



# Public Agenda Briefing Forum

Tuesday 11 February 2025

# Our Vision



## Connected Communities, Valuing Nature and Creating our Future Together

### Core Values

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

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

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

### Aspirational Values

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

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

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

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

[kalamunda.wa.gov.au](http://kalamunda.wa.gov.au)



## INFORMATION FOR THE PUBLIC ATTENDING PUBLIC AGENDA BRIEFING

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

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

### Acknowledgement of Traditional Owners

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

### Emergency Procedures

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

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

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

## **Webcasting Notice**

Please note tonight's meeting is being recorded and live streamed.

Council takes all care when maintaining privacy, however members of the public gallery and those addressing Council should be aware of the recording of the meeting.

All in attendance, and those addressing Council, should refrain from making offensive/defamatory statements as there may be legal implications.

### PROCEDURES FOR PUBLIC AGENDA BRIEFING FORUMS

The following procedures will apply to all Public Agenda Briefing Forums conducted by the City of Kalamunda:

- a. Public Agenda Briefing Forums will be open to the public matters of a confidential nature will not be presented. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995* (WA).
- b. Dates and times for Public Agenda Briefing Forums will be set more than one (1) week in advance where practicable, and appropriate notice given to the public.
- c. The Chief Executive Officer will ensure timely written notice and an agenda for each Public Agenda Briefing Forum will be provided to all Elected Members, members of the public and external advisors (where appropriate).
- d. Ordinarily, the Mayor is to be the Presiding Member at Public Agenda Briefing Forums. However, should Elected Members wish to rotate the role of Presiding Member for a particular meeting, those Elected Members present may select, by consensus, a Presiding Member for the relevant Public Agenda Briefing Forum from amongst themselves to preside at that Public Agenda Briefing Forum.
- e. Relevant employees of the City of Kalamunda will be available to make presentation or respond to questions on matters listed on the agenda for the Public Agenda Briefing Forum.
- f. All Elected Members will be given a fair and equal opportunity to participate in the Public Agenda Briefing Forum.
- g. The Presiding Member will ensure time is made available to allow for all matters of relevance to be covered.
- h. Elected Members, employees and relevant consultants shall disclose their interests on any matters listed for the Public Agenda Briefing Forum. When disclosing an interest, the following is required:
  - i. Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the *City's Code of Conduct*.
  - ii. Elected Members disclosing a financial interest will not participate in that part of the forum relating to the matter to which their interest applies and shall depart the room.
  - iii. Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- i. Minutes shall be kept of all Public Agenda Briefing Forums. As no decisions are made at a Public Agenda Briefing Forum, the minutes need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the minutes is to be attached to the following Ordinary Council Meeting for Council of the preceding forum.
- j. At any Public Agenda Briefing Forum, Elected Members may foreshadow a request to the Chief Executive Officer for the Chief Executive Officer to prepare a report on a matter they feel is appropriate to be raised and which is to be presented at a future Public Agenda Briefing Forum.
- k. Requests of this nature may not be accepted by the Chief Executive Officer at forums, but instead, Elected Members wishing to formalise such a foreshadowed request, shall submit a Notice of Motion to that effect to the Chief Executive Officer in accordance with the *City's Standing Orders Local Law 2015* (**City's Standing Orders**).

## PROCEDURES FOR PUBLIC QUESTION TIME

### Questions Asked Verbally

Members of the public are invited to ask questions at Public Agenda Briefing Forums.

