

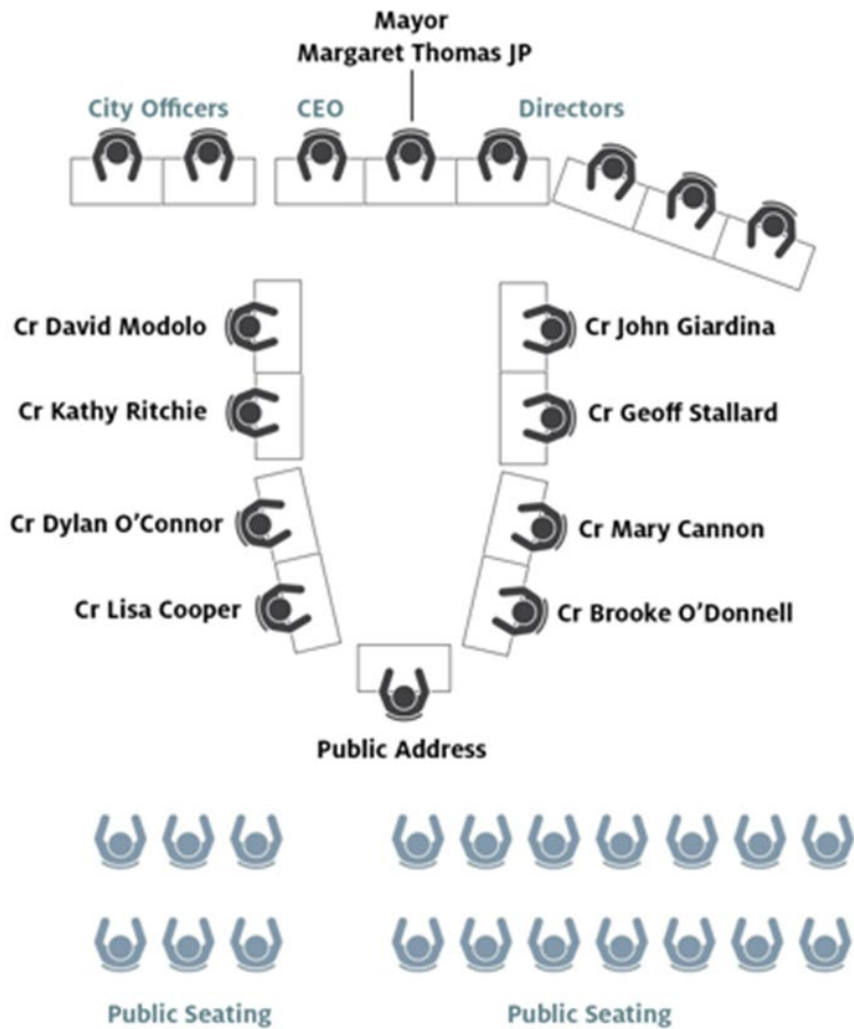


# Ordinary Council Meeting

MINUTES

Tuesday 26 August 2025

## Council Chambers Seating Plan



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**1. Official Opening**

The Presiding Member opened the meeting at 6:30pm 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 Previously Approved**

**Mayor**

Margaret Thomas JP (Presiding Member)

**Councillors**

**South East Ward**

John Giardina

Geoff Stallard

**South West Ward**

Mary Cannon

**North West Ward**

Lisa Cooper

Dylan O'Connor

**North Ward**

David Modolo

Kathy Ritchie

**Members of Staff**

**Chief Executive Officer**

Anthony Vuleta - Chief Executive Officer

**Executive Team**

Luke Ellis - Director Community Services

Gary Ticehurst - Director Corporate Services

Nathan Ritchie - Director Development Services Management Team

Chris Thompson – A/Director Asset Services

**Management Team**

Rhonda Bowman - Manager Governance

Regan Travers - Manager Approval Services

Rory Smith - Manager Customer & Public Relations

**Administration Support**

Emma Morgan - Executive Assistant to the Director of Community Services

Molly Rogers-Thomson - Executive Officer to the CEO

**Members of the Public 7**

**Members of the Press Nil.**

**Apologies**

Sinead McGuire - Director Asset Services

**Leave of Absence Previously Approved Nil.**

### 3. Public Question Time

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

##### 3.1.1 Shayla Strapps, Kalamunda (taken on notice 22 July 2025)

These questions relate to the City's Communication and Engagement Policy (Service 5).

Q1. Why was there no engagement undertaken prior to the decision to sell the assets when the City's own policy indicates that there should have been?

Q2. Whilst the City claims that the decision is commercial in nature, there are a range of items which the City could (and should have - according to its own policy) have engaged with the residents on?

A1 & A2. The decision made by Council at the February Ordinary Council Meeting was to commence the disposal process and does not constitute a final decision to sell the subject land assets. The disposal process, including community engagement requirements for local government assets, is governed by the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*. Details of any proposed offers will be publicly advertised to allow for further community comment, and all feedback and submissions received from the community since the commencement of engagement will be reported to Council for consideration prior to the final decision on whether to enter any contracts to complete a sale. The City considers this to be compliant with the Community and Engagement Policy in that communication and engagement commenced prior to the final decision-making point.

Q3. How does the complete lack of engagement align with the policy's commitment to:

- Begin engagement early in the process (not after key decisions are made),
- Enable the involvement of those affected,
- Communicate how public input has influenced the decision?

A3. Engagement occurred prior to advertising the sites for sale. It is noted the intention to commence the selling process was to inform the community, however invited feedback and registration of interest for further updated via a targeted letterbox drop and a dedicated page on the "Kalamunda Engage" section of the City's website. As noted in A1 and A2 above, the

consultation process will facilitate input from the community before a final decision.

Q4. Does the City consider that the Communication and Engagement Policy has been followed in full with respect to this decision? If not, what explanation can be provided for the departure?

A4. Yes, the City does consider that it has acted in accordance with the Communication and Engagement Policy, however, your feedback enables the City to consider and review how it can enhance its engagement practices in the future. The City strives to provide services, manage assets and finances that meet the needs of its diverse communities and engage at the right levels to meet expectations.

### 3.2. Public Question Time

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

#### 3.2.1 Shayla Strapps, Kalamunda

These questions relate to the **City's Communication and Engagement Policy (Service 5) - Proposed Disposal of Land (Urch & McRae Roads)**

Q1. The City has stated that the February 2025 resolution was not a "final decision" to sell the land, but rather to commence the disposal process. Could the City please clarify what specific action or resolution will constitute "the decision" in this matter?

Q2. What specific engagement activities (beyond an informational letter and a static webpage) have been undertaken to invite community feedback on the proposed sale?

Q3. How does the City justify describing this as "engagement" under its own Communication and Engagement Policy, which requires genuine opportunities for community input and that engagement must "begin early and be part of project scoping and milestones identification, rather than being a one-off event or undertaken after a final decision"?

Q4. If I am mistaken, please identify the dates, methods, and opportunities provided for community members to submit feedback on the proposed sale prior to any final decision.

- Q5. How will these offers and the accompanying reports be presented so that the community has a genuine opportunity to review, understand, and respond to them?
- Q6. What mechanisms will be provided to ensure community submissions are sought, recorded, and meaningfully considered prior to Council making its final decision?
- Q7. Has the City considered how the recent SAT decision might affect its own approach to tree retention and approvals, particularly in relation to the trees on the blocks at Urch and McRae Roads?
- Q8. Why was no thorough analysis of the trees on these blocks, for example the age and heritage value, provided to Councillors prior to the February 2025 resolution?

A. Taken on notice.

3.2.2 B A O'Brien, Lesmurdie

Q1. Does the City of Kalamunda have regulations regarding fences between neighbouring houses with respect to such things as the allowable height of the fence and how the height is measured if it sits on a retaining wall? If so, where do I find such information?

Q2. If I build a fence on my property 300mm inside the boundary, rather than on the boundary, is that fence:

- A dividing fence?
- Regulated by the policy regulations of dividing fences?

A. Taken on notice.

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

4.1 A deputation was received from Hannah Lill, Kalamunda regarding environmental protections in the City, including tree canopy protection, and other initiatives that she would love to see supported in the City.

#### **5. Applications for Leave of Absence**

5.1 Nil.

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

6.1 RESOLVED OCM 2025/114

That the Minutes of the Ordinary Council Meeting held on 22 July 2025, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Lisa Cooper**

Seconded: **Cr Geoff Stallard**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: Nil

**CARRIED UNANIMOUSLY (9/0)**

**Statement by Presiding Member**

*"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 22 July 2025."*

6.2 RESOLVED OCM 2025/115

That the Minutes of the Special Council Meeting held on 12 August 2025, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr David Modolo**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: Nil

**CARRIED UNANIMOUSLY (9/0)**

**Statement by Presiding Member**

*"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 12 August 2025."*

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

Over the past few weeks, I've had the privilege of attending a wide variety of events that highlight the strength and spirit of our community.

On Saturday 26 July, I joined the Kalamunda Volunteer Bush Fire Brigade for their annual awards night. It was a wonderful opportunity to thank our volunteers, and to acknowledge the families and employers who support them in their selfless service.

The following Tuesday, 5 August, Council came together for a Strategic Briefing Session. These briefings are invaluable – they allow us to work through complex issues in detail and ensure we're making well-informed decisions for our community.

That weekend, on Saturday 9 August, I attended a Loneliness Awareness event hosted by the Anglican Parish of Kalamunda. It was a heartfelt reminder of how important human connection is, and how small acts of kindness can make a big difference.

On Sunday 10 August, I joined the Pickering Brook Football Club for their Indigenous Round. It was inspiring to see football and culture celebrated side by side, and I thank the Elders, players and volunteers who made it such a meaningful day.

On Tuesday 12 August, we held a Special Council Meeting following the Public Agenda Briefing Forum. I want to thank community members who came along and engaged with respect – your input really does shape the way Council makes decisions.

Later that week, on Friday 15 August, we officially kicked off the next stage of works at Hartfield Park. This marks another step in delivering better and more accessible sporting facilities for our clubs and families.

Monday 18 August was Vietnam Veterans Day, and I was honoured to join the service at the Kalamunda Cenotaph. It was a solemn moment to pause, reflect, and remember the sacrifice of those who served. Lest we forget.

The next day, Tuesday 19 August, was a busy one. I met with the Department of Planning, Lands and Heritage to discuss planning matters across our district – a constructive conversation that will help us continue advocating for liveable and sustainable neighbourhoods. That same day we also welcomed officials from Nogi, Japan, as part of their 2025 visit to Kalamunda. It was a joy to strengthen our cultural ties and share our local

story with them. And of course, later that evening, we came back together for another Strategic Briefing Session with staff.

Finally, on Saturday 23 August, I had the pleasure of celebrating the 60th birthday of the Inner Wheel Club of Kalamunda. Sixty years of service to others is an incredible achievement, and it was heart-warming to celebrate with so many generous and community-minded people.

Through all these events, one thing is clear – the heart of Kalamunda is strong. We are a community that looks out for one another, celebrates together, and works hard to create a kinder and more connected City.

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

- 8.1 Item 10.2.1 RFT 2504 Scott Reserve Pavilion Reconstruction - Award of Tender – **Confidential Attachment** - RFT 2504 Scott Reserve Pavilion Reconstruction - Rev 1 - signed

Reason for Confidentiality: *Local Government Act 1995 s5.23 (c)*  
*"a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."*

- 8.2 Item 10.3.1 eQuote 2025-02 Microsoft Licensing Renewal – **Confidential Attachment** - City of Kalamunda eQuote Evaluation Report eQuote 2025-02 Provision of Microsoft Licensing

Reason for Confidentiality: *Local Government Act 1995 Section 5.23 (2) (c)* -  
*"a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."*

- 8.3 Item 10.6.2 Debtors and Creditors Reports for the month of July 2025 - **Confidential Attachment** - 1. Creditor Payments for the period ended 31 July 2025 – Confidential Corporate Credit Card Payments for the period 27 May to 26 June 2025 – Confidential

Reason for Confidentiality: *Local Government Act 1995 Section 5.23 (2) (e)* -  
*"matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government"*

- 8.4 Item 10.6.7 Chief Executive Officer Performance Review – Appointment of a Consultant

Reason for Confidentiality: *Local Government Act 1995 Section 5.23 (2) (c)* -  
*"a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."*

**9. Disclosure of Interest**

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

- a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.56 of the *Local Government Act 1995*.)
- b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

9.1.1 Nil.

**9.2. Disclosure of Interest Affecting Impartiality**

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

9.2.1 Cr John Giardina declared an Interest Affecting Impartiality on Item 11.1 Hatch Court Light Industrial Area. Cr John Giardina has family property in that area on Stirling Street.

9.2.2 Cr Lisa Cooper declared an Interest Affecting Impartiality on Item 10.2.1 RFT 2504 Scott Reserve Pavilion Reconstruction. Cr Lisa Cooper is currently undertaking work at the electorate office of the Hon Stephen Price MLA.

9.2.3 Anthony Vuleta declared an Interest Affecting Impartiality on Item 10.6.6 Application for Leave - Chief Executive Officer - August 2025. The Application for Leave is part of Mr Vuleta's employment contract as the CEO of the City of Kalamunda.

9.2.4 Anthony Vuleta declared an Direct Financial Interest on Item 10.6.7 Chief Executive Officer Performance Review - Appointment of a Consultant. The Chief Executive Officer Performance Review is part of Mr Vuleta's employment contract as the CEO of the City of Kalamunda.

