



Public Agenda Briefing Forum

13 February 2024

Our Vision



Connected Communities, Valuing Nature and Creating our Future Together

Core Values

Service: We demonstrate a 'can do' attitude, we listen, we understand, and we go above and beyond when we serve others.

Professionalism: We look, speak, act & do what it takes to show others we are reliable, respectful and competent.

Quality: We think clearly, plan mindfully, act decisively, measure carefully and review regularly everything we do.

Aspirational Values

Courage: We make brave decisions and take calculated risks to lead us to a bold and bright future. We show courage in our pursuit for the protection of the environment, for the well being of our people and to support the economy.

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

Innovation: We believe in a workplace where you're safe to try new things—where we can push the boundaries of the norm and learn from things that don't always go according to plan. We strive for a just and blameless culture that respects people as individuals and paves the way to genuine learning and improvement.

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

kalamunda.wa.gov.au



INFORMATION FOR THE PUBLIC ATTENDING PUBLIC AGENDA BRIEFING

Agenda Briefing Forums will involve Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate) and will be open to the public. **The Briefing Session will be held at the City of Kalamunda commencing at 6.30pm.**

Agenda Briefing Forums will provide the opportunity for Elected Members to be informed and seek additional information on matters prior to the presentation of such matters to the next Ordinary Council Meeting for formal consideration and decision.

Acknowledgement of Traditional Owners

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

Emergency Procedures

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

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

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

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

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1. Official Opening

2. Attendance, Apologies and Leave of Absence

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*.)

3.2. 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.

4. Announcements by the Member Presiding Without Discussion

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

8. Petitions Received

9. Confidential Items Announced But Not Discussed

- 9.1.1 Item 10.1.1 Response to Petition - Lot 14 (12) Mead Street, Kalamunda – **Confidential Attachment** - Petition - Lot 14 (12) Mead Street, Kalamunda

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

9.1.2 Item 10.5.1 Removal of Personal Information from Published Documents -
Special Council Meeting 20 April 2015

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. Lot 14 (12) Mead Street, Kalamunda - Response to Petition

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

Previous Items	N/A
Directorate	Development Services
Business Unit	Approval Services
File Reference	MD-06/012
Applicant	N/A
Owner	N/A
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (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 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The City of Kalamunda (City) has received a petition regarding Lot 14 (12) Mead Street, Kalamunda (the subject site). The petition has been signed by 993 petitioners who are requesting action in the removal of or re-development of the subject site.

Of the 993 petitioners 16 petitioners signed more than once, One name with no signature and 4 names with one petitioners' signature (two names one signature).

2. The intent of the petition was to advocate for the demolition of the existing building or redevelopment of the subject site.
3. That Council note the Petition in Confidential Attachment 1.

BACKGROUND

4. The subject site is located on the corner of Mead Street and Central Road in Kalamunda and is zoned 'Centre' under Local Planning Scheme No.3 and comprises a land area of 884.43m².



5. The site contains an existing two-storey building with a basement for car parking. The site was previously utilised for various commercial land uses but most recently operated as a Medical Centre land use.
6. The building is currently vacant and has been vacant since circa 2010, when the medical centre ceased operation at the site.

7. The City notes the property is listed for sale.

DETAILS AND ANALYSIS

8. The petition was submitted to the City advocating for the removal of the existing building and/or redevelopment of the subject site.
9. At the City's Ordinary Council Meeting held on 22 August 2023 a petition was presented for tabling by Izzy Eastman and Penny Blyth. The intent of the petition is "Action in the removal of, or redevelopment of 12 Mead Street abandoned building Kalamunda". The petition contains 993 signatures and is attached at Confidential Attachment 1.
10. The petition outlines the main concerns of the site from the community in its current form which include:
- a) Concerns that the current building is a health problem and contains asbestos.
 - b) Concerns that the current building is unsafe.
 - c) The building is an "eye-sore" and is having negative impacts on the amenity of the area.
 - d) The current building is not the best use of the space.
11. The petition contains a column which petitioners outlined an opinion/suggestion for redevelopment which includes, but is not limited to, mixed use development, car parking, residential, art studio, youth centre, .
12. The City notes the concerns raised by the community through the petition and is for Council's information and noting.