- a. Questions asked at a Public Agenda Briefing Forum must relate to a matter contained on the agenda.
- b. A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- c. Public question time will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.
- d. Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.
- e. Members of the public are encouraged to keep their questions brief to enable others who desire to ask a question to have the opportunity.
- f. Public question time will be allocated a minimum of 30 minutes. Public question time is declared closed following the expiration of the allocated 30 minute time period, or earlier if there are no further questions.
- g. The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 50 minutes in total.
- h. Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory to any particular Elected Member or City of Kalamunda employee.
- i. The Presiding Member shall decide whether to:
  - i. accept or reject any question and his/her decision shall be final;
  - ii. nominate a City of Kalamunda employee to respond to the question (who make take such question on notice in which case, provision of a response shall be in accordance with the City's Standing Orders); or
  - iii. take a question on notice (in which case, a written response will be provided as soon as possible and included in the agenda of the next Ordinary Council Meeting).
- j. Where an Elected Member is of the opinion that a member of the public is:
  - i. asking a question at a Public Agenda Briefing Forum that is not relevant to a matter listed on the agenda; or
  - ii. making a statement during public question time,they may bring it to the attention of the Presiding Member who will make a ruling.
- k. Questions and any responses will be summarised and included in the minutes of the meeting.
- l. It is not intended that question time should be used as a means to obtain information that would not otherwise be made available if the information was sought from the City's records under Section 5.94 of the *Local Government Act 1995 (WA) (LG Act)* or the *Freedom of Information Act 1992 (FOI Act)*.
- m. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer will determine that it is an unreasonable impost upon the City of Kalamunda and may refuse to provide it. The Chief Executive Officer will advise the member of the public that the information may be sought in accordance with the FOI Act.

### PROCEDURES FOR PUBLIC STATEMENT TIME

- a. Members of the public are invited to make statements at Briefing Forums.
- b. Statements made at a Briefing Forum must relate to a matter contained in the agenda.
- c. A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- d. Public Statement Time will be limited to two (2) minutes per member of the public.
- e. Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- f. Public Statement Time will be allocated a maximum time of ten (10) minutes. Public Statement Time is declared closed following the ten (10) minute allocated time period, or earlier if there are no further statements.
- g. Statements are to be directed to the Presiding member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City of Kalamunda employee.
- h. Where an Elected Member is of the opinion that a member of the public is make a statement at a Briefing Forum that is not relevant to a matter listed on the agenda, they may bring it to the attention of the Presiding Member who will make a ruling.
- i. A member of the public attending a Briefing Forum may present a written statement rather than make the statement verbally if he or she so wishes.
- j. Statements will be summarising and included in the notes of the Briefing Forum.

### Questions in Writing

- a. Questions must relate to a matter contained in the Agenda Briefing Forum agenda.
- b. The City will accept a maximum of five written questions per member of the public. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- c. Questions lodged by the close of business on the working day immediately prior to the scheduled Agenda Briefing Forum will be responded to, where possible, at the Agenda Briefing Forum. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- d. The Presiding Member shall decide to accept or reject any written question and his/her decision shall be final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- e. The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- f. Written questions unable to be responded to at the Public Agenda Briefing Forum will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Ordinary Council Meeting.
- g. A person who submits written questions may also ask questions at a Public Agenda Briefing Forum and questions asked verbally may be different to those submitted in writing.
- h. Questions and any response will be summarised and included in the minutes of the meeting.
- i. It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of LG Act or the FOI Act.

- j. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer will determine that it is an unreasonable impost upon the City and may refuse to provide it. The Chief Executive Officer will advise the member of the public that the information may be sought in accordance with the FOI Act.

