Contributions in the Cell 9 Infrastructure Cost sharing Arrangement (ICSA) are calculated based on dwelling yield of the subject land. The ICSA identifies a yield of 20 lots for the subject land.
4. Stormwater drainage must be designed and constructed in accordance with a geotechnical report and in accordance with City's "Stormwater Design Guidelines for Subdivisional and Property Development" and to the satisfaction of the City of Kalamunda.
5. This development approval does not authorise the removal of any vegetation other than any identified for removal on the approved plan(s).
6. The applicant must submit floor plans (to scale) and an application for a Certificate of Approval under the Health (Public Buildings) Regulations 1992 to the City of Kalamunda and receive approval prior to use of the building.
7. With regard to condition 8, the applicant is advised that failure to comply with the relevant water quality protection notes may lead to a breach of the Environmental Protection (Unauthorised Discharges) Regulations 2004.
8. The applicant is reminded of their obligation to comply with *The Cemeteries Act 1986*.
9. Line marking and signage to be approved and implemented in consultation with Main Roads WA and to the satisfaction of the City of Kalamunda.
10. A Traffic Management Plan (TMP) is required for any works in the road reserve or impacting the road reserve. Submit a TMP in accordance with Main Roads WA's Traffic Management for Works on Roads Code of Practice, to the City. For non-complex TMPs submit the TMP at least 14 calendar days before commencing work, and for complex TMPs a minimum of 21 days before commencing work. The Traffic

Management Plan must be approved before work impacting the road reserve can commence.

11. A certified Building Permit will be required for the commercial building.
12. The applicant is advised about the following matters relating to the Demolition Permit:
 - i. Old effluent disposal system and any stormwater soakwells to be fully removed from site and the excavations filled with clean compacted fill endemic to the site
 - ii. Site to be raked and picked clean of any asbestos products.
 - iii. Tree stumps to be grubbed out and the excavations filled with clean compacted fill.
13. If the bore is not being used for the landscaped areas, it is to be capped off and if housed in a well, the well is to be grubbed out and the excavation filled with clean compacted fill endemic to the site.
14. If any of the fencing is to be replaced, a BA20A form is required to be signed by the effected neighbour.
15. The second floor is only accessed via stairs which will require a Performance solution for an exemption from the need for a lift.
16. The applicant is advised that the floor area is in excess of 500m², therefore hydrants and hose reels are required. If mains pressure cannot be achieved, then pumps and tanks will be required which will affect the design.
17. Any damages to public assets arising during the course of the development activity are to be repaired and restored in accordance with the "Local Government Guidelines for Restoration and Reinstatement in WA" and to the satisfaction of the City of Kalamunda.
18. The applicant is advised to manage and minimise dust during the works and after completion in accordance with the Department of Environment and Conservation's "Guideline for Managing the Impacts of Dust and Associated Contaminants from Land Development Sites, Contaminated Sites Remediation and Other Related Activities".
19. The applicant is required to manage noise and vibration during the works in accordance with Australian Standard AS 2436 "Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites".
20. The applicant is reminded of their obligations to comply with the "Land development sites and impacts on air quality: a guideline for the prevention of dust and smoke

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pollution from land development sites in Western Australia”, prepared by the Department of Water and Environment Regulation.

21. This development approval does not authorise the erection of any signage not exempted by Schedule 5 (Exempted advertisements) of the City of Kalamunda Local Planning Scheme No. 3.
22. With regard to condition 3, reference to community purpose recognises the voluntary offer by the applicant to facilitate limited access of the office for public use by community groups between 6pm and 9pm on weekdays. Any operational requirements are expected to be managed by the applicant/owner.

10.2. Asset Services Reports

No reports presented.

10.3. Corporate Services Reports

No reports presented.

10.4. Community Engagement Reports


10.4.1. Customer Service Results 2023

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

The A/Director Community Engagement provided a presentation on this report.

Previous Items	
Directorate	Community Engagement
Business Unit	Customer Service and PR
File Reference	
Applicant	
Owner	
Attachments	Nil

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT*Kalamunda Advancing Strategic Community Plan to 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.

Strategy 1.1.2 - Empower, support and engage all of the community.

Strategy 1.1.3 - Facilitate opportunity to pursue learning.

Priority 1: Kalamunda Cares and Interacts

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

Strategy 1.2.2 - 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 4: Kalamunda Leads

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with an update on the City of Kalamunda's (City) customer service results for 2023.
2. The City's customer service has continued to achieve the service level expectations set.
3. The recommendation is to note the Customer Service results for 2023.