## 10. Reports to Council

### 10.1. Development Services Reports

### 10.2. Asset Services Reports

#### 10.2.1. RFT 2504 Scott Reserve Pavilion Reconstruction - Award of Tender

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

*Cr Lisa Cooper declared an impartiality interest. She is currently undertaking work at the electorate office of the Hon Stephen Price MLA.*

Previous Items	OCM 251/2018; OCM 100/2020; OCM 122/2022; OCM 182/2023; OCM 158/2024
Directorate	Asset Services
Business Unit	Asset Delivery
File Reference	3.0103146; AD-TEN-005
Applicant	N/A
Owner	N/A

Attachments	1. Revised Scott Reserve Master Plan July 2025 [10.2.1.1 - 1 page]
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Confidential Attachment	<u>Reason for Confidentiality: Local Government Act 1995 s5.23 (c)</u> "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."
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#### TYPE OF REPORT

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

## STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

### Priority 3: Kalamunda Develops

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

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

## EXECUTIVE SUMMARY

1. The purpose of this report is to consider the acceptance of the award of RFT 2504 - Redevelopment of Scott Pavilion – Scott Reserve in High Wycombe.
2. The City of Kalamunda (City) issued a Request for Tender seeking to engage a commercial building contractor to undertake the design and construction of the Redevelopment of Scott Pavilion – Scott Reserve.
3. It is recommended Council accept the tender from AE Hoskins Building Services ABN 14 941 679 801 for the works for a lump sum price of \$4,981,817.24 (excluding GST).

## BACKGROUND

4. Council endorsed the revised Scott Reserve Master Plan (SRMP) at the Ordinary Council Meeting held in December 2023 (OCM 182/2023). The Master Plan provides a strategy to guide development in a sustainable manner to maximise opportunities for active and passive recreation for the community. The new Scott Reserve Pavilion was a key project identified within the SRMP.
5. Through the 2021 State Election, the City was successful in securing a \$2 million grant through Department of Local Government, Sport and Cultural Industries (DLGSCI) towards the new Scott Reserve Pavilion. At the August 2023, OCM Council (122/2022) approved a co-contribution through a \$2m loan. During this time the City also secured a \$50,000 grant from the Western Australian Football Commission (WAFC), \$40,000 from Cricket Australia and a further \$1.3m from the Community Sporting and Recreation Fund (CSRFF) towards the project. An additional contribution from Municipal Funds of \$ 136,575 equates to a total current budget of \$5,526,575 allocated to this project.
6. This project was tendered in 2024; however, the project was cancelled due to a substantial high cost of prices received.

At the Ordinary Council Meeting held in December 2024 (OCM 158/2024), Council resolved to:

- a) Cancel the tender for RFT 2408 – Scott Reserve Pavilion.
  - b) Establish a Scott Reserve Facility Improvement Working Group.
7. The City and the Improvement Working Group held several meetings and reached agreed outcomes to review the design and to initiate a design and construct tender (AS4902) with a Maximum Guaranteed Price of \$5m.
8. The City, in consultation with the Improvement Working Group, investigated the project and identified approximately \$2m in possible savings through design simplification and standardisation across the City facilities.
9. The City, in consultation with the Improvement Working Group, identified a Design and Construct procurement methodology as the most likely to be effective in the mitigating cost escalation and encourage Contractors to leverage advantage where possible.
10. As the building design changes have led to an overall reduced pavilion footprint (requested by the Improvement Working Group), resultant minor changes to the Scott Reserve Master Plan components have been identified:
- a) Retain and extend the turf cricket wicket block, rather than relocate
  - b) Replace the existing green keeper storage facility; and
  - c) Retain the existing playground.

## DETAILS AND ANALYSIS

11. The City issued RFT 2504 Redevelopment of Scott Pavilion – Scott Reserve through Tenderlink on Wednesday 11 June 2025. The Tender advertising closed at 2.00pm AWST Tuesday 8 July 2025. Four Tenders were received by closing date.
12. Tender submissions were received from:
- a) AE Hoskins Building Services
  - b) Barna Construction (WA) Pty Ltd
  - c) BE Projects
  - d) Castle Projects
13. An Evaluation Panel of suitably qualified City Officers convened to assess the tenders received.
14. Tenders were assessed in a staged process of firstly checking

compliance to matters set out in the tender invitation. Compliant tenders were then assessed against the Qualitative Criteria. The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	25%
Key Personnel Skills and Experience	20%
Tenderer's Resources	20%
Demonstrated Understanding of Required Works	30%
Local Benefits	5%

15. The qualitative assessment for each Tender submission was completed by Panel members on 15 July 2025.

The summary assessment outcome in ranked order is detailed in the following table below:

Company Name	Qualitative Total Score (Weighted @ 100%)	Rank	Status
AE Hoskins Building Services	64.50%	1	PASS
Barna Construction (WA) Pty Ltd	55.00%	2	FAIL
BE Projects	52.00%	3	FAIL
Castle Projects	49.50%	4	FAIL

This assessment demonstrates that only one of the four (4) Tenderers exceeded the required Qualitative Pass Mark (QPM) of 60%, with three Tenderers being eliminated from further assessment.

16. The one preferred Tender submission met the required QPM and advanced to the price assessment stage of the evaluation process as noted in the following table.

Tenderer	Tendered Price (Excl. GST)	Rank
AE Hoskins Building Services	\$4,981,817.24	1

## APPLICABLE LAW

17. A price assessment was then undertaken for the remaining tender to ensure compliance and best value for money outcome for the City.
18. The recommended tender best satisfied the City's requirements in terms of:
  - a) meeting the qualitative benchmark;
  - b) proven capacity and capability to undertake the works;
  - c) satisfying reference checks from previous clients;
  - d) satisfying independent financial reference checks; and
  - e) best value for money outcome.
19. The Panel recommends AE Hoskins Building Services be the preferred Tenderer for its lump sum price of \$4,981,817.24 (excluding GST).

## APPLICABLE POLICY

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

## FINANCIAL CONSIDERATIONS

21. The Budget provided for these works is \$5,526,575.00. The total anticipated project cost inclusive of professional fees including project contingency is \$5,526,129.27
22. The following table provides a breakdown of the total project cost to progress this work.

No	TASKS / DETAILS	COST
1	Construction Cost	\$4,981,817.24
2	Contingency	\$238,970.86
3	Artwork (1%)	\$49,818.17
4	Community Events	\$5,000.00
6	Costs Spend to Date	\$250,523.00
	<b>Total Project Cost Estimate</b>	<b>\$5,526,129.27</b>
	<b>Current Budget Allocated</b>	<b>\$5,526,575.00</b>

23. The breakdown of funding is shown in the table below.

Grant funding for the Scott Reserve Pavilion and Grant deadline		
Funding	Value	Grant Deadline
Municipal	\$136,575	
Loan	\$2,000,000	
DLGSCI	\$2,000,000	February 2025 (ext. pending)

CSRFF	\$1,300,000	May 2026
WA Football Commission	\$50,000	December 2026
Cricket AU	\$40,000	May 2026
<b>Total</b>	<b>\$5,526,575</b>	

24. The construction of Scott Pavilion will commence in April 2026 and will be completed in April 2027.

## SUSTAINABILITY

25. **Social Implications**  
Investment in Scott Reserve with updated sporting and recreational facilities increases the City's assets, provides benefits to the local community, improves community safety and enhances the user and player experiences for their training and competitions.
26. **Economic Implications**  
The implementation of this project will assist in providing local benefit to local businesses with possible benefits of employment opportunities. It may provide increased economic activity to the High Wycombe community during the construction phase.
27. **Environmental Implications**  
No environmental impacts.

## RISK MANAGEMENT

- 28.
- |   |                   |               |
|---|-------------------|---------------|
| <b>Risk:</b> Delays result in not meeting Grant body deadlines.   |                   |               |
| <b>Consequence</b>  | <b>Likelihood</b> | <b>Rating</b> |
| Major   | Possible          | Medium        |
| <b>Action/Strategy</b>  |                   |               |
| Regular quarterly reports to DLGSCI, the main funding group have been notified and briefed on all reports. This shall be transparent to the Grant body with project construction updates. Contractor to provide monthly program updates and report potential delays immediately once construction begins. |                   |               |

## CONCLUSION

29. It is recommended that Council award RFT 2504 as set out in the Recommendation of this report.

30. It should be noted that minor amendments to the Scott Reserve Master Plan have been made, viewable in Attachment 1 and will be made available on the City Website.

<b>Voting Requirements: Simple Majority</b>
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**RESOLVED OCM 2025/116**

That Council:

1. ACCEPT the tender for the construction of Scott Pavilion at Scott Reserve, High Wycombe (RFT 2504) from AE Hoskins for the works for a lump sum price of \$4,981,817.24 (excluding GST) PLUS any necessary contract variations up to the value of the approved adopted project budget (\$5,526,575.00).
2. NOTE the amendments to the revised Scott Reserve Master Plan concept as per Attachment 10.2.1.1.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr David Modolo**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY (9/0)**

10.2.2. Food Organics and Garden Organics (FOGO) Services

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

Previous Items	OCM 95/2020; OCM 199/2020; OCM 128/2022; OCM 71/2024; OCM 154/2024
Directorate	Asset Services
Business Unit	Waste & Fleet Services
File Reference	3.010460
Applicant	N/A
Owner	N/A
Attachments	Nil

TYPE OF REPORT

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STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

**Priority 2: Kalamunda Clean and Green**

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

**Strategy 2.3.1** -Implement the City's Waste Plan aligned to the State Waste Avoidance and Resource Recovery Strategy.

## EXECUTIVE SUMMARY

1. The purpose of this report is to further consider the Food Organics and Garden Organics (FOGO) options presented to a February 2025 Councillor Strategic Briefing session.

## BACKGROUND

2. The FOGO 3rd Bin roll out commenced in the first week of September 2024 and was implemented over a period of eight weeks.
3. Since the introduction FOGO, up to 31 May 2025, the system has diverted 8,124 Tonnes of General Waste from Landfill.
4. At the Ordinary Council Meeting (OCM) held on 26 November 2024 a Notice of Motion was adopted directing the Chief Executive Officer to investigate and report back to Council through a Strategic Briefing by the end of February 2025 in respect to all options in which the City could change the FOGO system.
5. At its Strategic Briefing Session held on the 18 February 2025, 11 options were presented in respect to potential changes to the FOGO system and Councillors subsequently provided feedback in respect to all the options.

## DETAILS AND ANALYSIS

6. The Notice of Motion specified the following options to be investigated:
  - a) *Increase size of General Waste Bin (Red) everyone & Opt In*
  - b) *Increase frequency of General Waste Bin (Red)*
  - c) *Opt out of Skip bin in exchange for Additional General Waste Bin (Red)*

With Officers adding additional options of:

- d) Lid swaps for FOGO and General Waste Bin (Red) everyone & Opt In
  - e) Adjust fee of Additional General Waste Bin (Red), Compassionate & Medical Grounds
  - f) Cloth Nappy or/& Menstrual Products Subsidy
7. The options investigated took into account the need to uphold the City's contractual terms and conditions.
8. Some options were incorporated as part of the 2025/26 Budget in respect to FOGO:
  - a) Reduced the annual cost of additional bins.

- b) The City has allowed for each household to be able to collect two rolls of caddy liners free of charge now from several locations and shortly.
  - c) 2 x 25ltr bags of FOGO Compost also free of charge to be available from Walliston Transfer Station and Little Loads High Wycombe. The date of commencement will be advertised when stock has arrived, this is anticipated to be in approximately 6 weeks time.
- 9. Two of the options presented to Councillors and recommended are detailed in this report are:
  - a) Waive the fees for an Additional Red Lidded 140Ltr General Waste Bin in exceptional circumstances where a medical certificate is provided signed by a Medical Practitioner supporting the need for additional waste capacity.
  - b) Introduce a cloth nappy rebate/subsidy of 50% up to \$100 per eligible household to assist with the purchase of either baby or adult nappies and accessories upon receipt of proof of purchase.
- 10. It should be noted in addition to the options presented, fees applicable for the additional red lidded bin in exceptional circumstances were reduced in the 2025/26 Budget to \$70 for a once off establishment fee and then an ongoing annual fee of \$80.
- 11. Since the introduction of FOGO, to date, the City has only received 82 applications for exceptional circumstances, it is estimated from these around half would be eligible for the proposed fee free situation.
- 12. In respect to the nappy subsidy, young children (less than 4 years of age) represent approximately 2% of the population and it is assumed based on figures from other local governments that offer Nappy subsidies that around 300 applications could be expected.

#### **APPLICABLE LAW**

- 13. Section 3.57 of *Local Government Act 1995*.  
Part 4 of the *Local Government (Functions and General) Regulations 1996*.  
*Waste Avoidance and Resource Recovery Act 2007* (WARR Act).

#### **APPLICABLE POLICY**

- 14. Nil

#### **STAKEHOLDER ENGAGEMENT**

- 15. For the FOGO Roll Out and implementation, a communication engagement and education package was developed using the

'WasteSorted' communications toolkit, noting the importance of consistent state-wide communications and taking into account the following key messages:

- a) clearly explaining the system – why, when, how it will be implemented; and
- b) which materials can go in each kerbside bin; this generated considerable engagement with the community particularly via social media.

16. Five Cloth Nappy Workshops held by the City with engagement with those in young family situations showed support for such a program to assist them in being able to do the right thing.

## FINANCIAL CONSIDERATIONS

17. In respect to the two options presented the expected cost of the fee free additional bin on medical grounds is \$6,000 per annum loss of income and \$18,000 per annum ongoing extra servicing costs and in respect to the Nappy Subsidy \$30,000 per annum, the cost of both of these can be funded through the City's 2025/26 Waste Budget such as through its Waste Education initiatives.

## SUSTAINABILITY

18. The City's Waste Plan June 2020 included as its first action the introduction of 3<sup>rd</sup> Bin FOGO for kerbside collection service along with 16 other waste actions to meet the State's Waste Avoidance Strategy Targets through measures to generate less waste, to recover more value and resources from waste and protect the environment by managing waste responsibly.
19. Waste awareness campaigns have raised the community's understanding of the predominant role they play in minimising waste and to date their positive actions have resulted in a significant reduction in the amount of waste going to Landfill.