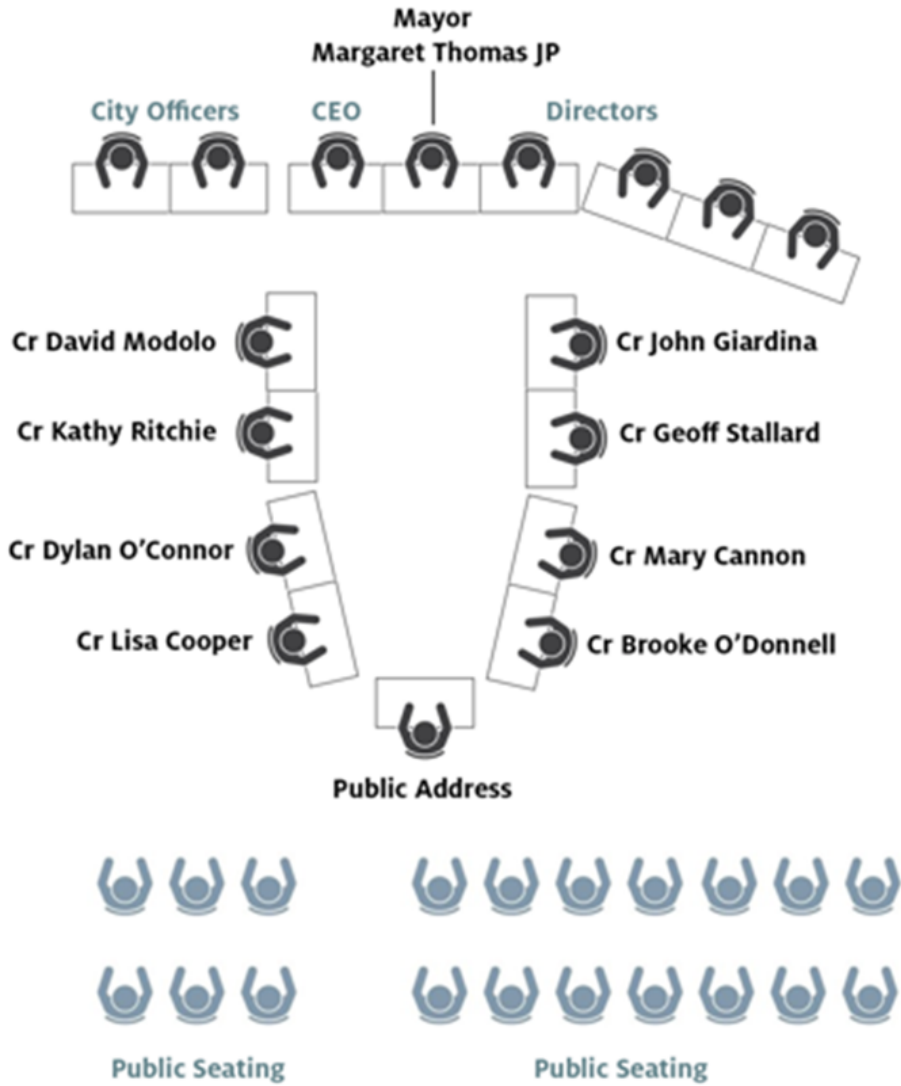
### Questions of Clarification

Members of the public may ask questions of clarification at Public Agenda Briefing Forums.

- a. Questions of clarification asked at a Public Agenda Briefing Forum must relate to a matter contained on the agenda.
- b. Questions of clarification will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.
- c. The period at which members of the public may ask questions of clarification must follow the presentation of reports.
- d. Statements are not to precede the asking of a question of clarification. Statements should be made during public submissions.
- e. The period for questions of clarification will be allocated a minimum of 15 minutes. This time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of 5 minutes, but the total time allocated for public question time is not to exceed 30 minutes in total.
- f. Questions of clarification will otherwise be governed by the same requirements and procedures as set out above from 5.1(i) to 5.1(n).



## Council Chambers Seating Plan



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**1. Official Opening**

**2. Attendance, Apologies and Leave of Absence**

**3. Declarations of Interest**

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

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

**3.2. Disclosure of Interest Affecting Impartiality**

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

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

**5. Public Question Time**

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

**6. Public Statement Time**

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

**7. Public Submissions Received in Writing**

**8. Petitions Received**

**9. Confidential Items Announced But Not Discussed**

- 9.1 Item 10.2.1 RFT2431 Provision for General Electrical Services and Irrigation Electrical Maintenance Services - Award of Tender – **Confidential Attachment** – Tender Evaluation Report

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."*

9.2 Item 10.2.2 RFT2426 Provision for Security Services - Award of Tender – **Confidential Attachment** – Tender Evaluation Report  
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."*

9.3 Item 10.2.3 Kalamunda Energy Project Phase 2 – **Provided under separate cover**  
  
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"*

## 10. Reports to Council

### 10.1. Development Services Reports

#### 10.1.1. Dedication of Road Reserve - High Wycombe South

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

Previous  
Items

Directorate	Development Services
Business Unit	Strategic Planning
File Reference	164646; ST-10/033 (RESERVE)
Applicant	High Wycombe Land Estate Pty Ltd
Owner	State of Western Australia