BACKGROUND

4. In June 2022 the City of Kalamunda adopted its Customer Service Strategy 2022 – 2026.

5. The key objectives of the strategy are to:
- promote a holistic approach to customer service, encouraging a smooth, seamless “one-touch” customer experience.
 - be responsive and agile in-service delivery, recognising one size doesn’t fit all and offering a range of service delivery options.
 - support and encourage staff through training and information sharing to be proactive and anticipate community needs, always striving to exceed expectations.

Customer Service Principles

6.	1.	Customers will receive timely responses.	<ul style="list-style-type: none"> We will always provide an estimation of timeframe for response at each interaction. We will update customers on the status of their enquiry at regular intervals. Customer referrals across business units will be as minimal as possible. We monitor the timeliness of our correspondence.
	2.	Customer interactions will be meaningful.	<ul style="list-style-type: none"> We aim to handle enquiries at first point of contact. All staff will have access to accurate and up-to-date information. Staff will seek to understand enquiries to the deepest possible level before responding. All responses to customers will be personalised and professional. Even when we may need to say ‘we can’t’ we will offer options for things we ‘can do’
	3.	Each customer will be made to feel like the only customer.	<ul style="list-style-type: none"> We will ask our customers how they like to receive information and deliver it accordingly. We recognise ‘one-size does not fit all’ and we will be flexible in our service offerings. We will always do more to exceed expectations. Complex requests and complaints will be handled with priority.
	4.	We will help our customers to help themselves.	<ul style="list-style-type: none"> We offer and promote integrated self-service options. We explore and use innovative technology solutions that makes accessing information easy. Online information will be available 24/7 and enabled for mobile devices. As many transactions as possible will be automated. Develop simple guides and instructions to help customers understand our processes.
	5.	Our customers are informed and will help inform our services.	<ul style="list-style-type: none"> We will consider the customer’s perspective and actively seek feedback often, in different ways. We will admit when we get it wrong, reviewing and improving our processes each time. We will communicate on any new service (or fee) or expected change in levels of service as early as possible.

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		<ul style="list-style-type: none"> Our people and our customers will be our best advocates.
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Customer Service Promise

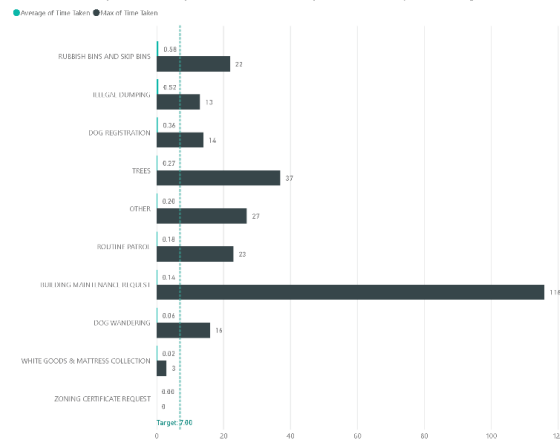
7. Supported by innovative technology solutions and regular best practice training, staff will be proactive, focus on future planning to meet business objectives and work collaboratively, with the customer experience always in mind.
8. All City interactions with customers will be-
 - a) timely and meaningful.
 - b) transparent in all that we do and decisions we make.
 - c) changed and adapted for continuous improvement.

DETAILS AND ANALYSIS

9. The City continued to focus on a combination of concepts including cultural change, technological and process improvement, and a centralised service model - with increased self-service options and improvements based on customer feedback.
10. Our customers are the 'key influencers' in the development, improvement and delivering of our services.
11. Overall, customer requests have been responded to in a timely matter with an average time taken for all customer requests sitting significantly under the target of 7 days. Some requests require further information from the applicant which can result in a delay to response time.
12. The following provides an overview of the City of Kalamunda customer results for 2023, with the average response time further reduced to 0.25days. 99.67%of the 19,931 requests were completed in less than 5 working days.

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Customer Requests - Response Times (in days) for the Top 10 Categories



Year: 2023

Average Response Time across all Requests

0.25 days

Requests Completed in 7 Days or Less

99.67%

Count of Requests - 2023

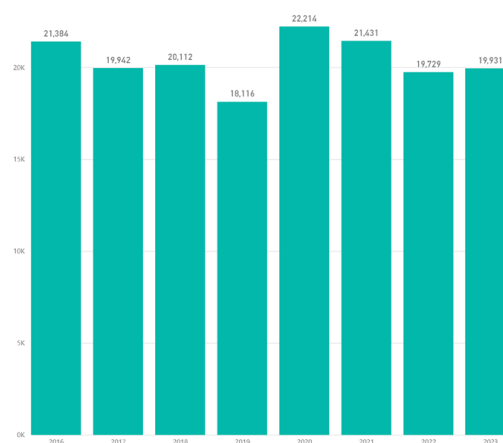
19931

Count of Requests - 2022

19729

Count of Requests - 2021

21431



13.