APPLICABLE LAW

13. N/A

APPLICABLE POLICY

14. N/A

STAKEHOLDER ENGAGEMENT

15. N/A

FINANCIAL CONSIDERATIONS

16. N/A

SUSTAINABILITY

17. N/A

RISK MANAGEMENT

18.	Risk: The building deteriorates further and requires additional mediation.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Ensure that appropriate action is taken if the building poses a threat to the safety of the community through the issue of a building order and compliance follow-up.		

CONCLUSION

20. The City’s response to the matters raised in the petition is for Council’s information and noting.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the matters raised in the Petition in Confidential Attachment 1 and the City’s response.


10.2. Asset Services Reports

10.2.1. Solar Farm Progress Update

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

Previous Items	OCM 262/2019; OCM 200/2020; OCM 101/2021
Directorate	Asset Services
Business Unit	Asset Services
File Reference	3.009592; DW-02/120
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
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Information	For Council to note
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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 2: Kalamunda Clean and Green

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

Strategy 2.2.1 - Manage the forecast impacts of a changed climate upon the environment.

Strategy 2.2.2 -Work towards a Carbon Neutral Footprint of City-operated areas.

Priority 2: Kalamunda Clean and Green

Objective 2.4 - To ensure contaminated sites are safe.

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

Priority 3: Kalamunda Develops

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

Strategy 3.3.2 - Attract and enable new investment opportunities.

Priority 4: Kalamunda Leads

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to provide an update regarding investigations for a solar farm at Pioneer Park, Forrestfield (Solar Farm Project).
2. It is recommended that Council note the next steps in the Solar Farm Project including progressing detailed site investigations and an integrated strategy on the Future Use of Contaminated Sites. In addition, a review of the relevant corporate business plan action will be undertaken for Council's consideration.

BACKGROUND

3. At the June 2021 Ordinary Council Meeting, a report titled the Consideration of Potential Solar Farm Location was received by the Council. It was resolved (OCM 101/2021) that Council:
 1. NOTE this report into the progress of the Solar Farm project.
4. This was a subsequent update following the October 2020 Ordinary Council Meeting, where a feasibility study into a solar farm was received by the Council. It was resolved (OCM 200/2020) that the Council:
 1. RECEIVE the report (Attachment 1) regarding the feasibility of a solar farm at Pioneer Park.
 2. ENDORSE the following actions to be undertaken by the City:
 - a) develop and implement a community engagement plan regarding the concept of a solar farm at Pioneer Park;

- b) consult at senior level with WAPC to seek their approval in principle or otherwise for a solar farm to be located at Pioneer Park;
 - c) complete the studies to resolve the status of the contaminated site or otherwise for Pioneer Park; and
 - d) seek Expressions of Interest from the market into the potential for development of the site at Pioneer Park for a solar farm.
- 3. RECEIVE a subsequent report on the subject at an appropriate time.
- 5. As reported in the June 2021 Ordinary Council, the City has completed Item 2a) and provided a progress report on items 2b) and 2c). This report will provide a further update on items on 2b, 2c and 2d to inform next steps.

DETAILS AND ANALYSIS

- 6. In relation to 2b): Consult at senior level with WAPC to seek their approval in principle or otherwise for a solar farm to be located at Pioneer Park;

In June 2021, the Council reported noted:

Regarding the Western Australian Planning Commission (WAPC) consultation, the advice provided to the City was that WAPC would only consider the proposal if a genuine Development Application was lodged and would not be providing any 'in principle' support or advice.

This matter whilst it is a risk to the project viability can be dealt with later and as such is not a barrier to continuing the project planning.

- 7. Since this time the City after discussions and suggestion by DPLH submitted a report containing a preliminary proposal to the Department of Planning, Lands and Heritage (DPLH) for consideration and advice. Senior Officer level advice was provided to the City on a range of matters, including:
 - a) Reserve / Zoning requirements.
 - b) Environmental Values.
 - c) Land Management.