Attachments	1. Local Structure Plan - High Wycombe South - Dedication of Bridle Trail [ <b>10.1.1.1</b> - 1 page]
	2. Subdivision Plan - High Wycombe South - Dedication of Bridle Trail [ <b>10.1.1.2</b> - 1 page]
	3. Dedication Plan - High Wycombe South - Dedication of Bridle Trail [ <b>10.1.1.3</b> - 1 page]

#### TYPE OF REPORT

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

### Priority 3: Kalamunda Develops

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

**Strategy 3.2.3** - Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

## EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider an application received by the City of Kalamunda (City) from High Wycombe Land Estate Pty Ltd (Applicant) to dedicate a portion of Reserve 37323, Lot 10208 on Plan 13419 (Road Land) as a road.
2. This dedication request is in accordance with a Western Australian Planning Commission (WAPC) subdivision approval and associated conditions, which requires the Road Land to be dedicated as a road.
3. It is recommended Council support the proposed dedication, subject to conditions.

## BACKGROUND

4. In August 2023, the WAPC endorsed the High Wycombe South Residential Precinct Local Structure Plan (LSP) to coordinate and guide urban development. The LSP is provided in Attachment 1.
5. In March 2024, a residential subdivision application was submitted to the WAPC affecting Lots 85, 86, 87, 88, 89 and 10208 Brae Road and Stewart Road, High Wycombe (Subdivision Application). The subdivision application incorporates 85 lots including two retained dwellings and four grouped housing sites subject to further planning. Three local roads are proposed to provide access and services to newly created lots.

6. On 12 August 2024, the WAPC approved the Subdivision Application subject to conditions (Subdivision Approval). The approved subdivision plan is provided in Attachment 2.
7. Condition 2 of the Subdivision Approval (Condition 2) states as follows:  
  
*“Proposed Lots 35-47 inclusive are not [to] be created until such time as the abutting section of Lot 10208, being Reserve 37323, is formally dedicated as road under the Land Administration Act 1997. (Local Government)”*
8. The Road Land (referred to as “the abutting section of Lot 10208” in Condition 2) is depicted in Attachment 3.

### **DETAILS AND ANALYSIS**

9. The Road Land is a bridle trail which comprises part of Reserve 37323.
10. Reserve 37323 is owned by the State of Western Australia and managed by the City for the purpose of “Public Recreation”.
11. Dedication means that land becomes a road that is open for public use. In this instance, the dedication will mean that the Road Land will change from a bridle trail used for public recreation to a road.
12. The Road Land is zoned Urban Development under the City of Kalamunda Local Planning Scheme No. 3 and is classified as Residential Medium Density (R30-R60) under the High Wycombe South Residential Precinct LSP.
13. The current reserve purpose of “Public Recreation” is inconsistent with the future planning of the area, which is transitioning to an urban environment. Infrastructure will be required to support the new community.
14. The proposal aligns with the City’s strategic goals by providing the necessary infrastructure for urban growth.
15. The approved subdivision plan shows the Road Land as a future road reserve. However, the dedication of the Road Land is still required as a separate process under the *Land Administration Act 1997* (WA).

16. The approved subdivision process will appropriately address development issues such as servicing and earthworks. The subdivision civil designs have been received by the City for approval as part of the subdivision process. The subdivision designs address tree retention and ensure that as many trees as possible are retained.

### **APPLICABLE LAW**

17. *Land Administration Act 1997 (WA)*

### **APPLICABLE POLICY**

18. Service 4: Asset Management

### **STAKEHOLDER ENGAGEMENT**

19. Comprehensive community engagement has previously been undertaken as part of the rezoning and structure planning processes in the LSP area.
20. As part of the structure plan advertising process, the City received two submissions regarding the bridle trails. The first submission requested that bridle trails be retained as part of the Public Open Space (POS). The second submission commented on the environmental values within the bridle trails and access for horse riders.
21. The City considered these submissions and responded that the environmental values of the existing bridle paths is acknowledged. Wherever possible, bridle paths have been included in Local Open Space (LOS) or Conservation Areas and may form part of a broader pedestrian network at the detailed design phase for POS areas.
22. The WAPC considered the matter, including the submissions received, and decided to approve the Residential Precinct LSP with a Residential Medium Density land use classification.
23. The LSP recognises that the existing bridle trails are generally underutilised and contain historic character and environmental values. The LSP design response for bridle trails is as follows:
- “Existing bridle trails in the precinct will be repurposed where possible, either as part of Environmental Conservation or the proposed Public Open Space network. Bridle trails within the green link are proposed to be used to provide pedestrian and potentially cyclist access to the primary school and Sporting Precinct to the east of Brand Road and will serve to break down the perception of the green link as a barrier between different parts of the precinct.”