## RISK MANAGEMENT

20.	<b>Risk:</b> The City fails to implement changed behaviours and successful alternate waste management streams leading to continued unnecessary use of landfill and the ensuing poor environmental outcomes.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Significant	Almost Certain	High
	<b>Action/Strategy</b>		

Development and implementation of new waste management processes coupled with effective community education

## CONCLUSION

21. Whilst the Community has embraced the 3<sup>rd</sup> Bin FOGO program, these proposed changes will help towards meeting some family needs by reducing the costs associated with additional bins and nappies.

**Voting Requirements: Simple Majority**

### RESOLVED OCM 2025/117

That Council:

1. APPROVE a one-off cloth nappy subsidy of 50% up to \$100 to eligible households to assist families with the cost to changing to cloth nappies and reducing the quantity of general waste.
2. WAIVE the fees for an Additional Red Lidded 140Ltr General Waste Bin collected fortnightly in exceptional circumstances where a medical certificate is provided signed by a Medical Practitioner supporting the need for additional waste capacity.

Moved: **Cr David Modolo**

Seconded: **Cr Kathy Ritchie**

Vote: For: **Mayor Margaret Thomas, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Cr Dylan O'Connor**

**CARRIED (8/1)**

10.3. Corporate Services Reports

10.3.1. eQuote 2025-02 Microsoft Licensing Renewal

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

Previous Items	
Directorate	Corporate Services
Business Unit	Information, Communications and Technology (ICT) Services
File Reference	
Applicant	
Owner	
Confidential Attachments	1. City of Kalamunda eQuote Evaluation Report eQuote 2025-02 Provision of Microsoft Licensing
	<i>Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."</i>

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

**Priority 4: Kalamunda Leads**

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

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

## EXECUTIVE SUMMARY

1. The purpose of this report is to consider the acceptance of a Tender for the renewal of the Microsoft Licencing Agreement for a period of three (3) years.
2. The City of Kalamunda's (City) current Microsoft Software Licensing Agreement Contract is due to expire 30 November 2025 and under the City's Purchasing and Procurement Policy is required to go to market for a new Microsoft Software Licensing Agreement.
3. The City is heavily reliant on the Microsoft Windows Operating System, Microsoft Office Productivity Suite and Microsoft Azure Cloud Platform to deliver mission-critical services to the public, and as such requires a Licensing Agreement with a suitably qualified and experienced business partner.
4. It is recommended Council accept the tender submitted by Insight Enterprises Australia Pty Ltd, ABN 470 586 456 77 of Level 11, 201 Kent Street Sydney NSW 2000 in the total sum of \$1,278,187 (excluding GST) for eQuote 2025-02 on 15 May 2025 on the WALGA Panel contract - PSP001-024 Microsoft Open Licenses and Cloud Solution Providers. This is in accordance with WALGA Contract Terms and Conditions and as per their Schedule of Rates submission dated 28 May 2025.

## BACKGROUND

5. The City has reached the end of its current Microsoft Software Licensing Agreement, which is provided through a Microsoft Licence Solution Provider, in this instance Insight Enterprises Australia Pty Ltd.
6. The City currently has Microsoft Windows computers in use by City staff, and the City's applications, data storage with access and security provided by Microsoft servers and hosted in a remote data centre. These services are essential to the day to day business of the City.
7. Microsoft products are used to provision almost all City ICT services and are used to secure digital assets, on desktop computers, allowing City staff to print, send email and to use the City's Enterprise Resource Planning software (ERP).

8. The Microsoft E5 license product provides the fundamental back bone of the City's Cyber Security platform.
9. The City must renew its Licencing Agreement with Microsoft in order for the City to continue to use Microsoft products legally.

#### **DETAILS AND ANALYSIS**

10. Microsoft does not contract directly with its customers, therefore, the City must maintain an agreement with a certified Microsoft reseller, which administers the contract and compliance with the contract on behalf of Microsoft.
11. The City engaged the services of the current partner to provide a Microsoft licencing specialist prior to going to tender to ensure the City was licenced for the correct software and for the appropriate number of licences. These services were used to develop the bill of materials for Microsoft licence tender.
12. The establishment of a Microsoft Licencing Agreement provides the City with access to discounted Microsoft software at a rate which has been negotiated by the Western Australian Local Government Association (WALGA).
13. The City issued eQuote 2025-02 on 15 May 2025 on the WALGA Panel contract - PSP001-024 Microsoft Open Licenses and Cloud Solution Providers. The Tender closing date was advised as no later than 2.00pm AWST Thursday 29 May 2025.
14. Tender submissions were received from:
  - a) Crayon Australia Pty Ltd
  - b) Data#3 Limited
  - c) Insight Enterprises Australia Pty Ltd
15. An Evaluation Panel was duly appointed by the Director Corporate Services of suitably qualified City officers to assess the tenders received.
16. Only two (2) of the three (3) Tenderers exceeded the required qualitative pass mark (QPM) of 60%, with one Tenderer being eliminated from further assessment.
17. A price assessment was then undertaken for the two (2) conforming eQuote submissions that met the QPM to determine the best value for money outcome for the City.

18. The tender evaluation report is provided as Confidential Attachment 1 to this report.
19. The recommended tenderer best satisfied the City's requirements in terms of:
  - a) Relevant Experience
  - b) Performance as a Microsoft Licensing Partner
  - c) Price
20. The Evaluation Panel has recommended Insight Enterprises Australia Pty Ltd as the preferred Tenderer for its total sum of \$1,278,187 (excluding GST) to undertake the provision of Microsoft licences.
21. The benefits in maintaining a Microsoft Licensing Agreement are that the City:
  - a) Can better manage cashflow by spreading payments over a three year term instead of a single upfront payment and can effectively manage its budget as pricing is locked in for the three year term.
  - b) Is able to automatically access the latest software and technologies as they become available.
  - c) Simplifies licensing compliance and reduce the risk of non-compliance as all licences are managed from a single portal and with the assistance of the Microsoft Licence Solutions Partner.
  - d) Can use one Microsoft licence for up to 5 devices such as a laptop and tablet or phone and a home computer, providing greater flexibility for staff to access their data.
  - e) Is not tied into specific versions of software and can develop or change services without technology being a limiting factor.
  - f) Microsoft cloud services are certified by the Australian Department of Defence to hold classified data.

#### **APPLICABLE LAW**

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

#### **APPLICABLE POLICY**

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

#### **STAKEHOLDER ENGAGEMENT**

24. Nil.

## FINANCIAL CONSIDERATIONS

25. The provision of \$420,000 is included in the FY2025/26 ICT Services budget with allocations for future years in the Long-Term Financial Plan (LTFP).

## SUSTAINABILITY

26. Nil.

## RISK MANAGEMENT

- 27.
- |  |                    |               |
|--|--------------------|---------------|
| <b>Risk:</b> The City will be legally non-compliant with Microsoft if the City fails to renegotiate the licensing agreement before expiry.   |                    |               |
| <b>Likelihood</b>  | <b>Consequence</b> | <b>Rating</b> |
| Likely   | Moderate           | Medium        |
| <b>Action/Strategy</b>   |                    |               |
| Accept the eQuote 2025-02 15 May 2025 on the WALGA Panel contract - PSP001-024 Microsoft Open Licenses and Cloud Solution Providers. Award tender to Insight Enterprises Australia Pty Ltd to renew the Microsoft Licensing Agreement. |                    |               |
- 28.
- |   |                    |               |
|---|--------------------|---------------|
| <b>Risk:</b> City services to the community could be interrupted if the Microsoft Licensing Agreement expires.              |                    |               |
| <b>Likelihood</b>   | <b>Consequence</b> | <b>Rating</b> |
| Possible  | Moderate           | Medium        |
| <b>Action/Strategy</b>  |                    |               |
| Inform Microsoft of licensing decision delay and seek temporary licenses to allow the City to continue to provide services. |                    |               |

## CONCLUSION

29. The key drivers for maintaining a Microsoft Licensing Agreement are that the City is reliant on Microsoft operating systems to provide services internally and to the public. The E5 license product provides the fundamental back bone for the City's Cyber Security platform. The agreement offers the City flexibility in licensing, and discounted software.

<b>Voting Requirements: Simple Majority</b>
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**RESOLVED OCM 2025/118**

That Council ACCEPT the tender submitted by Insight Enterprises Australia Pty Ltd ABN 470 586 456 77 of Level 11, 201 Kent Street Sydney NSW 2000 in accordance with WALGA Contract Terms and Conditions and as per their Schedule of Rates submission dated 28 May 2025. The total value of the award over a three (3) year period is estimated at \$1,278,187 excluding GST and inclusive of estimated currency and CPI increases over the life of the Contract.

Moved:       **Cr John Giardina**

Seconded:   **Cr Lisa Cooper**

Vote:         For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY (9/0)**

10.4. Community Services Reports

10.4.1. Bush Fire Brigades Local Law 2025

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

Previous Items	OCM 2025/65
Directorate	Community Services
Business Unit	Community Health & Safety
File Reference	
Applicant	
Owner	
Attachments	<div>1. Final Draft - Bush Fire Brigades Local Law 2025 - Marked Up [10.4.1.1 - 8 pages]</div> <div>2. Final Draft - Bush Fire Brigades Local Law 2025 [10.4.1.2 - 9 pages]</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 1.2** - To provide a safe and healthy environment for community to enjoy.

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

Priority 4: Kalamunda Leads

**Objective 4.1** - To provide leadership through transparent governance.  
**Strategy 4.1.1** - Provide good governance.

## EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the outcome of submissions received on the draft City of Kalamunda Bush Fire Brigades Local Law 2025 as shown at Attachment 1.
2. The statutory process commenced on 27 May 2025 at the Ordinary Council meeting when Council resolved to give public notice of its intention to make the new Local Law and seek submissions on the proposal.
3. It is recommended Council note the submissions received and make the proposed City of Kalamunda Bush Fire Brigades Local Law 2025

## BACKGROUND

4. The City is required to undertake a review of local laws every eight years in accordance with the LG Act.
5. The existing by-law relating to the *Establishment, Maintenance and Bush Fire Brigades 1991* requires updating, and replacement of the local law is recommended.
6. Several amendments to legislation relating to bush fire brigades, as well as guidelines from the Joint Standing Committee on Delegated Legislation (JSCDL) advising local laws should not duplicate provisions available in overarching legislation, warrant the replacement of the local law.
7. The objective of this approach is to not duplicate provisions that already exist in legislation and only address matters that must be dealt with as prescribed in section 43 of the BF Act.

## DETAILS AND ANALYSIS

8. On 27 May 2025 council received the draft City of Kalamunda Bush Fire Brigades Local Law 2025 and resolved to advertise for public comment.
9. The draft Bush Fire Brigades Local law 2025 was advertised for public comment for the duration of the statutory advertising period (not less than six weeks after the notice was given) and submissions closed on 25 July 2025.

10. One submission was received from the Department of Fire and Emergency Services (DFES) and one was received from the leadership team of the Kalamunda Volunteer Bush Fire Brigade. Details of the submissions and relevant Administration comments are included below:

Clause	DFES Submission	Administration Comment
1.4	Consideration to the suitability of having 'Elected Officer within definitions of both 'Bush Fire Brigade Member' and 'Bush Fire Brigade Officer'.	Administration believes this is adequately covered already.
4.5	While there are Captains functions detailed within clause 4.5, the City may wish to further or separately delineate the duties of Lieutenants (and any other members not included in the Proposed Law, such as Secretary or Treasurer).	Not supported. These roles support the Captain in discharge of their duties as per the local law.
	Consideration to including a provision relating to ensuring DFES is notified of registrations as per section 41(2a) of the <i>Bush Fires Act 1954</i> .	Not supported. This is already provided for in the BF Act and should not be replicated in the local law.
	<p>Consideration of closer alignment to the WALGA 'model law' which has been consistently accepted by the JSCDL including, but not limited to consideration of the following matters which have been omitted from the Proposed Law:</p> <ul style="list-style-type: none"> <li>Rules Governing the Operation of a Bush Fire Brigade as a Schedule.</li> <li>Aspects of Part 5 (Meetings of Bush Fire Brigade), Part 7 (General and Administrative matters) and Part 8 (Notices and Proxies) of the Rules.</li> </ul>	The draft proposed local law is based on comparable local laws that have passed the scrutiny of the JSCDL. The matters highlighted by DFES in their feedback will be covered in the Brigades Operating Procedures. These are matters that may be updated frequently. If they were included in the local law, the local law would need to go through the statutory approval process each time a change was required.

	<ul style="list-style-type: none"> <li>• Objection rights under clause 2.11 of the Rules.</li> <li>• Part 4 (Types of Bush Fire Brigade Membership) and chain of command details.</li> </ul>	
	Check formatting throughout the document.	Formatting in the draft local law has been reviewed and amended where required.
Clause	Leadership Team Kalamunda VBFB Submission	Administration Comment
4.5(1)(c)	Review points (i), (ii) and (iii) as they don't make sense (especially (ii)).	This clause has been amended for clarity.
5.2(1)	Change wording from 'may make an application' to 'shall make an application' as it is a requirement to make an application, not an option.	This clause has been amended to replace 'may' with 'shall'.

11. As a result of the change made to Clause 4.5 following the submission from the leadership team at the Kalamunda Volunteer Bush Fire Brigade, this Clause no longer includes reference to Elected Officers.
12. In response to the submissions received, some minor changes have been made to the draft Bush Fire Brigades Local Law 2025. These changes are shown in mark up in Attachment 1 and do not alter the intent of any section of the draft local law as provided for public consultation.
13. Administration recommends that Council make the Bush Fire Brigades Local Law 2025 as contained at Attachment 2. The agenda and minutes of the Ordinary Council Meeting at which the local law is considered must include the purpose and effect of the proposed local law, which are set out below:

**Purpose:**

The purpose of this local law is to provide for the establishment, organisation and maintenance, administration, and funding of bush fire brigades in the City of Kalamunda.

**Effect:**

The effect of this local law is that bush fire brigades will be organised and managed to comply with changes in the law and operational practice.