% of Requests with Time taken > 7 Days - 2023

0.33 %

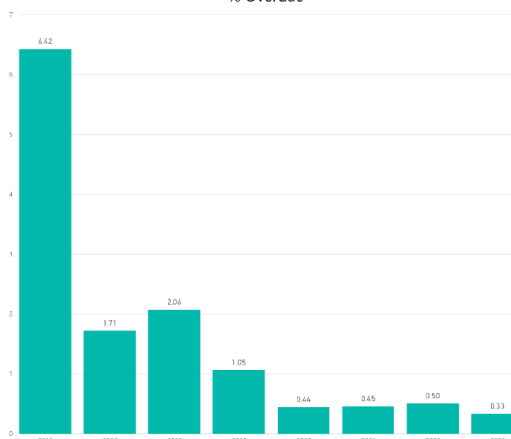
% of Requests with Time taken > 7 Days - 2022

0.50 %

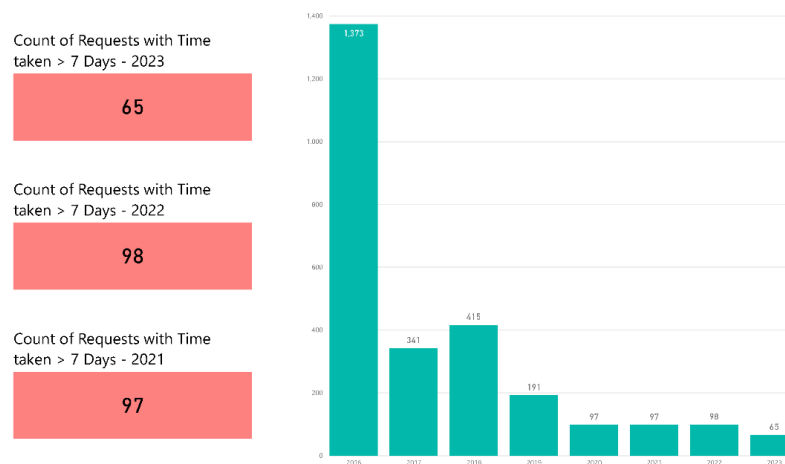
% of Requests with Time taken > 7 Days - 2021

0.45 %

% Overdue



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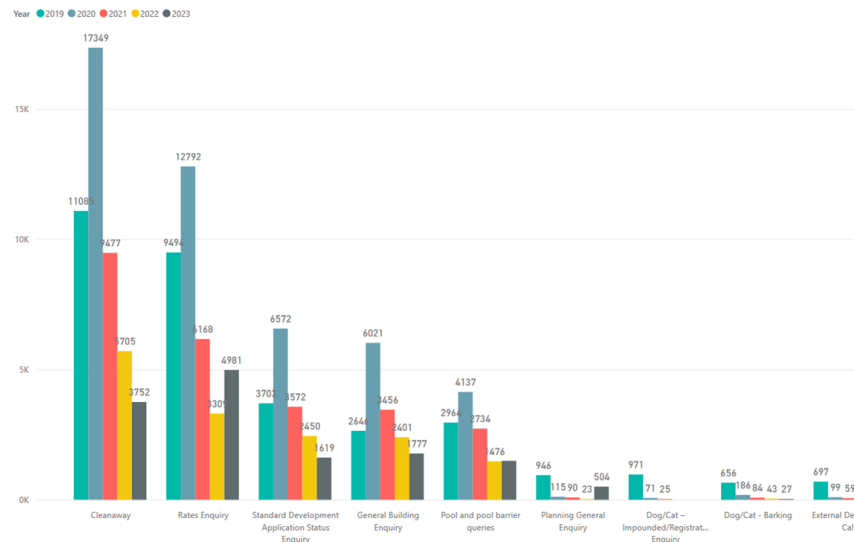
14. In the 2023 Customer Service Report, the top three tags for phone calls, were: Rates Enquiry with 4,981 enquiries, followed by Cleanaway at 3,752, and General Building Enquiries at 1,777.