24. In this instance, the bridle trail comprising the Road Land does not form part of the broad open space network identified in the LSP, and the only practical application for the Road Land is to repurpose it into future road reserve.
25. To have meaningful community consultation, it is important that there be the opportunity for decision makers to consider change based on the feedback received. In this case, comprehensive engagement processes have previously occurred and there is limited opportunity for change at this stage, given that a subdivision approval has already been issued which requires the dedication of the Road Land.
26. The City is committed to engaging and keeping the community informed. Immediately following Council approval, the City will notify the community of the proposed dedication.

### **FINANCIAL CONSIDERATIONS**

27. The Applicant has provided written confirmation that it will be responsible for all costs associated with the proposal, including but not limited to the cost of surveys, document preparation and lodgement, relocation or modification of services, easements to protect services and fees.
28. These costs will be determined by the relevant third parties, namely the surveyor, Landgate, the Department of Planning, Lands and Heritage, and utility service providers. It is the responsibility of the Applicant to obtain quotes or cost estimates direct from the relevant third parties.

### **SUSTAINABILITY**

29. The proposal contributes towards the implementation of the LSP and urban development, and therefore contributes to the City's strategies to plan for sustainable growth.

**RISK MANAGEMENT**

30.

<b>Risk:</b> The subdivision does not occur, but the proposed dedication still proceeds.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Moderate	Unlikely	Low
<b>Action/Strategy</b>		
Recommendation to include a condition requiring that the dedication is to only occur once approved subdivisional works have commenced, to the satisfaction of the City.		

31.

<b>Risk:</b> The City does not support the proposal, which is consistent with the LSP and is required to clear a condition of the Subdivision Approval, resulting in reputational damage.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Moderate	Likely	Medium
<b>Action/Strategy</b>		
Recommendation to support the proposed dedication subject to conditions.		

32.

<b>Risk:</b> The City is required to compensate the Minister for Lands for costs and expenses reasonably incurred in considering and granting the dedication request.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Insignificant	Likely	Low
<b>Action/Strategy</b>		
Recommendation to include a condition requiring the Applicant to indemnify the City and the Minister for Lands for costs and expenses reasonably incurred in considering and granting the dedication request.		

**CONCLUSION**

33. The dedication request from the Applicant is in accordance with Condition 2 of subdivision approval WAPC 164646, which requires the Road Land to be dedicated as a road.

34. The proposed dedication of the Road Land is consistent with its zoning as Urban Development and its classification as Residential Medium Density (R30-R60) under the High Wycombe South Residential Precinct LSP.
35. The proposal contributes towards the implementation of the LSP and urban development, and therefore contributes to the City's strategies to plan for sustainable growth.
36. It is recommended that the Council request the Minister for Lands to dedicate the Road Land as a road, subject to the following conditions:
  - a) The Applicant to pay all costs of and incidental to the proposal.
  - b) The Applicant to indemnify the City of Kalamunda and the Minister for Lands against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the City and the Minister in considering and granting the request.
  - c) The proposed dedication to only occur once approved subdivisional works have commenced to the satisfaction of the City of Kalamunda.

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

That Council REQUEST the Minister for Lands to dedicate as road that portion of Lot 10208 on Plan 13419 shown delineated and marked as "Portion to be Dedicated as Road under the LAA 1997" on Plan 106134-SK-012-A (Attachment 1), pursuant to section 56 of the *Land Administration Act 1997* (WA), subject to the following conditions:


1. The Applicant to pay all costs of and incidental to the proposal, including but not limited to the cost of surveys, approvals, service relocations, easements, document preparation and lodgement, and fees.
2. The Applicant to indemnify the City of Kalamunda and the Minister for Lands against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the City of Kalamunda and the Minister for Lands in considering and granting the dedication request.
3. The proposed dedication to only occur once the Applicant has commenced approved subdivisional works in respect of Western Australian Planning Commission approval (WAPC 164646), to the satisfaction of the City of Kalamunda.