14. Once a local law is gazetted, it is referred to the Joint Standing Committee on Delegated Legislation (JSCDL) for consideration. Where the JSCDL finds that a local law is not consistent with its terms of reference, an amendment or repeal may be required. The draft proposed local law is also based on comparable local laws that have passed the scrutiny of the JSCDL.

#### **APPLICABLE LAW**

15. *Local Government Act 1995*  
Section 3.12: Procedure for making local laws  
*Bush Fires Act 1954*  
Section 41: Bush fire brigades

#### **APPLICABLE POLICY**

16. Nil.

#### **STAKEHOLDER ENGAGEMENT**

17. The City's Chief Bush Fire Control Officer and the Bush Fire Advisory Committee were consulted and endorsed the draft local law.
18. As required, the draft local law was advertised for public comment on the City's website, in the local newspaper, on the City's social media platforms and on notice boards at the Administration Building and Libraries. Public comment was invited for a period of seven weeks.
19. A copy of the draft local law was provided to the Department of Local Government and DFES for feedback.

#### **FINANCIAL CONSIDERATIONS**

20. The cost for gazettal of the local law and subsequent advertising will be met from the current operating budget.

#### **SUSTAINABILITY**

21. This local law will enable bush fire brigades to manage and comply with changes in the law and operational practice. It supports resilient, compliant and well-coordinated emergency response efforts.

#### **RISK MANAGEMENT**

22.

**Risk:** The existing bylaw is outdated and no longer remains fit for the purpose of the contemporary operation of bush fire brigades.

**Consequence**

**Likelihood**

**Rating**

Moderate

Unlikely

Low

**Action/Strategy**

Council endorses a new City of Kalamunda Bush Fire Brigades Local Law.

## CONCLUSION

23. Submissions received on the draft Bush Fire Brigades Local Law 2025 have been considered resulting in some minor changes that do not alter the intent of the original draft.

24. It is recommended that Council make the proposed City of Kalamunda Bush Fire Brigades Local Law 2025.

### Voting Requirements: Absolute Majority

#### RESOLVED OCM 2025/119

That Council:

1. ADOPT by absolute majority in accordance with section 3.12(4) of the *Local Government Act 1995*, the Bush Fire Brigades Local Law 2025 as set out in Attachment 2.
2. NOTE the purpose and effect of the local law being:  
**Purpose**  
 The purpose of this local law is to provide for the establishment, organisation and maintenance, administration, and funding of bush fire brigades in the City of Kalamunda.  
**Effect**  
 The effect of this local law is that bush fire brigades in the City of Kalamunda will be organised and managed to comply with changes in the law and operational practice.

Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr**

**Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

**Against: Nil**

**CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (9/0)**

10.5. Office of the CEO Reports

10.5.1. Elected Member Communication and Contact with Staff Policy - Review

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

Previous Items	OCM 2025/100
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	
Owner	
Attachments	<div><div>1.</div><div>Governance 1 Elected Member Communication and Contact with Staff - Marked Up v 2 [10.5.1.1 - 6 pages]</div></div> <div><div>2.</div><div>Governance 1 Elected Member Communication and Contact with Staff - Final [10.5.1.2 - 4 pages]</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 4: Kalamunda Leads**

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

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

**EXECUTIVE SUMMARY**

1. Following a Notice of Motion at the June Ordinary Council Meeting, Administration have reviewed Governance 1: Elected Member Communications and Contact with Staff policy.
2. The revised policy has been prepared consistent with the current approach to communication with Elected Members and Administration with consideration for the draft Communications Agreement.
3. It is recommended that Council adopt the revised policy.

**BACKGROUND**

4. At its meeting held on 24 June 2025, Council resolved (OCM 2025/100) to request the Chief Executive Officer (CEO) to:
  1. Review the Council Policy, Governance 1: Elected Member Communication and Contact with Staff
  2. Present a revised draft policy to Council at the August Ordinary Council Meeting 2025 for council consideration for adoption.
5. The current policy was reviewed and adopted in October 2021 and was due for review in October 2023.

**DETAILS AND ANALYSIS**

6. Through the current *Local Government Act 1995* reforms, regulations relating to a communications agreement have been prepared by the Department of Local Government. It is intended that agreements will be required to be made between the Council of a local government and the CEO.
7. Consultation has recently ended however indications are that this agreement will be required to be made following the 2025 Local Government Ordinary Election. The intention of this agreement will be to set out minimum expectations for formal communications between Elected Members and employees of local governments.
8. The City's existing Governance 1: Elected Member Communication and Contact with Staff policy is similar to the proposed communications agreement with the intention to set out how Elected Members can seek information from Administration outside of the regular meeting structure.

9. Although the existing policy is predominantly fit for purpose, it has been reviewed and aligned to some of the information included in the draft Communications Agreement provided for consultation through the reform process.
10. The overall intent of the policy has not changed. A summary of the changes are as follows:
  - a) The policy statement includes general principles around communication between the Elected Members and the CEO, consistent with the draft Communications Agreement but not dissimilar to the intention of the existing policy.
  - b) 'Exceptions' have been removed and amended to 'nominated employees'. This is consistent with the wording of the draft Communications Agreement. There is no change to who the Elected Members can communicate with.
  - c) Information that may be requested has been specified and requirements for that have also been included.
  - d) The policy states what information is not required to be provided, consistent with the draft Communications Agreement.
  - e) Timeframes for acknowledgements and responses to requests for information have been specified, consistent with the current approach.
  - f) Information relating to who will receive the response to a request for information has been included. This provides some clarity to what is in the existing policy and is consistent with the draft Communications Agreement.
  - g) A definition of administrative matters has been included, consistent with the draft Communications Agreement.
11. Attachment 1 provides a marked up version of the reviewed policy, showing changes that have been made. Attachment 2 provides a draft final version of the policy.

#### **APPLICABLE LAW**

12. *Local Government Act 1995*

#### **APPLICABLE POLICY**

13. Governance 20 – Code of Conduct Complaints Management

#### **STAKEHOLDER ENGAGEMENT**

14. The existing policy and draft Communications Agreement from the Department of Local Government were discussed with Elected Members at a Governance briefing on 8 July 2005.

## FINANCIAL CONSIDERATIONS

15. Nil.

## SUSTAINABILITY

16. Nil.

## RISK MANAGEMENT

17.	<b>Risk:</b> Without a clear policy, unauthorised communication between Elected Members and Administration could occur and result in a breach of the Code of Conduct.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Moderate	Possible	Medium
	<b>Action/Strategy</b>		
	Ensure a policy is in place providing clear direction on the communication that can take place between Elected Members and Administration.		

## CONCLUSION

18. In summary, Council are requested to adopt the reviewed policy Governance 1 – Elected Member Communication and Contact with Staff.

<b>Voting Requirements: Simple Majority</b>
---

## RESOLVED OCM 2025/120

That Council ADOPT the revised Governance 1: Elected Member Communication and Contact with Staff Policy as contained at Attachment 2.

Moved: Cr Dylan O'Connor

Seconded: Cr John Giardina

Vote: For: Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo

Against: Nil

**CARRIED UNANIMOUSLY (9/0)**

## 10.6. Chief Executive Officer Reports

### 10.6.1. Monthly Financial Statements to 31 July 2025

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> <li>1. Statement of Fin Activity for the month ended 31 July 2025 [<b>10.6.1.1</b> - 1 page]</li> <li>2. Statement of Net Current Funding Position as at 31 July 2025 [<b>10.6.1.2</b> - 1 page]</li> <li>3. Statement of Financial Position as at 31 July 2025 [<b>10.6.1.3</b> - 1 page]</li> <li>4. 2025-26 Budget Amendment - OCM 26.08.2025 [<b>10.6.1.4</b> - 2 pages]</li> </ol>

#### TYPE OF REPORT

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

#### STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

#### Priority 4: Kalamunda Leads

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

## EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the Statutory Financial Statement for the twelve months ended 31 July 2025.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (City) with the comparison of the period's performance against the Annual Budget 2025-26 adopted by Council on 24 June 2025.

The opening balances in the reported financials are based on the draft financial reports of 2024-25 pending final year-end adjustments, closure of subledgers, land and building revaluation entries and provisions movements which are yet to be finalised including the external audit for the year 2024-25.

3. It is recommended that Council receives the draft Monthly Statutory Financial Statements for the month of July 2025 and note the Voted Works details

## BACKGROUND

4. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995 (Act)* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.
5. The Statement of Financial Position (Attachment 3, incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995 (Act)* and Regulation 35 of the *Local Government (Financial Management) Regulations 1996*.

## DETAILS AND ANALYSIS

6. The Act requires the Council to adopt a percentage or value to be used in reporting variances against the Budget. Council has adopted the reportable variances of 10% or \$50,000 whichever is greater.

## FINANCIAL COMMENTARY

### **Draft Statement of Financial Activity by Nature and Type for the month ended 31 July 2025.**

7. This Statement reveals a net result surplus of \$74,519,074 compared to the budgeted surplus of \$66,810,241 resulting in a variance of \$7,708,834. The variance is largely due to an operating activities variance of \$4,813,772 and variance of \$2,820,114 & \$74,948 respectively from investing & financing activities.

## Operating Revenue

8. Total Revenue including rates is over budget by \$203,066. This is made up as follows:
- a) Rates generation remained along budget with a minor variance of \$170,055 mainly due to actual billing amount was higher than budgeted amount. The variance is attributed to when the modelling was done for the budget which was in April 2025 after which the database has been updated with interim rates and also the annual UV valuation file from Landgate which normally comes in late May or June 2025.
  - b) Operating Grants, Subsidies and Contributions are under budget by \$26,574. The variance is mainly due to a timing difference in the reimbursement of workers compensation insurance claims which are lower than budget by \$16,667 and the Bush Fire Brigade (BFB) grant variance under budget by \$11,877 which is due to a delay in raising the quarterly invoice.
  - c) Profit on asset disposal is under budget by \$105,378 as certain land parcels earmarked for sale have not yet been finalised. Approval has recently granted by Council to commence disposal on some surplus land parcels which will be completed in the next few months of the year.
  - d) Fees and Charges remain in line with the budget with minor over budget variance of \$96,581. The variance is attributable to the fee on inspection of pools that remained over budget by \$77,089.
  - e) Interest income is above budget by \$43,415 mainly due to \$50,614 higher interest resulted on the outstanding rates recorded by the system in the new year.
  - f) Other Revenue is over budget by \$132,193 and the variance is mainly due to recognising 2025-26's related free subscription. In line with the Australian Accounting Standard's Board, the City is required to reflect the value of the benefit the City is deemed to have received.
  - g) Ex-Gratia Rates Revenue is tracking lower than budget by \$107,226 due to a timing variance in relation to the receipt of the Ex-Gratia Rates due from the Dampier Bunbury Natural Gas Pipeline (DBNGP). The funds normally get paid in the later part of the year.

## Operating Expenditure

9. Total expenditure is under budget by \$1,838,732. The significant variances within the individual categories are as follows:
- a) Employment Costs variance is below the threshold of reporting.

- b) Materials and Contracts are under budget by \$1,647,913. The variance is mainly due to a timing difference for waste services, building maintenance and infrastructure maintenance costs. An appropriate accrual will be passed in the following month.
- c) Utilities are tracking below budget by \$101,117, mainly due to Street Lighting Expense is not yet booked in the first month against a budget allocation of \$113,771. An appropriate accrual will be passed to reflect this timing.
- d) Depreciation, although a non-cash cost, is tracking in line with the budget with a minor variance of \$120,582. This is partially due to a delay in the capitalisation of assets as at 30 June 2025 which is underway and will be recorded in August / September as part of year end accounting adjustments.
- e) Interest expense remained below the budget by \$4,807. The major reason for the variance is the delay of drawdown of Asset Finance Loan on Fleet Vehicles due to delay in delivery of the vehicles.
- f) Insurance expense is tracking over budget by \$76,828 due to LGIS premium received for buildings was higher than budgeted (e.g. Community Halls & Buildings & Lease Buildings premium is \$38k higher than budgeted). The trend will be monitored over next few months and any adjustment in the budget will be made, if required.
- g) Loss on Asset Disposal adverse variance of \$14,091 relates primarily to disposal of a vehicle that was not budgeted.
- h) Other expenditure is under budget by \$16,241 mainly due to a timing difference of contributions and donations to community groups and land acquisition costs of \$7,800 budgeted for Forrestfield Industrial Area Scheme.

### **Investing Activities**

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

- 10. The non-operating grants and contributions is under budget by \$1,566,364. This is mainly due to a timing difference with the grants triggered when a milestone is met.

### **Capital Expenditure**

11. The total Capital Expenditure on Property, Plant, Equipment, and Infrastructure Assets is under budget by \$4,052,434. The delayed spend is due to the City working through some large projects which are in various stages in the tender process. A review will be undertaken to determine any major adjustments required in Capex for mid-year review of 2025/26 Budget.

### **Financing Activities**

12. The amounts attributable to financing activities show a variance from budget by \$74,948 which is mainly due to the delay in proceeds from the Asset Finance Loan (as stated at paragraph 9(e) above).