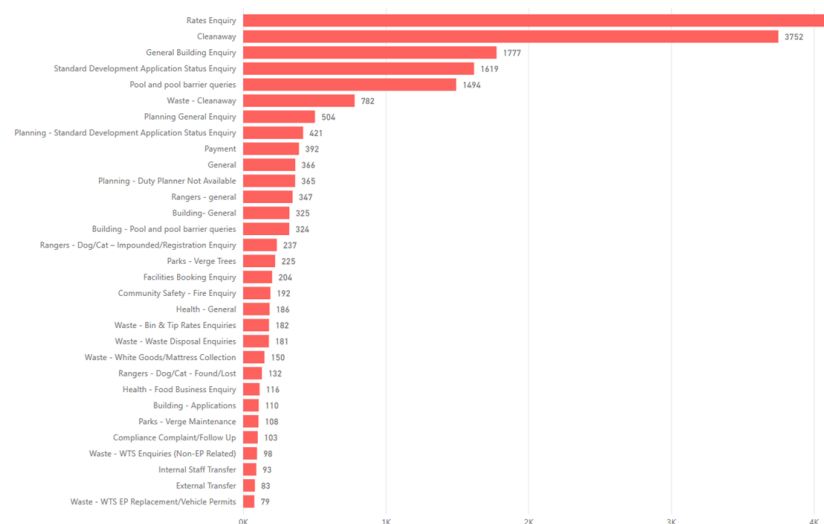
15. This data underscores our commitment to providing timely and relevant information, contributing to a positive customer experience. We will continue to build on these successes to enhance overall service delivery.

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Top tags by Year



2023 - Top tags (number of times tag used, not number of calls, as calls may have more than one tag)

**APPLICABLE LAW**

16. *Local Government Act 1995*

APPLICABLE POLICY

17. Service 5 – Communication and Engagement
 18. Service 01 – Managing Unreasonable Conduct by Customers

STAKEHOLDER ENGAGEMENT

19. The City received feedback year-round relating to Customer Service and reviews all feedback, suggestions and complaints which are received to improve the customer experience.
20. Feedback from residents has continued to have a positive sentiment overall.
21. Results are circulated throughout the organisation to all business units as part of an informing campaign, along with a weekly report issued to business units on items requiring action.

FINANCIAL CONSIDERATIONS

22. Services are provided within the current budget parameters.

SUSTAINABILITY

23. The City's Customer Service Strategy is based around a series of actions, which will improve sustainability in the customer service space from both a social and environmental perspective, with increased self service capability and a reduction in print.

RISK MANAGEMENT

24.

Risk: Customer Service Results are not monitored to ensure ongoing achievement of Strategy objectives.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Ensure regular reporting to Council with quarterly updates and annual review.		
25.

Risk: Customer Service Strategy is not implemented by the due date		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
An annual implementation plan is developed each year and reported against, to ensure that over the lifetime of the strategy all objectives are successfully achieved.		

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CONCLUSION

- 26. The City remains focused on best practice, with works to ensure services are as accessible as possible currently underway, with the expansion of locations customers can access services.
- 27. The Customer Service Strategy provides clear direction for the City, along with ensuring customers understand how the City will interact and what to expect in terms of customer service.
- 28. Continuous review and improvement, led by our customers feedback is important to ensure the City continues to maintain and improve on results and the overall customer experience.
- 29. The success of the Customer Service Strategy Implementation to date is a credit to the entire organisation.
- 30. There is a strong customer centric focus and culture that is continuing to strengthen.

Voting Requirements: Simple Majority

RECOMMENDATION


That Council NOTE the Customer Service Results for 2023.

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10.4.2. CSRFF and CNLP Funding applications 2024/2025*Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**The Manager Community Development provided a presentation on this report.**Councillors sought clarification to various aspects of the applications including timing of notification and budget allocation.*

Previous Items	OCM 52/2023; OCM 132/2022 and OCM 259/2021
Directorate	Community Engagement
Business Unit	Community Development
File Reference	
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	Nil

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT*Kalamunda Advancing Strategic Community Plan to 2031***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 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