- 8. **Reserve / Zoning requirements**

Lot 300 (No. 120) Dawson Avenue, Forrestfield (Pioneer Park) is reserved under the Metropolitan Region Scheme (MRS) as Parks and Recreation. The DPLH has advised that an amendment to the MRS will likely be required to facilitate the consideration of the proposed use as a Solar Farm. It has been suggested that a Public Purposes – Special Use reservation under the MRS would be suitable for the intended use.

As the Solar Farm Project is refined, further engagement is required with the DPLH to discuss the detailed MRS amendment considerations.

9. **Environmental Values**

Pioneer Park is identified as Bush Forever Area 440, containing Banksia Woodlands Threatened Ecological Community. Protections exist under the Federal *Environmental Protection and Biodiversity Conservation Act* and the State *Biodiversity Conservation Act*. Further detailed planning is required to demonstrate an improved environmental outcome for regionally significant bushland. This is required to consider the extent of clearing, revegetation, rehabilitation, ongoing maintenance, bushfire mitigation, and fulfilling State Planning Policy requirements. It is noted that the proposed Solar Farm would occupy land that is significantly degraded and cleared already.

10. **Land Management**

Given Pioneer Park is Crown land and the Solar Farm would not be consistent with the Reserve Purpose of 'Recreation, Parkland and Temporary Refuse Disposal Site', the DPLH would need to sign an application form for Development Approval.

11. DPLH has advised that further investigation is required to identify the form of tenure required, including a potential Crown lease to support sub-leasing arrangement to a potential future third party, subject to the Minister's consent.

12. Advice from DPLH has been provided on a preliminary basis to support the City's Project Planning, and any formal proposal for an MRS Amendment, or a Development Application, would require formal consideration by the WAPC.

13. In relation to 2c): Complete the studies to resolve the status of the contaminated site or otherwise for Pioneer Park

In June 2021, the Council reported noted:

The City is continuing investigations into the necessary remediation or other treatment of Pioneer Park (and Brand Road tip site) in terms of contaminated sites.

14. Since this time, further detailed technical assessments on the site have continued. The key site constraints include:

- a) Presence of unstable/unsuitable landfill waste material.
- b) Presence of landfill gas and landfill gas infrastructure.
- c) Potential presence of soil contamination and asbestos material.
- d) Potential presence of groundwater contamination.

- e) Insufficient/ineffective landfill cover (capping) thickness.
- f) Located within bushfire prone area.

This work will continue through 2024/2025 to submit an application to the Department of Water and Environmental Regulation (DWER) for the reclassification of the contaminated site for its proposed use.

15. In relation to 2d)

Seek Expressions of Interest from the market into the potential for development of the site at Pioneer Park for a solar farm.

In June 2021, the Council reported noted: *it is proposed that the project continues to the Expression of Interest phase.*

16. In December of 2021 the City sought an Expression of Interest (EOI) from the market from companies interested in undertaking a partnership with the City to develop a Solar Farm of 1MW to 5MW capacity (with further expansion depending on land constraints) to be located within the land known as Pioneer Park, Dawson Avenue, Forrestfield.
17. EOI 2021-01 was advertised and closed at the end of 2021. The evaluation was undertaken in early 2022. The outcome of the EOI was that there was sufficient interest in creating industry partnerships from the market, and confidence in the market ability to respond should a Request for Tender (RFT) be issued.
18. The issuing of a RFT would indicate a notional commitment by the City to the market that this project would proceed. Uncertainty around the use of Pioneer Park for this purpose from a Planning approval resulted in the RFT process being suspended. This has been reported to Council via their Councillor Information Bulletins and Corporate Business Plan updates.
19. Currently within the City's adopted 2023/24 budget, no budgetary amount has been allocated to progress this item. The item remains a strategic priority for Council, with "Renewable Energy: Develop a plan for replacement of fossil fuel electricity supply in favour of renewable energy supply for City facilities" listed as a Corporate Business Plan Action for completion between 2024/25-2026/27. The progress of this current action is largely dependent on the progress of the Solar Farm Project.
20. A Solar Farm is one option for consideration at Pioneer Park. Given the size of Pioneer Park, there is a potential for multiple complementary uses. For example, Pioneer Park has areas of environmental and conservation value which is required to be investigated further. It important to consider the long-term strategic outcomes having regard to the City's recently adopted Urban Forest Strategy (UFS) and Local Biodiversity Strategy (LBS).