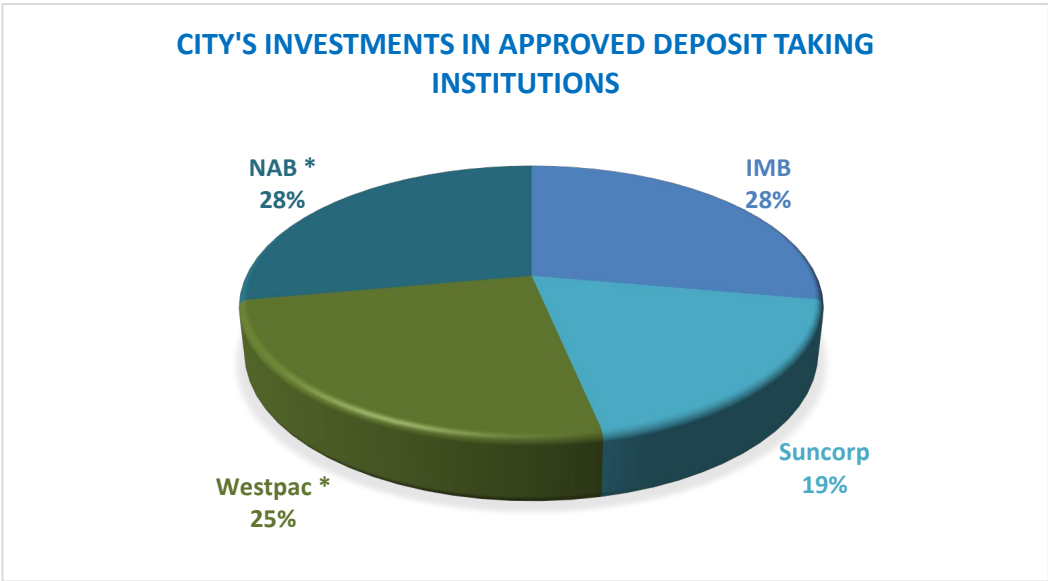
### **Statement of Net Current Funding Position as of 31 July 2025**

13. The commentary on the net current funding position is based on a comparison of July 2025 to the July 2024 actuals.
14. Net Current Assets (Current Assets less Current Liabilities) total \$104.5 million as compared to \$98.3 million for the previous year. The restricted cash position is \$34.5 million which is slightly lower than the previous year's balance of \$35.6 million.
15. The following graph indicates the financial institutions where the City has investments as of 31 July 2025. Investments yields are between 4%-5.5% depending on the length of deposits. The Reserve Bank of Australia have reduced the cash rate by a further 15 basis points to 3.85% which will have an adverse effect on investment income in the outer months and the new financial year as core inflation stabilises.

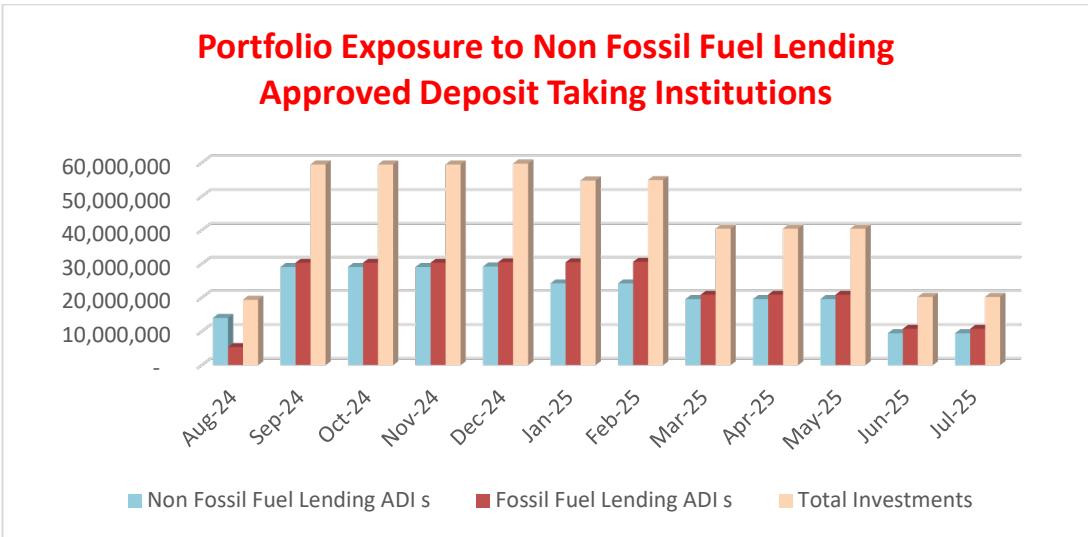
The outlook shows that there will be further cuts in the financial year as the inflation stabilises but also more importantly weakening economic indicators which will require fiscal stimulation.

As can be seen from the table below, the amount invested has reduced significantly. This is mainly due to the cyclical nature of Council cashflow with the City having issued the Rates on the 15 July 2025 and is comparative to the previous year.

16.



\*Financial Institutions with Investments in the Fossil Fuel Industry



17. Rates debtors are currently \$44.4 million (\$42.3m in 2024), further details are contained in the Rates Report to Council.

18. Sundry debtors have increased from \$0.5 million to \$2.3 million of which \$1.1 million consists of current debt due within 30 days. The major invoice outstanding for the 2<sup>nd</sup> milestone payment of the High Wycombe Hub grant of \$1.2 million. Further details are contained in the Debtors and Creditors Report to Council.

19. Receivables Other represent \$22.0 million including:

- a) Emergency Service Levy receivables \$6.8 million.
- b) Receivables Sanitation \$11.4 million.

The above is all part of the rates billing cycle and form part of the rates statement for each property.

20. Provisions for annual and long service leave have increased by \$241,719 from \$4.29 million to \$4.53 million when compared to the previous year. The provision is cash backed via specific reserves.

### **Proposed Budget Amendments and Voted Works**

21. There are no proposed notice of motions on voted works for this month hence there are no budget amendments for Voted Works. An allocation of \$100,000 remains.
22. The City has reviewed its 2024/25 Capital Works and has identified changes are required to the adopted budget to enable the City to complete the projects. These amounts are carried forward from the previous year budget.

The details is outlined in Attachment 4 which will be the subject for majority approval from Council.

The overall impact is an adjustment of \$4,862,767 is required of which is funded from in two major parts:

- Funding from other sources worth \$2,976,365 which is mainly made up from Grants and Contributions; and
- The balance of \$1,886,402 funded from Municipal Funds which are entirely un-spent funds from 2024/25 forming part of the opening surplus position. Due to the timing of the external audit, the draft opening position will only be adjusted once the financial statements are issued with an audit opinion. Until then, the current budget will be showing a final position in deficit for the next few months.

### **APPLICABLE LAW**

23. *Local Government Act 1995 s6.8*  
*Local Government (Financial Account Management) Regulations 1996 s34 and s35.*

### **APPLICABLE POLICY**

24. Nil.

### **STAKEHOLDER ENGAGEMENT**

#### **Internal Referrals**

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

### External Referrals

26. As noted in point 23 above, the City is required to present to the Council a monthly statement of financial activity with explanations for major variances.

### FINANCIAL CONSIDERATIONS

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

### SUSTAINABILITY

#### Social Implications

28. Nil.

#### Economic Implications

29. Nil.

#### Environmental Implications

30. Nil.

### RISK MANAGEMENT

- 31.
- | Risk: Over-spending the budget.   |            |        |
|---|------------|--------|
| Consequence   | Likelihood | Rating |
| Moderate  | Possible   | Medium |
| Action/Strategy   |            |        |
| Monthly management reports are reviewed by the City and Council. Procurement compliance is centrally controlled via the Finance Department. |            |        |
- 32.
- | Risk: Non-compliance with Financial Regulations  |            |        |
|--|------------|--------|
| Consequence  | Likelihood | Rating |
| Moderate   | Unlikely   | Low    |
| Action / Strategy  |            |        |
| The financial report is scrutinised by the City to ensure that all statutory requirements are met.<br>Internal Audit reviews to ensure compliance with Financial Regulations.<br>External Audit confirms compliance. |            |        |

### CONCLUSION

33. The City's Financial Statement as of 31 July 2025 reflects a large draft closing surplus position which is slightly higher to the forecast estimated 2025/26 opening position. The surplus position is likely to change with the year-end adjustments yet to be passed including the pending external audit review. One of those adjustments is the proposed budget amendments in 22 above relating to 2024/25 Capital Works projects, some of which didn't meet forecasted spend and require a carry over adjustment in 2025/26 to complete them.

<b>Voting Requirements: Absolute Majority</b>
---

RESOLVED OCM 2025/121

That Council

1. RECEIVE the Monthly Statutory Financial Statement for the month of July 2025 which comprises:
  - a) Statement of Financial Activity (Nature or Type) (Attachment 1).
  - b) Statement of Net Current Funding Position, note to financial report. (Attachment 2).
  - c) Statement of Financial Position (Attachment 3).
2. ADOPTS by absolute majority the budget amendment as detailed in Attachment 4.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Lisa Cooper**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (9/0)**

## 10.6.2. Debtors and Creditors Reports for the month of July 2025

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> <li>1. Creditor Payments for the period ended 31 July 2025 (Public) [10.6.2.1 - 18 pages]</li> <li>2. Corporate Credit Card Payments 27 May 2025 to 26 June 2025 - (Public) [10.6.2.2 - 4 pages]</li> <li>3. Summary of Debtors for the month of July 2025 [10.6.2.3 - 2 pages]</li> <li>4. Summary of Creditors for month of July 2025 [10.6.2.4 - 1 page]</li> </ol>
Confidential Attachments	<ol style="list-style-type: none"> <li>1. Creditor Payments for the period ended 31 July 2025 – Confidential</li> <li>2. Corporate Credit Card Payments for the period 27 May to 26 June 2025 - Confidential</li> </ol>

Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (e) - "matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government"*

### TYPE OF REPORT

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

## STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

### Priority 4: Kalamunda Leads

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

## EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with details of payments made from Municipal and Trust accounts together with outstanding debtors and creditors for the month of July 2025.
2. The report provides details of payments made from the Municipal and Trust Fund Accounts for the month. It also includes details of employee purchases via purchasing cards from 27 May to 26 June 2025.
3. It is recommended that Council receive the list of:
  - a) payments made from the Municipal and Trust Fund Accounts for the month of July 2025
  - b) payments made by employees via purchasing cards from 27 May to 26 June 2025.
  - c) the outstanding debtors and creditors report for the month of July 2025.

## BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures.
5. In accordance with regulation 13 of the *Local Government (Financial Management) Regulations 1996*, reporting on payments made from Municipal Fund and Trust Funds must occur monthly.
6. Effective from 1 September 2023 under *Local Government (Financial Management) Regulations 1996* (Regulation 13A)  
If a local government has authorised an employee to use a credit, debit or other purchasing card a list of payments made using the card must be prepared each month showing the following information for each payment made since the last list was prepared.
  - a) The payee's name
  - b) The amount of the payment
  - c) The date of the payment
  - d) Sufficient information to identify the payment.

## DETAILS AND ANALYSIS

### Debtors

7. Sundry debtors as of 31 July was \$2,288,836. This includes \$1,113,475 of current debts and \$2,454, unallocated credits (excess or overpayments).
8. Invoices over 30 days total \$1,152,632 debts of significance:
  - a) Dept of Planning, \$1,080,000, High Wycombe Hub – Grant.
9. Invoices over 60 days total \$2,773, debts of significance:
  - a) Private Citizen, \$2,532, Veterinary Fees.
10. Invoices over 90 days total \$22,410, debts of significance:
  - a) N-Com Pty Ltd, \$10,490, lease fees;
  - b) Private Citizen, \$3,815, fire hazard reduction burn;
  - c) Kalamunda District Rugby Union, \$1,651;
  - d) Kalamunda Chamber of Commerce, \$1,580, reserve hire;
  - e) Proptel, \$1,500, Communications Tower; and
  - f) Servicestream, \$1,500, Communications Tower.

## Creditors

11. Payments totalling \$8,166,975.36 were made during the month of July 2025. Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.

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

Supplier	Purpose	\$
AE Hoskins Building Services	Building maintenance and construction service at various locations	861,207.47
Australian Taxation Office	PAYG Tax Payments	736,799.54
LGIS WA	1st instalment - LGIS insurance - 30/06/25 - 30/06/26	659,785.03
Cleanaway	Waste / recycling & bulk bin disposal services fees	618,595.64
Range Ford	Supply & delivery of fire emergency vehicle & fleet vehicles	350,946.52
Asphaltech Pty Ltd	Road materials for profiling at various locations	274,488.06
Aware Super Pty Ltd	Superannuation contributions	237,095.70

Synergy	Power charges	228,998.51
Contraflow	Traffic management for various locations	150,398.42
Brausch Construction Group	Progress claim - practical completion of Foothills Mens Shed	124,350.64
Dowsing Group Pty Ltd	Supply & lay concrete pathways, maintenance & misc. works at various locations	116,921.03
Western Australian Treasury Corporation	Government guarantee fee invoice for June 2025 & repayment of loan 221	116,750.57
City of Cockburn	Waste disposal services from the weekly residential collection	104,834.57
Kennedys Tree Services (Cosmag Pty Ltd)	Tree removal / under powerline pruning for various locations	101,559.62
Cardia Bioplastics (Aust) Pty Ltd	Supply & delivery of 8l kitchen tidy bag rolls for Walliston Transfer Station	96,940.80
Resource Recovery Group (SMRC)	Waste & recycling disposal services fees	88,800.02
McKay Earthmoving Pty Ltd	Plant equipment and operator hire for various locations	76,641.37
OCE Corporate Pty Ltd - Office Cleaning Experts	cleaning services / consumables for various locations	76,160.71
Bpa Engineering Pty Ltd	Drainage data collection for the various locations	68,632.30
Nintex Pty Ltd	Nintex promapp and risk subscription 01/07/2025 - 30/06/2026	67,931.00
Technology One Ltd	TechnologyOne spatial subscription 01/07/2025 - 30/06/2026	67,406.77
Martins Environmental Services Pty Ltd	Weed control and natural area maintenance at various locations	65,848.76
Kalamunda Electrics	"Supply & installation of electrical fixtures and repairs / maintenance for various locations	63,911.90
Belgravia Health & Leisure Group Pty Ltd	Management of the Kalamunda Water Park	63,533.00
Water Corporation	Water use and service charge fees	62,322.17
Natural Area Management And Services	Supplies for revegetation project at Woodlupine Brook, Wattle Grove & supply & delivery of plants for 2025 Winter Revegetation Program	59,748.11
ChoiceOne Pty Ltd	Temporary labour hire service fees	57,112.62

Chevron Australia Downstream Fuels Pty Ltd	Supply of diesel fuel for Operations Centre	56,656.40
Christou Design Group Pty Ltd	Design services for High Wycombe Community Hub	55,660.00
Insight Enterprises Australia Pty Ltd	Adobe Acrobat Pro for Enterprise - Subscriptions	55,559.02
Total Site Solutions Pty Ltd T/A Sitexcell	Telecommunications property strategic review & temporary Telstra licence for city of Kalamunda	52,841.25

These payments total \$5,818,437.52 and represent 71% of all payments for the month.