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

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council endorsement for two (2) grant funding applications to the Department of Local Government, Sport and Cultural Industries (DLGSC) for the following 2024/25 grant funding rounds being:
 - a) the Community Sporting and Recreation Facilities Fund (CSRFF) – Part 1; and
 - b) the Club Night Light Program (CNLP) – Part 2.
2. The following grant applications are seeking to be submitted to DLGSC being:
 1. **CSRFF Program (Part 1)** – City of Kalamunda application for the construction of two new tennis courts, with LED floodlighting and fencing at Hartfield Park.
 2. **CNLP Program (Part 2)** – Pickering Brook Sports Club (PBSC) application for the installation of new sports floodlighting at George Spriggs Reserve.
3. **CSRFF Program (Part 1)**
It is recommended that Council:
 1. ENDORSE an application from the City of Kalamunda to the Community Sporting and Recreation Facility Fund in the March 2024 Small Grants Round for an external funding contribution of \$200,000 towards the construction of two new tennis courts, with LED floodlighting and fencing at Hartfield Park.
 2. NOTE that this project is ranked for the purposes of the Community Sporting and Recreation Facility Fund (CSRFF) program as the first and only priority within the City for the 2024/2025 CSRFF Small Grants Round in March 2024.

CNLP Program (Part 2)
It is recommended that Council:

 1. ENDORSE an application from the Pickering Brook Sports Club to the Club Night Light Program (CNLP) in the March 2024 Small Grants Round for an external funding contribution of \$183,389 towards for the installation of new sports floodlighting at George Spriggs Reserve.

2. NOTE in the event of a successful Club Night Light Program funding application, an amount of up to \$91,695 for the Pickering Brook Sports Club application for the installation of new sports lighting will need to be considered as part of the City's 2024/25 annual budget deliberation process.
3. NOTE that this project is ranked for the purposes of the Club Night Light Program (CNLP) as the first and only priority within the City for the 2024/25 CNLP Small Grants Round in March 2024.

BACKGROUND

4. The State Government through the DLGSC provides financial assistance to community groups and local governments to develop basic infrastructure for sports and recreation, through two programs being the CSRFF and the CNLP.
5. In 2021, the State Government established the CNLP, which is investing \$10 million over four years, and is specifically for the construction of sports floodlighting projects.
6. The CSRFF program currently has a funding allocation of \$20 million for the 2024/25 financial year, for all other basic sports related infrastructure developments, such as, new pavilions, new ovals or unisex changerooms.
7. The programs aim to increase participation in sports and recreation with an emphasis on increasing physical activity through the provision of well-planned facilities.
8. Historically the maximum grants available from these grant programs is no greater than one third of the total estimated project cost. In 2023, DLGSC altered this criteria to allow projects within the Small Grants categories to receive up to half of the total estimated project cost to a maximum grant of \$200,000.
9. The CSRFF and CNLP Small Grant Rounds are for projects with a total estimated project cost of up to \$500,000 and is offered twice a year in March and July.
10. Applications for the programs are to be submitted to DLGSC by 4pm on the 29 March 2024.
11. It is anticipated that successful applicants will be advised in June/July 2024, with funds to be expended by June 2025.

DETAILS AND ANALYSIS**CSRFF Application One – HPMP Stage 2A – Installation of two new tennis courts, with LED lighting and fencing.**

12. At the 24 August 2021, Ordinary Council Meeting (OCM), Council resolved (OCM 259/2021) to adopt the Hartfield Park Master Plan (HPMP) Stage 2 – co-location strategy which, identified the need for the installation of two new tennis courts, with LED lighting to a community level and fencing, for the Forrestfield Tennis Club (FTC) as part of the co-location with the Forrestfield & Districts Bowling Club (FDBC).
13. The FTC has an estimated membership base of 175 persons, which has steadily increased over the last three years.
14. During the 2022 Federal Government Election, the City secured a funding commitment of \$5.4 million towards the HPMP Stage 2 projects which included the co-location of the FDBC and FTC's clubrooms and installation of two new tennis courts with LED lighting and fencing.
15. The City has submitted two previous CSRFF Forward Planning applications for the HPMP Stage 2 projects, inclusive of the co-location of the Bowls / Tennis clubs and new tennis courts in both September 2021 and September 2022 (OCM 131/2022).
16. In February 2022, the City was successful in receiving a grant of \$620,000 through the CSRFF program towards HPMP Stage 2 projects being the unisex changerooms for AFL / Little Athletics and Rugby League and new little athletics infrastructure, however both applications were unsuccessful in receiving funding in relation to the co-location of the Bowls / Tennis clubs and new tennis courts.
17. At the 18 April 2023, OCM, Council resolved (OCM 52/2023) to endorse the HPMP Stage 2 funding strategy for the \$5.4 million Federal Government election commitment and noted that the City will lodge a future CSRFF application seeking additional funding support specifically for the installation of two new tennis courts with LED lighting and fencing at Hartfield Park.