The City must consider long term use and management of these environmental assets as part of the Solar Farm Project and any other land use proposal. A use which would complement the City's long term environmental initiatives could be attracting environmental offsets by third parties.

21. The City's Climate Change Action Plan (CCAP) purpose is to ensure that the City is prepared and ready to adapt to the climate challenges that lie ahead. The CCAP key focus areas of Carbon Footprint, Sustainable Development and Resilience under Changing Climate Patterns will all be integrated into the Future Use of Contaminated Sites Strategy.
22. It should be noted that there are means available to progress towards carbon neutrality (including on site Solar & Battery power plants at buildings) which may be more cost effective than a large scale Solar Farm. This needs to be further tested and explored.
23. In order to progress the Solar Farm Project on Pioneer Park, the City must consider a strategic approach to its various contaminated sites and the sustainability of their proposed future use. It is recommended that the following steps are undertaken to progress this item:
 - a) A Detailed Site Investigation (DSI) is required over a timeframe specified by the regulator's to determine the suitability of proposed use and remediation required.
 - b) The City must consider its position on the Future Use of Contaminated Sites (City Wide) in an integrated strategy to explore renewable energy land use initiatives, environmental, heritage conservation and other potential usages.
 - c) Develop a Business Case, informed by a Future Use of Contaminated Sites Strategy on individual site use.
 - d) That Officers review the Corporate Business Plan Action "Renewable Energy: Develop a plan for replacement of fossil fuel electricity supply in favour of renewable energy supply for City facilities" for the 2024/25 for Council's consideration.

APPLICABLE LAW

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

APPLICABLE POLICY

25. Governance 8: Risk Management

STAKEHOLDER ENGAGEMENT

26. As per the OCM report presented June 2021, a community engagement plan regarding the concept of a solar farm at Pioneer Park has been previously completed. Further engagement on the Future Use of Contaminated Sites (City Wide) is anticipated to be undertaken in due course.
27. Planning considerations within this report have been in consultation with DPLH.
28. Contaminated site considerations within this report have been in consultation with DWER and Department of Health (DoH).

FINANCIAL CONSIDERATIONS

29. An operational budget amount to progress a Future Use of Contaminated Sites (City Wide) in an integrated strategy will be included in the draft 2024/25 Budget for Council consideration.
30. Progression of Contaminated Sites investigation works is funded through the Waste Avoidance and Resource Recovery (WARR) fund.

SUSTAINABILITY

31. This report is integrated with the actions of multiple City strategic documents, including the CCAP, UFS and LBS. It is critical all sustainability initiatives are considered in the Future Use of Contaminated Sites (City Wide) integrated strategy.

RISK MANAGEMENT

- 32.
- | | | |
|--|-------------------|---------------|
| Risk: External agencies (DWER and DoH) may not approve reclassification of the site. | | |
| Consequence | Likelihood | Rating |
| Moderate | Possible | Medium |
| Action/Strategy | | |
| Ensure the City works closely with the contaminated sites Auditor and all recommended works are carried out by approved, specialist consultants. | | |

33.	Risk: The current skill shortages and specialised contractors carrying out investigation works may impact the delivery timeframe of informing reports.		
	Consequence	Likelihood	Rating
	Significant	Likely	High
	Action/Strategy		
	Establish a panel of suitably qualified contractors and ensure works are scheduled in advance.		

CONCLUSION

34. It is recommended that Council note the next steps in the Solar Farm Project for a future report.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE:

1. Detailed site investigations at Pioneer Park will continue to determine remediation measures and design considerations based on proposed future land use.
2. An operational budget amount to progress a Future Use of Contaminated Sites (City Wide) in an integrated future strategy financial year will be included in the draft 2024/25 Budget for Council consideration.
3. A review of the Corporate Business Plan Action “Renewable Energy: Develop a plan for replacement of fossil fuel electricity supply in favour of renewable energy supply for City facilities” will be undertaken in 2024/25 for Council consideration.