### Payroll

12. Salaries and wages are paid in fortnightly cycles. A total of \$2,443,179.10 was paid in net salaries and wages for the month of July 2025 (as this month had 3 payroll payment cycles).
13. Additional details are provided in Confidential Attachment 1 after the creditors' payment listing.

### Trust Account Payments

14. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
  - a) CELL 9 Trust;
  - b) Public Open Space funds,
  - c) NBN Tower Pickering Brook Trust
15. The following payments (GST exclusive) were made from the Trust Accounts in the month of July 2025.

Cell 9		Amount (\$)
Date	Description	
31/07/2025	Natural Area Holdings Pty Ltd - Supply and installation of Revegetation at Woodlupine Brook, Wattle Grove	26,630.21
31/07/2025	Place Laboratory Pty Ltd - Landscape Architecture Service	14,500.00

### APPLICABLE LAW

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

17. Regulation 13 & 13A of the *Local Government (Financial Management) Regulations 1996*.

#### **APPLICABLE POLICY**

18. Debt Collection Policy CEO Direction 5.5.
19. Register of Delegations from Council to CEO.

#### **STAKEHOLDER ENGAGEMENT**

##### **Internal Referrals**

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

##### **External Referrals**

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

#### **FINANCIAL CONSIDERATIONS**

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

#### **SUSTAINABILITY**

23. Nil.

#### **RISK MANAGEMENT**

##### **Debtors**

- 24.
- |   |                   |               |
|---|-------------------|---------------|
| <b>Risk:</b> The City is exposed to the potential risk of the debtor failing to make payments resulting in the disruption of cash flow. |                   |               |
| <b>Consequence</b>  | <b>Likelihood</b> | <b>Rating</b> |
| Insignificant   | Possible          | Low           |
| <b>Action/Strategy</b>  |                   |               |
| Ensure debt collections are rigorously managed.   |                   |               |

##### **Creditors**

- 25.
- |   |
|---|
| <b>Risk:</b> Adverse credit ratings due to the City defaulting on the creditor. |
|---|

Consequence	Likelihood	Rating
Insignificant	Possible	Low
<b>Action/Strategy</b>		
Ensure all disputes are resolved in a timely manner.		

## CONCLUSION

26. Creditor payments are within the normal trend range.

### Voting Requirements: Simple Majority

#### RESOLVED OCM 2025/122

That Council:

1. RECEIVE the monthly lists of payments made from the Municipal Accounts for the month July 2025 (Confidential Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
2. RECEIVE the list of payments made from 27 May to 26 June 2025 using Corporate Purchasing Cards (Confidential Attachment 2) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13A).
3. RECEIVE the outstanding debtors and creditors reports (Attachments 1 & 2) for the month of July 2025.

Moved: **Cr David Modolo**

Seconded: **Cr Kathy Ritchie**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY (9/0)**

### 10.6.3. Rates Debtors Report for the Period Ended 31 July 2025

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A
Attachments	Nil

#### TYPE OF REPORT

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

#### STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

##### **Priority 4: Kalamunda Leads**

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

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

#### EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with information on the rates collection percentage and the status of rates recovery actions.

2. The City of Kalamunda (City) levied rates for 2025/2026 on 15 July 2025. The amount collectable (excluding deferred rates balance of \$1,154,548) as of 31 July 2025 was \$52,585,503. This balance includes, initial billing, interims and the brought forward balance from 2024/25. Collections to date stand at \$8,421,371.

## BACKGROUND

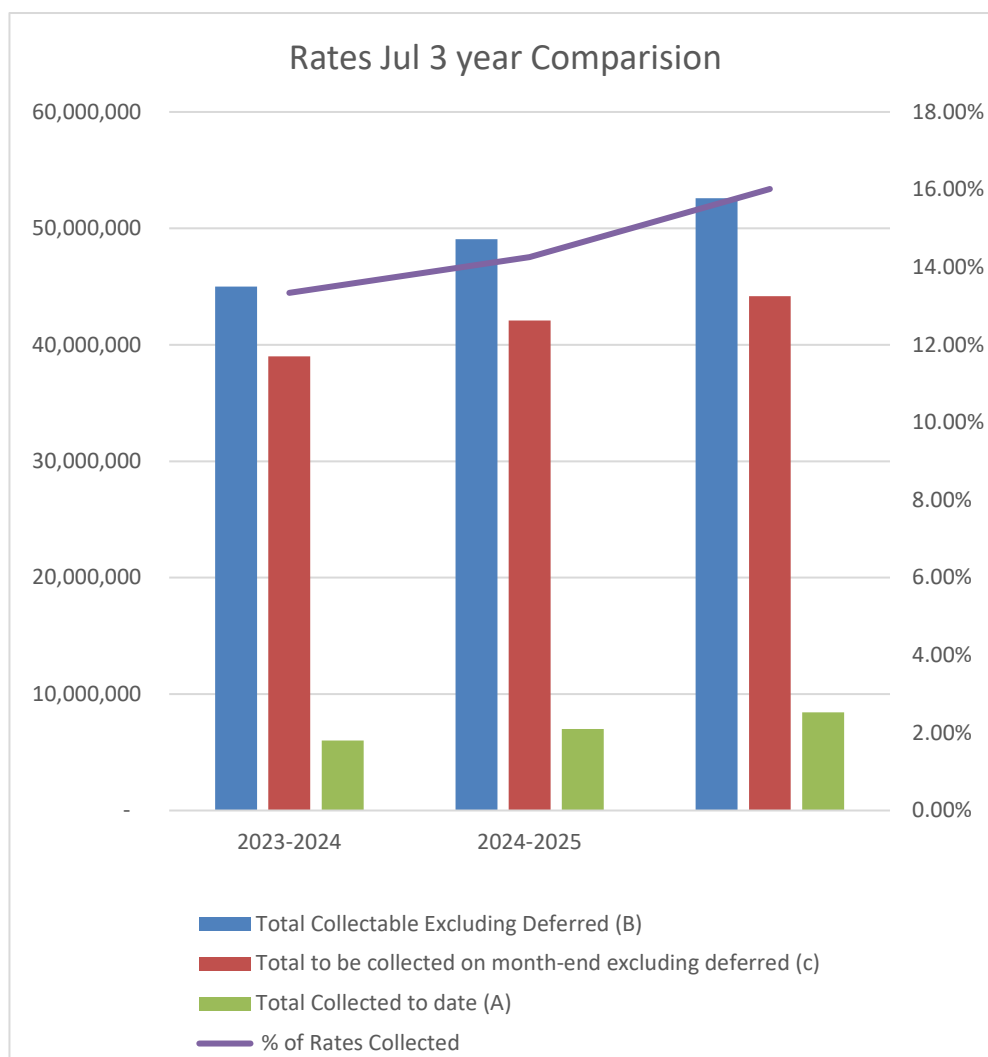
3. Rate Notices were issued on 15 July 2025 with the following payment options available:

Options	Payment Dates			
Full payment	19 August 2025			
Two instalments	19 August 2025	23 January 2025		
Four instalments	19 August 2025	21 October 2025	23 January 2025	2 February 2026

## DETAILS AND ANALYSIS

4. A total of 24,169 notices were issued on 15 July 2025. This consisted of 19,642 mailed rates notices, and 4,527 of eRates notices (18.7% take-up saving more than \$7,100 in postage and printing). Compared to last year (3,506 eRates), the uptake has increased by 29% which is impressive.
5. As of 31 July 2025, rates levied and collectable for the 2025/2026 Financial Year total is \$52,585,503 (excluding deferred rates), with collections standing at \$8,421,371.
6. The above collection of \$8,421,371 represents a collection rate of 16.01% which is significantly better than the previous year of 14.26%. For reference, below is a chart comparing the collection rates for the last three years.

7.



8.

From the above chart the following observations are made:

- a) The quantum of collectable and collected rates is higher in 2025/26 than previous years because the base amount is higher each year.
- b) The City now has a stable Rates Team with seasoned professionals who are actively managing the debt outstanding.
- c) The % collectable at 31 July 2025 is 83.99% which will be a point of focus for the Rates Team to work towards. In this regard, work is being done to review and update the City's collection and hardship policies and procedures.

9.

The interim rating will start for 2025-26 after the first due date which is 19 August 2025.

10. The first instalment due date is 19 August 2025. The following observations should be noted:

- a) A total of 5,894 properties representing 24.39% of the total number of rateable properties were noted to have paid in full or were in credit.
- b) A total of 3,374 ratepayers have taken up an instalment option or have entered into a payment arrangement. This number is only to 31 July and will be adjusted once the due date of 19 August 2025 passes.

The following table showing Properties choosing to pay by instalments or payment arrangements:

Option	Description	2025/26 Interim Number	2024/25 Number
Option 2 on Rates Notice	Two instalments	418	NA
Option 3 on Rates Notice	Four instalments	1,726	NA
Direct Debit	Pay by direct debit	1,017	1068
Payment Arrangement	Pay by payment Arrangement	213	258
<b>Total</b>	<b>Ratepayers on payment options</b>	<b>3,374</b>	<b>#</b>

11. Call recording software has been utilised in the Rates Department since 2015, primarily for customer service purposes, as it allows calls to be reviewed for training and process improvement purposes. For the period 1 Jul 2025 to 31 Jul 2025, there was a total of 1,122 calls, equating to 52.47 hours of call time.

## APPLICABLE LAW

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

## APPLICABLE POLICY

13. The City's rates collection procedures are in accordance with the Debt Collection Policy CEO Direction 5.5.

## **STAKEHOLDER ENGAGEMENT**

### **Internal Referrals**

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

### **External Referrals**

15. The higher-level debt collection actions will be undertaken by an external collection agency.

## **FINANCIAL CONSIDERATIONS**

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

## **SUSTAINABILITY**

### **Social Implications**

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

### **Economic Implications**

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

### **Environmental Implications**

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

## RISK MANAGEMENT

21.

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

## CONCLUSION

22. The current year collection rate is higher at 16.01% compared to 14.26% last year. The City continues to effectively implement its rate collection strategy.

<b>Voting Requirements: Simple Majority</b>
---

### RESOLVED OCM 2025/123

That Council RECEIVE the Rates Debtors Report for the Period ending 31 July 2025.

Moved: **Cr Lisa Cooper**

Seconded: **Cr Geoff Stallard**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY (9/0)**

10.6.4.      **Kalamunda Water Park - Urgent Maintenance Works**

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

Previous Items	OCM 103/2021; OCM 39/2022; OCM 102/2023
Directorate	Asset Services
Business Unit	Asset Planning & Delivery
File Reference	
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
P	Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets
	Information	For Council to note
	Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

**STRATEGIC PLANNING ALIGNMENT**

*Kalamunda Advancing Strategic Community Plan to 2031*

**Priority 1: Kalamunda Cares and Interacts**

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

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

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

**Priority 1: Kalamunda Cares and Interacts**

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

**Strategy 1.3.1** - Support local communities to connect, grow and shape

the future of Kalamunda.

**Priority 3: Kalamunda Develops**

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

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

## EXECUTIVE SUMMARY

1. The purpose of this report is to inform Council of urgent maintenance works required at the Kalamunda Water Park swimming pools and to seek approval for an additional budget allocation of \$200,000 from the Asset Enhancement Reserve to the 2025/26 Capital Works Program to complete these works prior to the summer season opening.
2. An assessment was undertaken which identified urgent works which, if not rectified immediately, will prevent the facility from operating in the 2025/26 season and risk further deterioration.
3. Council is requested to approve a \$200,000 budget allocation for these works to be funded through the Asset Enhancement Reserve.

## BACKGROUND

4. Kalamunda Water Park (KWP), located on Canning Road, Kalamunda, is a City owned leisure facility operated seasonally by Belgravia Leisure from November to March. The facility comprises a 50m outdoor pool, learner and toddler pools, water slides, kiosk, administration facilities, and change rooms.
5. Recent investigations included:
  - a) Diver leakage testing and pipe pressure testing.
  - b) Ground penetrating radar survey to detect voids under pool slabs.
  - c) Concrete core sampling and laboratory testing.
  - d) Visual condition inspections and delamination survey.

## DETAILS AND ANALYSIS

6. The assessment found that several urgent maintenance items must be addressed before the next operating season. These include:
  - a) Fixing leaking within the 50m outdoor pool, wading pools, and toddler pool.
  - b) Grouting and retiling to address damaged tiles and leaks in the pool floor and walls.
  - c) Patching works to balance and backwash tanks.

- d) Shade structural defects repaired.
- e) Boundary fencing repairs.

#### **APPLICABLE LAW**

7. Pursuant to section 6.8 (1) (b) of the *Local Government Act 1995*, which outlines the process for expenditure that is not included in annual budget.

Pursuant to section 6.11 (2) (b) of the *Local Government Act 1995*, which relates to Reserve funds.

Pursuant to the *Local Government (Functions & General Regulations) 1996* Division 2 11 (2) Tenders do not have to be publicly invited where:

- (c) within the last 6 months —
  - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or

#### **APPLICABLE POLICY**

8. CEOD7 - Purchasing  
City of Kalamunda Asset Management Policy

#### **FINANCIAL CONSIDERATIONS**

9. A budget allocation of \$200,000 is required for these urgent works, to be funded from the Asset Enhancement Reserve.

If works are not approved and completed in time, the facility will be unable to open for the upcoming season, resulting in loss of service to the community and increased subsidy costs to the City.