CNLP Application – PBSC – New Sports Floodlighting

18. The PBSC is based at George Spriggs Reserve, Pickering Brook with a total estimated membership base of 350 persons. The Pickering Brook Football Club (PBFC) is a member of the overarching PBSC based at George Spriggs Reserve with an estimated membership of 94 persons.

19. In 2021, the PBSC applied through the City's Capital Grants Program seeking funding assistance for the installation of new sports floodlighting on George Spriggs Reserve, Pickering Brook.
20. The Strategic Sport and Recreation Committee (SSRC) supported the need for the project and submitting a CNLP application in September 2022.
21. At the 27 September 2022, OCM, Council resolved (OCM132/2022) to endorse the PBSC's CNLP application for the installation of new sports floodlighting.
22. The submitted application included a significant funding component through the Federal Governments Building Better Regions Fund (BBRF), however following the Federal Government's decision to discontinue the BBRF program, the PBSC decided to withdraw the CNLP application. Subsequently the PBSC and City have developed a revised funding submission for the CNLP.
23. The existing sports floodlighting currently consists of six floodlighting towers of varying heights and quality across the site. An asset lighting audit that was completed in 2016 identified that the existing sports floodlighting does not meet the required, Australian Standards for large ball sports training activities (50 lux), supporting the need to upgrade the site.
24. As a result of the insufficient sports floodlighting available, training is restricted for safety reasons to the limited areas of the field that are lit. This restricts the PBFC's ability to safely utilise the entire reserve for training. Due to this the PBFC trains directly under the limited lighting available, resulting in increased wear and tear issues.
25. The aim of the project is to increase the amount of illuminated space available by lighting the entire oval for training purposes and to provide the PBFC with the ability to host community level night matches (100 lux) as per the 2024 AFL facility guidelines.
26. The project involves the replacement of the existing lighting infrastructure and installation of four new sports lighting towers, LED luminaries, Halytech lighting control system and upgrade of the site main switch board.
27. Overall, the project will lead to an increase in physical activity, as it will enable the PBFC to extend their hours of training, host night matches meet their future growth expectations, and achieve the outcomes of the City's Public Health Plan.

DLGSCI Local Government Assessment

28. The DLGSC requires the City to assess and rank each application in its locality in priority order, relative to the funding program priorities. DLGSC then undertake their own assessment and approval process against the programs funding criteria.
29. In summary, both projects strongly align to the grant program criteria and as they are in separate grant programs, both applications have a priority ranking of 1 of 1.

APPLICABLE LAW

30. *Section 5.56 of the Local Government Act 1995 (WA)* requires that the local government plan for the future of the district.

APPLICABLE POLICY

31. Capital Grants Clubs & Community Groups (Governance 11).
32. Sports Floodlighting Policy (Service 13).

STAKEHOLDER ENGAGEMENT

33. The HPMP Stage 2 was adopted by Council in August 2021 (OCM 259/2021), following a community engagement and internal review process. The HPMP Stage 2 has been endorsed by FDBC and FTC, and will continue to be engaged through the detailed design phases currently underway. Furthermore, Tennis West are supportive of this project.
34. The design for the installation of new sports lighting for the PBSC has been reviewed by the City's relevant Technical Officers as part of the Capital Grants/SSRC process in 2022. This project has been endorsed by the PBSC, PBFC and WAFC.
35. The DLGSC has advised all projects are eligible for the respective CSRFF and CNLP's funding rounds.

FINANCIAL CONSIDERATIONS

36. The funding implications for each grant program, including the City of Kalamunda's funding contribution towards each project is outlined below:

37. **CSRFF Application One – HPMP Stage 2A – Installation of two new tennis courts, with LED lighting and fencing.**

An amount of \$53,357 is currently listed in the City's 2023/24 financial year Budget to commence the full colocation project for bowls and tennis clubs, inclusive of the two new tennis courts.

At the 18 April 2023, OCM, Council resolved (OCM 52/2023) to endorse the HPMP Stage 2 funding strategy, for the \$5.4m Federal Government funding, which specifically itemised the two new tennis courts with LED lighting and fencing and the need to seek a CSRFF grant. The funding split is proposed as below:

Organisation	Contributions ex GST
CSRFF (State)	\$200,000
City	\$20,000
Federal Government (Priority Community Infrastructure Program)	\$260,000
Total Estimated Project Cost	\$500,000

It is noted that whilst the City is eligible to apply for up to 50% of the total estimated project cost, to a maximum of \$200,000, a grant of up to one third (33%) may only be provided, in line with historical CSRFF policy.