## 10.1.2. Commercial Vehicle Parking - Lot 11 (30) Valcan Road, Wattle Grove

*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	DA24/0327
Applicant	L J GITTOS
Owner	LJ & D A GITTOS
Attachments	<ol style="list-style-type: none"> <li>1. Commercial Vehicle 1 Details [<b>10.1.2.1</b> - 3 pages]</li> <li>2. Commercial Vehicle 2 Details [<b>10.1.2.2</b> - 3 pages]</li> <li>3. Cover Letter - Commercial Vehicle - Lot 11 (30) Valcan Road, Wattle Grove [<b>10.1.2.3</b> - 1 page]</li> <li>4. Site Plan - Lot 11 (30) Valcan Road, Wattle Grove [<b>10.1.2.4</b> - 1 page]</li> <li>5. Parking Location Plan - Lot 11 (30) Valcan Road, Wattle Grove [<b>10.1.2.5</b> - 1 page]</li> <li>6. Submission Response Table - Lot 11 (30) Valcan Road, Wattle Grove [<b>10.1.2.6</b> - 12 pages]</li> </ol>

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**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. The purpose of this report is to consider a Development Application for Commercial Vehicle Parking (CVP) for 2 vehicles at Lot 11 (No. 30) Valcan Road, Wattle Grove (the subject site) which came to the City's attention via a complaint.
2. The application was advertised for 14 days to adjoining landowners and occupiers most likely to be affected by the proposed CVP. During the consultation process, the City of Kalamunda (City) received a total number of thirteen (13) submissions comprising twelve (12) objections and one (1) submission indicating support.
3. There is a high number of objections to the proposal. The City considers, with the application of suitable planning conditions, the proposed CVP can be consistent with the planning framework, and thus capable of approval. It is recommended Council approve the application for the proposed Commercial Vehicle Parking for 2 vehicles at Lot 11 (No. 30) Valcan Road, Wattle Grove.

**BACKGROUND**

4.	<b>Land Details:</b>	
	Land Area:	15,607m <sup>2</sup>
	Local Planning Scheme Zone:	Special Rural
	Metropolitan Regional Scheme Zone:	Rural

<p>5.</p>	<p><b>Locality Plan:</b></p> 
<p>6.</p>	<p>The subject site is zoned 'Special Rural' under Local Planning Scheme No.3 (Scheme).</p>
<p>7.</p>	<p>The site is bounded by rural sites and is within the proposed 'Wattle Grove South' Metropolitan Region Scheme Amendment area, as identified on the Crystal Brook concept plan.</p>
<p>8.</p>	<p>The planning objectives of the 'Special Rural' zone are:</p> <ul style="list-style-type: none"> <li>a) To enable smaller lot subdivision to provide for uses compatible with rural development.</li> <li>b) To retain amenity and the rural landscape in a manner consistent with orderly and proper planning.</li> </ul> <p>For the purpose of the City's assessment, the objective that all elements of the proposal need to be measured against is objective (b) – to retain amenity and rural landscape.</p> <p>The phrase 'orderly and proper planning' is commonly used in planning schemes and by planning consultants justifying a proposed development. To be consistent with 'orderly and proper planning' a proposal must be consistent with all elements of the relevant planning framework, or at least not inconsistent. This measure will change from one proposal to the next, with the consistency relating to the use of discretion so departures from the planning framework are only supported when there is good reason to do so.</p>

**DETAILS AND ANALYSIS**

9. The landowner is seeking approval to operate Commercial Vehicle Parking for two vehicles on the subject site. The details of the application are summarised as follows:
- Parking of two commercial vehicles on site. Refer to Attachment 1 and 2.
  - The two vehicles are proposed to be located 150m behind the street boundary. Refer to Attachment 4 Parking Location Plan and Attachment 5 for the site plan.
  - No cleaning/washing, vehicle maintenance is proposed to occur on site, and there will be no staff.
  - A site plan (Attachment 5) has been provided which demonstrates a 20-metre by 55-metre parking area to the rear of the site.
  - Vehicle movement is proposed to operate between 8.00am and 5.00pm on weekdays with no operations proposed on weekends.