10. The City is contractually obligated to the operator, Belgravia Leisure for payment due for the 2025/26 season of \$245,000.

#### **SUSTAINABILITY**

11. The City will endeavour, wherever possible, with the demolition works that materials are responsibly recycled.

#### **RISK MANAGEMENT**

12.	<b>Risk:</b> Failure to address related defects may undermine the main 50m, wading and toddler pool structure.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Significant	Likely	High
	<b>Action/Strategy</b>		
	Approve and deliver urgent repairs prior to 2025/26 season opening.		

## CONCLUSION

13. The assessment has identified urgent maintenance repairs at Kalamunda Water Park requiring immediate repair to ensure the facility can safely open for the 2025/26 summer season.
14. Approval is requested for a budget allocation of \$200,000, enabling timely completion before the season opening.

### Voting Requirements: Absolute Majority

#### RESOLVED OCM 2025/124

That Council APPROVE a budget amendment of \$200,000 from the Asset Enhancement Reserve to be allocated to Urgent Maintenance Works at Kalamunda Water Park.

Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (9/0)**

10.6.5. Corporate Business Plan - Quarterly Update - April to June 2025

*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 Progress Report April- June 2025 [10.6.5.1 - 80 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
P	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 April to June 2025.

2. On average, actions from the Corporate Business Plan are 90.3% complete at the end of the fourth quarter, 30 June 2025.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period April to June 2025.

## BACKGROUND

4. Kalamunda Achieving: Corporate Business Plan 2023-2027 (CBP) was endorsed by Council at the Special Council Meeting on 26 June 2023.
5. A new Corporate Business Plan for 2024-2028 has recently been adopted by Council. This new plan will be reported on in the July to September 2025 quarter.
6. 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.
7. The Chief Executive Officer's KPIs for 2024-2025 have also been added to the document, to provide Council with information on progress towards achieving these goals.
8. The CBP is a component of the City of Kalamunda's integrated planning and reporting framework.

## DETAILS AND ANALYSIS

9. 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
10. There are 136 individual actions set out within the CBP. Progress reporting is provided as Attachment 1 to this report.
11. The report reflects the management progress report against the work schedule for each of the individual actions, as at 30 June 2025.
12. The CBP actions are on average 90.3% complete. The average target at the end of the fourth quarter is 97.8%, indicating that progress, on average, is behind schedule. The average target is less than 100% because some actions have been deferred to future years, meaning that their target for the current quarter is 0%.

## APPLICABLE LAW

13. 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*, which is effectively the City's 'plan for the future'.
14. The *Local Government (Administration) Regulations 1996* provides detail as to the content of the Corporate Business Plan.

## APPLICABLE POLICY

15. Nil.

## STAKEHOLDER ENGAGEMENT

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

## FINANCIAL CONSIDERATIONS

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

## SUSTAINABILITY

19. Nil.

## RISK MANAGEMENT

- 20.
- |  |                   |               |
|--|-------------------|---------------|
| <b>Risk:</b> The City lacks transparency in its achievement of the statutory requirements of the Corporate Business Plan leading to reputational impacts |                   |               |
| <b>Consequence</b>   | <b>Likelihood</b> | <b>Rating</b> |
| Moderate   | Unlikely          | Low           |
| <b>Action/Strategy</b>   |                   |               |
| Quarterly reports are provided to Council of progress against the CBP and are publicly available   |                   |               |

## CONCLUSION

21. The City is working to carry out the actions listed in the Corporate Business Plan. On average, actions from the Corporate Business Plan are 90.3% complete at the end of the fourth quarter of 2024/2025.

<b>Voting Requirements: Simple Majority</b>
---

**RESOLVED OCM 2025/125**

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2023-2027 for the period April to June 2025.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Mary Cannon**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY (9/0)**

## 10.6.6. Application for Leave - Chief Executive Officer - February 2026

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

*Anthony Vuleta declared an impartiality interest. This matter relates to conditions of his employment.*

Previous Items	N/A
Directorate	Office of CEO
Business Unit	Office of CEO
File Reference	
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.

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

### EXECUTIVE SUMMARY

1. To seek approval of Council for leave arrangements for the Chief Executive Officer (CEO).
2. Council is responsible for the approval of annual leave for the CEO.
3. It is recommended leave be approved for the CEO for the period 7 February to 3 March 2026 (inclusive).

#### **BACKGROUND**

4. Nil

#### **DETAILS AND ANALYSIS**

5. The CEO, Anthony Vuleta, wishes to be absent from the position on annual leave from 7 February to 2 March 2026 (inclusive).
6. Sufficient leave will be available to enable the CEO to take annual leave at this time.
7. For leave between 21 days and 12 months, Governance Policy 18 provides that Council will appoint an Acting CEO.
8. This requested period of leave is for 24 days and includes a two day weekend and a three day long weekend. It is considered reasonable that the CEO be authorised to appoint an appropriate Acting CEO and inform Council accordingly.

#### **APPLICABLE LAW**

9. *Local Government Act 1995*  
Section 5.36 – Local government employees

#### **APPLICABLE POLICY**

10. Governance 18 – Appointment of Acting CEO

#### **STAKEHOLDER ENGAGEMENT**

11. Nil

#### **FINANCIAL CONSIDERATIONS**

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

## SUSTAINABILITY

13. N/A

## RISK MANAGEMENT

14.	<b>Risk:</b> Health and wellbeing of an employee is detrimental.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Major	Unlikely	Medium
	<b>Action/Strategy</b>		
	Ensure the CEO's leave entitlements are supported.		

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

## CONCLUSION

16. The leave requested is an entitlement of the CEO's contract of employment.

<b>Voting Requirements: Simple Majority</b>
---

RESOLVED OCM 2025/126

That Council

1. APPROVE the Chief Executive Officer to have annual leave for the period 7 February to 2 March 2026 (inclusive).
2. AUTHORISE the Chief Executive Officer to appoint an Acting Chief Executive Officer for this period of time.

Moved: **Cr John Giardina**

Seconded: **Cr Mary Cannon**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY (9/0)**

## 10.6.7. Chief Executive Officer Performance Review - Appointment of a Consultant

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

Previous Items	N/A
Directorate	Office of the Chief Executive Officer
Business Unit	People and Culture
File Reference	
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 4.1.2** - Build an effective and efficient service based organisation.

### EXECUTIVE SUMMARY

1. The purpose of this report is for Council to review the quotations received for the Chief Executive Officer's (CEO) performance review for the period

17 June 2024 to 30 June 2025 and appoint a Consultant to conduct the CEO's performance review.

## BACKGROUND

2. The CEO was appointed to the position with effect from 17 June 2024 for a five-year term expiring 16 June 2029.
3. It is a requirement of the *Local Government Act 1995* (Act), and the CEO's employment contract, that an annual performance review and salary review take place.

## DETAILS AND ANALYSIS

4. Council, in agreement with the CEO, established the performance framework in 2024, where performance criteria are defined according to the following 10 Key Result Areas (KRA):
  - a) Integrated Planning and Reporting
  - b) Financial Sustainability
  - c) Risk Management and Good Governance
  - d) Identify Future Opportunities and Challenges
  - e) Delivery of Key Major Projects and Initiatives
  - f) City Leadership
  - g) Organisational Culture
5. Each KRA has several critical and performance measures including targets and stretch targets. In total, 19 actionable criteria were agreed between Council and the CEO in December 2024.
6. Manager People & Culture and Manager Governance sent the Request for Quotation (attached) to five Consultants addressing scope of works to conduct the CEO's performance review on behalf of the City of Kalamunda and report to Council.
7. Four Consultants responded to the Request for Quotation:
  - Mr Paul Syme, Portland Broome – valid response received
  - Ms Therese Stralow, Price Consulting Group – valid response received
  - Dr Suzanne Goodman, Goodman Solutions – valid response received
  - Mr Steve Cartledge, Steve Cartledge Consulting – invalid response received

## APPLICABLE LAW

8. *Local Government Act 1995*  
*Local Government (Administration Regulations 1996*  
Contract Law – CEO Contract dated 2024

## APPLICABLE POLICY

9. Council, at the April 2021 Ordinary Council Meeting (OCM), adopted the new City of Kalamunda Standards for Recruitment, Performance Appraisal and Termination of the CEO (Standards) and a revised Policy:

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

## STAKEHOLDER ENGAGEMENT

10. Community expectations have been considered in the process of setting performance criteria for the financial year, particularly through their input into the creation of the Kalamunda Advancing Strategic Community Plan 2031. Community will also be engaged in the delivery of key strategies and initiatives within the Corporate Business Plan (2022-2026).

In accordance with Section 5.38 of the Act:

*(b) the performance criteria and the performance process are recorded in a written document, negotiated with, and agreed upon by the CEO and Council.*

## FINANCIAL CONSIDERATIONS

11. Financial requirements for achieving the agreed actions of the CEO performance criteria are considered through the annual budget process.

## SUSTAINABILITY

12. The role of the CEO is critical to ongoing sustainability of the City. The delivery of the Strategic Community Plan and the Corporate Business Plan are key instruments that drive and deliver social, cultural, financial, economic and environmental performance of the City.

## RISK MANAGEMENT

- 13.
- |   |                   |               |
|---|-------------------|---------------|
| <b>Risk:</b> Not completing an annual review of the CEO would constitute noncompliance with the Local Government Act Regulations and would be viewed as not providing support and direction to the CEO. |                   |               |
| <b>Consequence</b>  | <b>Likelihood</b> | <b>Rating</b> |
| Moderate  | Unlikely          | Low           |
| <b>Action/Strategy</b>  |                   |               |
| Ensure Elected members are aware of their regulatory responsibilities when undertaking a performance review to ensure due process is provided to the CEO.   |                   |               |

## CONCLUSION

14. The annual review of the CEO's performance is a key role of the Council and needs to be undertaken with due care, procedural fairness, and due diligence in accordance with the Standards for Recruitment, Performance Appraisal and Termination of the CEO.
15. The Manager People & Culture and Manager Governance have independently reviewed the responses received, including costs, against the Request for Quotation and have evaluated Dr Suzanne Goodman, Goodman Solutions as the preferred Consultant.

<b>Voting Requirements: Simple Majority</b>
---

### RESOLVED OCM 2025/133

That Council

1. APPOINT Dr Suzanne Goodman, Goodman Solutions as the suitable Consultant to perform the Chief Executive Officer's performance review.
2. REQUEST the Manager People & Culture and Manager Governance to engage the consultant and commence the performance review process.

Moved: **Cr Dylan O'Connor**

Seconded: **Mayor Margaret Thomas**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Cr Brooke O'Donnell**

**CARRIED (9/1)**

## 10.6.8. Approval Services Regulatory Improvement Plan (ASRIP)

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

Previous Items	Nil
Directorate	Development Services
Business Unit	Approval Services
File Reference	ASRIP
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> <li>1. Approval Services Regulatory Improvement Plan [10.6.8.1 - 1 page]</li> <li>2. KCC Planning Review City of Kalamunda [10.6.8.2 - 4 pages]</li> </ol>

### TYPE OF REPORT

	Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
	Executive	When Council is undertaking its substantive role of direction setting and oversight (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 3.1** - To plan for sustainable population growth.

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

### EXECUTIVE SUMMARY

1. This report responds to the resolution of Council by presenting a performance improvement plan to address the results of the MARKYT Scorecard in relation to Planning and Building feedback.
2. The Approval Services Regulatory Improvement Plan (ASRIP) provides a roadmap achieving improvements in customer satisfaction, with the goal of equalling, and then exceeding current comparable industry benchmarks.
3. Officers recommend the plan be noted, and that the CEO be directed to prepare a Development Approval Local Planning Policy for Council consideration by December 2025.

## BACKGROUND

4. At Council's Ordinary Council Meeting of 24 June 2025, Council resolved (OCM 2025/99) that:

*The Chief Executive Officer:*

- 1. Develop a performance improvement plan to address the results of the MARKYT Scorecard in relation to the Planning and Approvals feedback.*
- 2. Present the draft plan to council for consideration and adoption at the August Ordinary Council Meeting.*

In noting the ASRIP, Council establishes a clear Statement of Expectations. This can be articulated as –

*"The duration, frequency and degree to which the Planning and Approvals function has performed, or failed to perform, in accordance with the Council's expectations and the 2024 Community MARKYT Scorecard"*

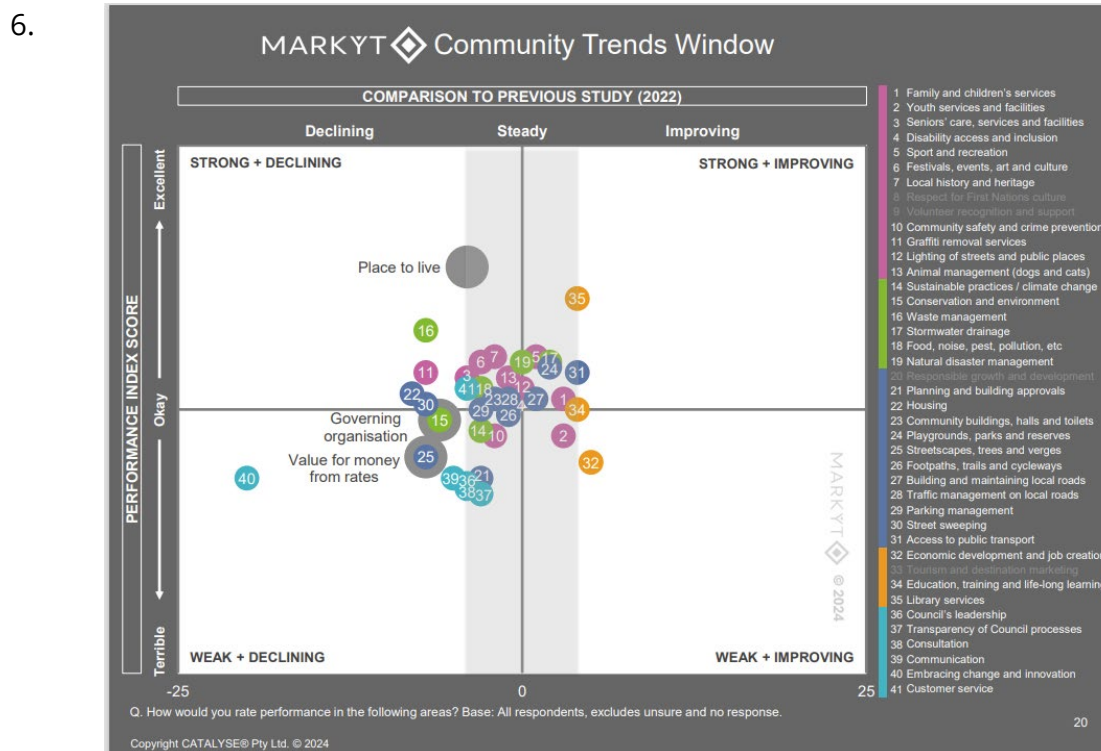
In seeking to define Council's Expectations for regulatory assessments, the Approval's department will use the following criteria to identify specific outcomes requiring intervention:

- Improve DA Assessment performance to ensure average gross end to end statutory timeframes (90 days); and
- Percentage of applications assessed within expected timeframes (50% or less of application assessed within this expectation)

Approval's has started formal monitoring of performance against this draft Council's Statement of Expectations request and has develop a tailored action plan and agreed timeframes for action.