10.3. Corporate Services Reports


10.3.1. Corporate Business Plan - Quarterly Update - October to December 2023

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

Previous Items	
Directorate	Corporate Services
Business Unit	Director Corporate Services
File Reference	3.009509
Applicant	City of Kalamunda
Owner	City of Kalamunda

Attachments	1. Quarterly Corporate Plan Report October-December 2023 [10.3.1.1 - 62 pages]
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TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the progress on the City of Kalamunda's (City) achievement against "Kalamunda Achieving: Corporate Business Plan 2023-2027" for the period October to December 2023.
2. On average, actions from the Corporate Business Plan are 53.7% complete at the end of the second quarter, 31 December 2023.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period October to December 2023.

BACKGROUND

4. Kalamunda Achieving: Corporate Business Plan 2023-2027 (CBP) was endorsed by Council at the Special Council Meeting on 26 June 2023.
5. The CBP outlines the major projects, including capital works and operational recurrent services for the City. It then links those projects and services to the Asset Plans, Long Term Financial Plan and Workforce Plan.
6. The CBP is a component of the City of Kalamunda's integrated planning and reporting framework.
7. The Chief Executive Officer, Directors and Managers have individual performance objectives directly linked to their achievement of the CBP in 2023/24.

DETAILS AND ANALYSIS

8. The CBP is comprised of 4 Strategic Priority areas, being:
 1. Kalamunda Cares and Interacts
 2. Kalamunda Clean and Green
 3. Kalamunda Develops
 4. Kalamunda Leads
9. There are 132 individual actions set out within the CBP for the 2023/24 year. Progress reporting is provided as Attachment 1 to this report.
10. The report reflects the management progress report against the work schedule for each of the individual actions, as at 31 December 2023.

11. Most of the actions contained in the CBP are spread evenly across the year, so have a completion target at the end of the second quarter of 50%. However, some actions may start later or finish earlier in the year, so their target at 31 December might not be 50%.
12. The CBP actions are on average 53.7% complete. The average target at the end of the second quarter is 48.1%, indicating that progress, on average, is ahead of schedule.
13. Achievement of target is measured by comparing the target completion % to the actual completion %. For example, if the target is 25%, but the action is actually 50% complete, this represents an achievement of 200%. The average achievement of target across the actions is 106.3%, again indicating that progress is ahead of schedule.

APPLICABLE LAW

14. All local governments are required, by legislation, to develop a Corporate Business Plan to fulfil the statutory obligations of section 5.56 of the *Local Government Act 1995 (WA)*, which is effectively the City's 'plan for the future'.
15. The *Local Government (Administration) Regulations 1996* provides detail as to the content of the Corporate Business Plan.

APPLICABLE POLICY

16. Nil.

STAKEHOLDER ENGAGEMENT

17. This report reflects input from Directors and Managers throughout the City.
18. Various external stakeholders and community members have been involved in the achievement of the CBP.

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

20. Nil.

RISK MANAGEMENT

21.

Risk: The City lacks transparency in its achievement of the statutory requirements of the Corporate Business Plan leading to reputational impacts

Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Quarterly reports are provided to Council of progress against the CBP and are publicly available		

CONCLUSION

22.

The City is working to carry out the actions listed in the Corporate Business Plan. On average, actions from the Corporate Business Plan are 53.7% complete at the end of the second quarter of 2023/2024.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2023-2027 for the period October to December 2023.

10.4. Community Engagement Reports

10.5. Office of the CEO Reports


**10.5.1. Removal of Personal Information from Published Documents -
Special Council Meeting 20 April 2015**

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

Previous Items
Directorate Office of the CEO
Business Unit Governance
File Reference 3.009297
Applicant
Owner

Attachments {attachment-list-do-not-remove}

TYPE OF REPORT

	Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
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Provided under separate cover.

11. Closure