10. The proposal has been assessed against the City's Local Planning Policy 1 – Commercial Vehicle Parking (LPP1). A summary of the application's compliance with LPP1 are outlined in the table below.

**Table 1 – Assessment against LPP1**

<b>Provision</b>	<b>Proposed</b>	<b>Compliance</b>
<p>The commercial vehicle to be parked on the property shall not exceed:</p> <ol style="list-style-type: none"> <li>Rigid type – 11 metres in length, 2.5m in width and 4.3 metres in height (either laden or unladen).</li> <li>Articulated type – 17.5 metres in length, 2.5 metres in width and 4.3 metres in height (laden or unladen)</li> </ol>	<p>Vehicles measure 11-metres in length, 3-metres in height and 9-metres in length, 2-metres in height.</p>	Y
<p>The commercial vehicle shall be parked entirely on the lot behind the front alignment of the dwelling, and preferably behind the rear alignment of the dwelling. If the vehicle is parked alongside the dwelling, then gates and/or fencing of a minimum height of 1.8m shall be erected to</p>	<p>Parking demonstrated to the rear of the subject site – behind rear alignment of the dwelling.</p>	Y

	satisfactorily screen the vehicle from the public realm.		
	The commercial vehicle(s) must enter and leave the property in a forward gear, unless otherwise approved.	There is sufficient turning space at the front of the property to allow entering and exiting in a forward gear.	Y
	Spray painting, panel beating and major servicing on the commercial vehicle will not be permitted on the lot. Maintenance is limited to oil and grease changes, changes of tyres (not repair of tyres), and other minor maintenance as approved.	Nil proposed – any operations addressed in this provision are to be dealt separately by compliance.	Y Capable of being a condition of approval to ensure compliance.
	Washing of the commercial vehicle on the lot is limited to the use of water and mild detergent, and excluded the use of any solvents, degreasing substance, steam cleaning and any other processes.	No washing of vehicles proposed.	Y Capable of being a condition of approval to ensure compliance.
	The commercial vehicle shall only be started and/or manoeuvred on the lot in such a manner and such times approved by the Council, being consistent with the provisions of the Environmental Protection (Noise) Regulations. Standard vehicle movement and start up times between 7.00am 3   P a g e Local Planning Policy 1 - Commercial Vehicle Parking (LPP1) and 7.00pm Monday to Saturday, and 9.00am to 5.00pm on Sundays and public holidays shall apply, unless otherwise approved.	Operating times proposed between 8am and 5pm on weekdays.	Y Capable of being a condition of approval to ensure compliance.
	The idling times for start-up and cool down on the property shall be restricted to 5 minutes per day unless otherwise approved.	Capable of being a condition of approval to ensure compliance.	Y



	Maintenance and cleaning of the commercial vehicle on a residential lot to be permitted only between 8.00am and 7.00pm Monday to Sunday, and 9.00am and 6.00pm Sunday, unless otherwise approved.	No maintenance on site proposed.	Y Capable of being a condition of approval to ensure compliance.
	If a commercial vehicle owner, who has been granted approval to park a commercial vehicle on a lot, wishes to replace the vehicle with another commercial vehicle, a further application is required	Capable of being a condition of approval to ensure compliance.	Y
	Council reserves the right to amend the conditions of an approval or to revoke an approval: a) As a result of a justified complaint being received; and/or b) Due to changes (or potential changes) of the lot's zoning	Capable of being a condition of approval to ensure compliance.	Y
	The Local Government may give notice of an application for approval to park a commercial vehicle or require the applicant to give notice of the application in respect of any such notice, clauses 9.4.3 to 9.4.6 of Local Planning Scheme No.3 apply.	Advertised in accordance with Clause 67(2)(y), of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	Y
11.	Commercial Vehicle Parking in a Special Rural Zone is an 'A' use meaning advertising to all adjoining landowners and occupiers is required and has been undertaken. The proposal constitutes a 'standard' application as defined in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> by virtue of advertising being required.		
12.	The submissions received are discussed in the stakeholder engagement section of this report and are also outlined verbatim in Attachment 6, with a response from the applicant provided.		