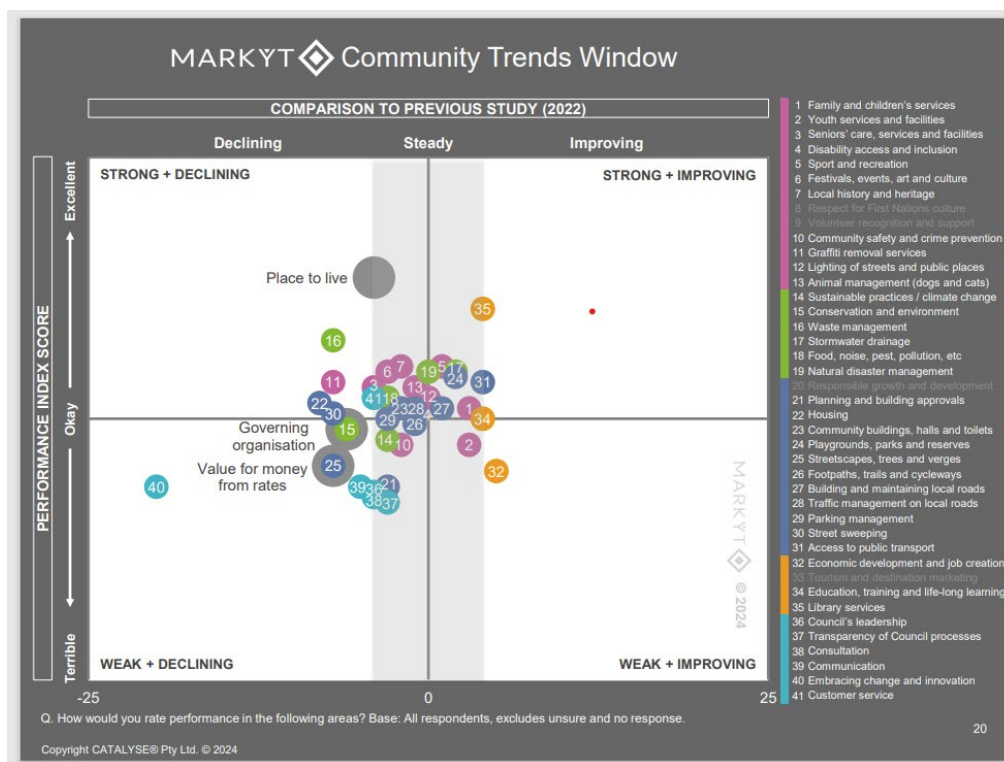
## DETAILS AND ANALYSIS

5. The MARKYT® Benchmark Matrix illustrates how the community rates performance on individual measures, compared to how other councils are being rated by their communities. There are two dimensions. The vertical axis maps community perceptions of performance for individual measures. The horizontal axis maps performance relative to the MARKYT® Industry Standard link.



7. Item 21 responds to the Planning and Building regulatory responsibilities which shows that its weakening and declining.

8.



9. The above image shows the MARKYT® Community Trends Window of trends in performance over the past 2 years. Window 4 Weak and Declining - includes lower performing areas in decline. The main concerns include:
- Embracing change and innovation (item 40)
  - Streetscapes, trees and verges
  - Conservation and environmental management
  - How the community is informed about what's happening in the local area

## APPLICABLE LAW

10. Approval's operates within the established and regularly changing regulatory framework across the disciplines of statutory planning, building, and health.

The proposed ASRIP falls within the normal regulatory responsibilities; however, targets a higher level of customer experience.

For example, statutory planning applications are subject to a 60 or 90 day maximum timeframe, before deemed-refusal rights of appeal are triggered. The ASRIP establishes the expectation that the City will attempt to exceed that level of service.

It is noted that the 60 and 90 day timeframes exclude 'pending' days when they are normally reported by local governments. For example when further information is requested from an applicant. This means that reporting of statutory days taken can be significantly less than the number of days from lodgement to a decision.

The ASRIP emphasises that the customer experience is unlikely to be just the statutory days taken, and it is more accurate when measuring an applicant's experience – to measure the total days from lodgement to decision, with no days excluded.

## **APPLICABLE POLICY**

11. The City's Local Planning Policy's (LPP) contribute to the customer experience and regulatory processes. The key LPP's linked to the regulatory customer experience include:

1. LPP 11 – Public Notification of Planning Proposals
2. LPP 17 – Planning Administration
3. LPP 16 – Design Review Panels
4. LPP 7 -- Compliance

These policies, and the entire LPP framework require updating to ensure council expectations can be achieved.

A new LPP – the Development Assessment Policy is the cornerstone of the ASRIP by delivering improved customer service, with a focus on best practice and continuous improvement by:

1. Providing a transparent and accountable policy and processes for applicants.
2. Alignment to best practice guidelines.
3. Promoting and supporting a continuous improvement culture; and
4. Innovation through process improvement and technology to ensure assessment-ready applications.

## **STAKEHOLDER ENGAGEMENT**

12. The ASRIP includes monitoring feedback through customer surveys. There is an existing survey form, however the response rate is low.

The ASRIP anticipates incentivising survey responses and engagement to ensure the impact of changes is tracked and monitored from a greater base of feedback data.

The ASRIP includes building relationships with the community and groups. An example of feedback from the Chamber of Commerce is attached as an example.

13. Any new or amended LPP's will be subject to normal regulatory requirements for consultation, plus any additional engagement activations intended to incentivise engagement.

## FINANCIAL CONSIDERATIONS

14. The ASRIP is broken into phases, with Phase 1 improvements likely to be accommodated within existing operational budgets. Phase 2 and 3 improvements will likely require funds as expertise or software which may currently not be available within the business.

It is estimated there will be a 20% additional load on Approval's Officers to complete Phase 1 actions over the first six months of the plan.

## SUSTAINABILITY

15. The ASRIP by improving efficiency, may improve the sustainability of the City of Kalamunda through accurate and swift implementation of the City's Strategies, a number of which have sustainability elements.

## RISK MANAGEMENT

16.	<b>Risk:</b> Implementation of the ASRIP has a detrimental, rather than positive impact on customer experience.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Low	Low	Low
	<b>Action/Strategy</b>		
	The plan is phased to provide a quick on-ramp for lower consequence improvements and leave higher-risk actions for later phases. The plan includes reporting mechanisms and monitoring of key indicators - which will de-risk implementation of the plan by allowing ineffective actions to be withdrawn.		

## CONCLUSION

17. The ASRIP demonstrates a structured response to customer feedback within the MARKYT survey.

The ASRIP facilitates a progression of improvement in the City's regulatory approvals space which is expected to yield decreased 'total days' for applications, having a positive impact on the experience of customers.

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 2025/127

That Council

1. NOTE the Approval Services Regulatory Improvement Plan.
2. DIRECT the Chief Executive Officer to prepare a draft Local Planning Policy – Development Assessment for Council consideration by December 2025.

Moved: **Cr Dylan O'Connor**

Seconded: **Mayor Margaret Thomas**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

**CARRIED UNANIMOUSLY (9/0)**

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

**11.1 Hatch Court Light Industrial Area**

*Cr John Giardina declared an interest. He has family property in the area.*

**Cr John Giardina left the room at 7:14pm**

<b>Voting Requirements: Simple Majority</b>
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**RESOLVED OCM 2025/128**

**That Council:**

1. REQUESTS the Chief Executive Officer to prepare a Draft Local Planning Policy for Council's consideration relating to the Hatch Court Light Industrial Area, to introduce appropriate planning controls ensuring that subdivision and development which precedes adoption of the City's proposed Local Structure Plan, Development Contribution Plan and Design Guidelines for the area:
  - a) Does not prejudice or preclude the orderly and proper planning of the area via the Structure Plan;
  - b) Does not prejudice or preclude the timely and coordinated delivery of common infrastructure that is reasonably required for and generated by development in the area; and
  - c) Is accompanied by relevant details and technical information to address these requirements.
2. NOTES the City will notify the Department of Planning, Lands and Heritage, and landowners within the Hatch Court Light Industrial Area of Council's resolution.

**Moved: Mayor Margaret Thomas**

**Seconded: Cr Kathy Ritchie**

**Vote: For: Mayor Margaret Thomas, Cr Dylan O'Connor, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

**Against: Nil**

**CARRIED UNANIMOUSLY (8/0)**

Cr John Giardina returned to the room at 7:25pm

**12. Questions by Members Without Notice**

**12.1 Draft LPP going out for consultation (Cr Modolo)**

Q. Can the City please advise when the new local planning policy 33 Future Forest is going out for consultation and how long the consultation period will be?

A. The consultation period is expected to begin by the end of the week. The length of the consultation period will be taken on notice.

**12.2 Draft LPP going out for consultation – 60 days (Cr Ritchie)**

Q. Had the same question as Cr Modolo in 12.1. Believes the consultation period to be 60 days.

A. Nil.

**12.3 Forrestfield Community – When will Streetscapes commence (Cr Cannon)**

Q. The Forrestfield community members want to know when the beginning of the streetscape of verges and roundabouts will commence?

A. Question taken on notice.

**12.4 Potential candidates for upcoming election – guidelines on advertising (Cr Stallard)**

Q1. Was there any indication or have we got any guidelines for the candidates when it comes to advertising in all the different forms or any forms during this election period?

A1. The Western Australian Electoral Commission has information on their website which will answer this question.

Q2. Do we have any more to add as a council or is there any more we can do to help get more clarity around the process?

A2. Planning would have oversight of the signage that is going out. However, unless the signs conflict with local laws or provide a visual distraction the City won't be acting on it.

Q3. Would it be appropriate to ask the community to be vigilant and come forward if they notice any problems?

A3. Community members can contact candidates directly to make comments on signage. Failing that, they can reach out to the City for assistance.

12.5 To the CEO - Parking at Lesmurdie Senior High School (Cr Giardina)

Q1. A letter would have been received from Lesmurdie Senior High School regarding their insufficient campus parking. Have you had any success addressing their concerns?

A1. A meeting was held with Lesmurdie Senior High School. It is now up to them how they would like to proceed. Main Roads has approved a 40km zone on Pomeroy Road during school hours. However, it doesn't solve the parking issue. So largely we've looked at several areas on their property that could provide the parking that's required. It's now up to them and we will help them along the way to request the Department of Education provide more parking.

Q2. My understanding is the Education Department keeps on saying no. So where do we go from here?

A2. This is a State Government issue.

12.6 Pickering Brook Townsite (Cr Giardina)

Q. Has any work been done on the Pickering Brook Town Site?

A. No, but we continue to advocate with the State Government to progress the development plan.

12.7 Parking at Lesmurdie Senior High School (Cr Stallard)

Q. Indicated that we would look at some of the different locations for parking. We should be trying to encourage walk, riding, and public transport. Have the staff looked at this yet?

A. Question taken on notice.

12.8 BMX Dirt Track and Jumps Watsonia Road – DBCA Contacts (Cr O'Connor)

Q. Could the Director of Community Services provide me with a contact at DBCA who the students could write to and plead their case for why the BXM Jumps at the bush site on Watsonia Road shouldn't be destroyed and why they should be allowed to keep doing what they're doing?

A. Yes, a contact will be emailed.

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

13.1 Nil.

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

14.1 Nil.

**15. Meeting Closed to the Public**

RESOLVED OCM 2025/129

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

Moved: **Cr John Giardina**

Seconded: **Cr Brooke O'Donnell**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil.**

**CARRIED UNANIMOUSLY (9/0)**

The Meeting closed to the public at 7.38pm. All members of the public gallery left the Meeting, and all elected members and staff remained.

RESOLVED OCM 2025/130

That Standing Orders be suspended.

Moved: **Cr David Modolo**

Seconded: **Cr Brooke O'Donnell**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil.**

**CARRIED UNANIMOUSLY (9/0)**

Standing Orders were suspended at 7.39pm.

RESOLVED OCM 2025/131

That Standing Orders be resumed.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil.**

**CARRIED UNANIMOUSLY (9/0)**

Standing Orders were resumed at 7.56pm

RESOLVED OCM/2025/132

That the Meeting be reopened to the public.

Moved: **Cr John Giardina**

Seconded: **Cr Mary Cannon**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil.**

Vote: **CARRIED UNANIMOUSLY (9/0)**

The Meeting reopened to the public at 7.57pm.

**16. Tabled Documents**

Public Agenda Briefing Forum Notes 12 August 2025

**17. Closure**

There being no further business, the Presiding Member declared the Meeting closed at 8pm.