38. The City's financial contribution towards the project would be subject to finalisation of the 2024/25 financial year budgets and a successful outcome of the CSRFF application.
39. If the CSRFF application is unsuccessful or the full amount is not attained then, Council will need to consider the following:
- fund the shortfall through the Federal Government grant funding in line with the previously approved funding allocations.
 - fund the shortfall through municipal funding as part of the City's 2024/25 annual budget deliberation process;
 - jointly fund the full amount of the shortfall between the City and Federal Government; and
 - not progress the project in the 2024/25 financial year and reapply for funding through the next suitable CSRFF grant round.

40. **CNLP - PBSC – Sports Floodlighting**

An amount of \$366,778 is currently included in the City's long term financial plan in the 2024/2025 financial year towards this project, as per the below proposed funding split being:

Organisation	Contributions ex GST
CNLP (State)	\$183,389
City	\$91,695
PBSC	\$91,695
Total Estimated Project Cost	\$366,778

It is noted that whilst the PBSC is eligible to apply for up to 50% of the total estimated project cost, to a maximum of \$200,000, a grant of up to one third (33%) may only be provided, in line with historical CNLP policy.

41. The City's financial contribution towards the project would be subject to finalisation of the 2024/2025 financial year budget and a successful outcome of the CNLP application.
42. If the CNLP application is unsuccessful or the full amount is not attained then, Council will need to consider the following:
- a) fund the shortfall through municipal funding as part of the City's 2024/25 annual budget deliberation process;
 - b) jointly fund the full amount of the shortfalls between the City and PBSC; or
 - c) not progress the project in the 2024/25 financial year and reapply for funding through the next suitable CNLP grant round.

SUSTAINABILITY43. **Social Implications**

The provision of high-quality community sport and recreation facilities is essential in developing a positive sense of community health wellbeing.

44. **Environmental Implications**

The sports floodlighting projects will install LED sports floodlighting which provides environmental benefits and potential operational savings to the user groups and City.

45. **Economic Implications**

The implementation of the two applications will likely provide local job opportunities and provide increased economic activity to the local community during the construction phase.

RISK MANAGEMENT

- 46.
- | | | |
|---|-------------------|---------------|
| Risk: That the CSRFF and CNLP applications are unsuccessful requiring the City to explore alternate funding sources. | | |
| Consequence | Likelihood | Rating |
| Moderate | Possible | Medium |
| Action/Strategy | | |
| Detailed funding applications aligned to the grant funding criteria will be submitted to DLGSC. If unsuccessful, Council and the relevant sporting clubs would need to reconsider the proposed funding strategies, including consideration of a further City and / or Club contribution and / or determination of reapplying in the next suitable CSRFF or CNLP funding rounds. | | |
- 47.
- | | | |
|--|-------------------|---------------|
| Risk: That the City is unable to deliver the project due to several major competing priorities. | | |
| Consequence | Likelihood | Rating |
| Significant | Possible | High |
| Action/Strategy | | |
| Council must consider the City's capacity to deliver projects and where possible, prioritise the delivery of grant funded projects given they have specific delivery timeframes. If successful, the CSRFF grants are expected to be acquitted by 15 June 2025, if not grant extension may need to be sought, which is not viewed favourably by funding bodies and may affect future funding applications. To mitigate this risk the City has a dedicated Strategic Projects Director to deliver all HPMP Stage 2 projects. | | |

CONCLUSION

48. The City is seeking to submit the following grant applications in priority order to the below DLGSC funding programs:
1. **CSRFF Program (Part 1)** – City of Kalamunda application for the construction of two new tennis courts, LED floodlighting and fencing at Hartfield Park.
 2. **CNLP Program (Part 2)** – PBSC application for the installation of new sports floodlighting at George Spriggs Reserve.
49. In summary, it is recommended that Council endorse the submission of the CSRFF grant application and the CNLP grant application to DLGSC.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

Community Sporting and Recreation Facility Fund Program (Part 1)

That Council:

1. ENDORSE an application from the City of Kalamunda to the Community Sporting and Recreation Facility Fund in the March 2024 Small Grants Round for an external funding contribution of \$200,000 towards the construction of two new tennis courts, with LED floodlighting and fencing at Hartfield Park.
2. NOTE that this project is ranked for the purposes of the Community Sporting and Recreation Facility Fund (CSRFF) program as the first and only priority within the City for the 2024/2025 CSRFF Small Grants Round in March 2024.

Club Night Light Program (Part 2)

That Council:

1. ENDORSE an application from the Pickering Brook Sports Club to the Club Night Light Program in the March 2024 Small Grants Round for an external funding contribution of \$183,389 towards for the installation of new sports floodlighting at George Spriggs Reserve.
2. NOTE in the event of a successful Club Night Light Program funding application, an amount of up to \$91,695 for the Pickering Brook Sports Clubs application for the installation of new sports lighting will need to be considered as part of the City's 2024/25 annual budget deliberation process.
3. NOTE that this project is ranked for the purposes of the Club Night Light Program (CNLP) as the first and only priority within the City for the 2024/25 CNLP Small Grants Round in March 2024.


10.4.3. Ray Owen Sports Centre Management Committee New Nomination

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

The Manager Community Development provided a presentation on this report.

Previous Items	OCM 187/2023
Directorate	Community Engagement
Business Unit	Community Development
File Reference	
Applicant	N/A
Owner	N/A
Attachments	<div><div>1.</div><div>Attachment 1: ROSCMC Terms of Reference September 2023 [10.4.3.1 - 5 pages]</div></div> <div><div>1.</div><div>Ray Owen Sports Centre Management Committee Terms of Reference</div></div> <div><div>2.</div><div>Confidential Attachment – Nomination Forms</div></div>

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 1.1.2 - Empower, support and engage all of the community.

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 4: Kalamunda Leads

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to consider community member's nominations for the Ray Owen Sports Centre Management Committee (ROSCMC) for the term 2023- 2025.
2. In February 2024, ROSCMC accepted the resignation of one of the Kalamunda and Districts Basketball Association (KDBA) representatives. KDBA has now nominated a new ROSCMC representative and a deputy representative for the consideration of Council.
3. This report recommends that Council endorse the nominations for new memberships for the ROSCMC for the period from March 2024 to October 2025.

BACKGROUND

4. Council has the ability, under Local Government Act 1995, to establish Advisory and Management Committees to assist in the provision of advice on various matters.
5. The Ray Owen Sports Centre (ROSC) is a City of Kalamunda (City) asset managed under a Licence Agreement between the City, the Kalamunda and Districts Basketball Association (KDBA) and Kalamunda and Districts Netball Association (KDNA).
6. The ROSCMC advises and makes recommendations to Council on a range of strategic and/or policy issues regarding the development, care and management of the ROSC.
7. One of the previously appointed nominees for the ROSCMC, representing KDBA resigned in February 2024.

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DETAILS AND ANALYSIS

8. The purpose of each of the City of Kalamunda Advisory and Management Committees is outlined in their respective terms of reference.
9. The ROSCMC, as per the Terms of Reference (Attachment One), consists of up to six (6) members, five (5) voting members and one (1) non-voting member comprising:
 - i. Two representatives from KDBA
 - ii. Two representatives from KDNA
 - iii. Two representatives from the City of Kalamunda, one member being a Councillor and a staff member appointed as a non-voting member.
10. Further to this, the ROSCMC Terms of Reference, allow each member association to nominate a Deputy Member, who is entitled to attend in the absence of an appointed member.
11. KDBA has now nominated a new ROSCMC representative and a deputy representative in line with the Terms of Reference for the consideration of Council (Attachment Two).

APPLICABLE LAW

12. Section 5.8 of the *Local Government Act 1995* – Establishment of Committees.

Section 5.9(2)(c) of the *Local Government Act 1995* – Types of Committees.

Section 5.11(2)(d) of the *Local Government Act 1995* – Tenure of Committee Membership.

APPLICABLE POLICY

13. Council Policy Governance 13: Appointment of Community Members to Advisory Committees and Reference Groups.

STAKEHOLDER ENGAGEMENT

14. KDBA has endorsed nominations for the ROSCMC.

FINANCIAL CONSIDERATIONS

15. Nil.

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SUSTAINABILITY

16. Nil.

RISK MANAGEMENT

17.	Risk: Uneven representation between the member associations (KDBA and KDNA) may affect equitable decision making.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Regular review of the Terms of Reference to ensure equal representation for both member associations.		

CONCLUSION

18. The City recommends appointing the KDBA's nominations for a new ROSCMC representative and a deputy representative in line with the Terms of Reference and in accordance with Attachment Two.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. APPOINT the Ray Owen Sports Centre Management Committee Nominees as per Attachment Two.
2. NOTE the City of Kalamunda will write to the nominees and advise of the outcome.

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10.5. Office of the CEO Reports

No reports presented.

11. Closure

The meeting closed at 8:50pm.