<b>APPLICABLE LAW</b>					
13.	<i>Planning and Development Act 2005</i>				
14.	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>				
15.	<i>Local Planning Scheme No.3</i>				
16.	<i>Environmental Protection (Noise) Regulations 1997</i>				
<b>APPLICABLE POLICY</b>					
17.	<i>Local Planning Scheme No. 3</i>				
18.	<i>Local Planning Policy 1 – Commercial Vehicle Parking</i>				
19.	<i>Local Planning Policy 11 – Public Notification of Planning Proposals</i>				
<b>STAKEHOLDER ENGAGEMENT</b>					
20.	The development application was advertised in accordance with Clause 64 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> which included a letter being sent to all landowners and occupiers surrounding the subject site.				
21.	<p>The City received 13 submissions in relation to the proposal. Twelve of these submissions were objections to proposal, and 1 submission was received in support of the proposal.</p> <p>It is also noted that 7 of the above submissions received were not formally consulted during the consultation period as they were not considered to be within the appropriate advertising radius. Notwithstanding, these submissions have also been included for consideration.</p>				
22.	<p>The below table provides a summary of the key concerns raised by the adjoining landowners and occupiers and the City's comments in accordance with Clause 67(2)(y), of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p><b>Table 2 – Summary of submissions received and Officer comment</b></p> <table border="1"> <thead> <tr> <th><b>Issues Raised</b></th> <th><b>Officer Comment</b></th> </tr> </thead> <tbody> <tr> <td> <b>Street</b> <ul style="list-style-type: none"> <li>• Access</li> <li>• Street and property Security</li> <li>• Road capacity</li> <li>• Children and horse riding on road</li> </ul> </td> <td> <p>Valcan Road measures less than 1km in length, is quite straight in alignment and is of an appropriate width to allow for two-way access.</p> <p>Planning cannot address any concerns regarding vehicle speeds along the road.</p> </td> </tr> </tbody> </table>	<b>Issues Raised</b>	<b>Officer Comment</b>	<b>Street</b> <ul style="list-style-type: none"> <li>• Access</li> <li>• Street and property Security</li> <li>• Road capacity</li> <li>• Children and horse riding on road</li> </ul>	<p>Valcan Road measures less than 1km in length, is quite straight in alignment and is of an appropriate width to allow for two-way access.</p> <p>Planning cannot address any concerns regarding vehicle speeds along the road.</p>
<b>Issues Raised</b>	<b>Officer Comment</b>				
<b>Street</b> <ul style="list-style-type: none"> <li>• Access</li> <li>• Street and property Security</li> <li>• Road capacity</li> <li>• Children and horse riding on road</li> </ul>	<p>Valcan Road measures less than 1km in length, is quite straight in alignment and is of an appropriate width to allow for two-way access.</p> <p>Planning cannot address any concerns regarding vehicle speeds along the road.</p>				

<p><b>Site Constraints</b></p> <ul style="list-style-type: none"> <li>Lacks the necessary infrastructure for commercial vehicle access</li> </ul>	<p>As the lot measures over 15,000m<sup>2</sup> there is the necessary space on site to allow for commercial vehicle access and parking. As confirmed by the City's Developmental Engineering Team, as the vehicles measure less than 19m in length, they are of sufficient length for access to be supported on a road of this width.</p>
<p><b>Flora and Fauna</b></p> <ul style="list-style-type: none"> <li>Soil contamination during vehicle washdown</li> <li>Wildlife crossing/leaving site</li> </ul>	<p>The cover letter provided by the applicant with the application states there will be no vehicle washing on site, thus there is no expected soil contamination.</p> <p>30 Valcan Road is located in a sewerage sensitive area in terms of being within the Estuary Catchment on the Swan and Scott Coastal Plains.</p> <p>Pursuant to the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> detergents are classed as a Schedule 1 Material - Materials that must not be discharged into the environment.</p> <p><i>A person who, in the course of or in connection with a business or a commercial activity, causes or allows a material listed in Schedule 1 to be discharged into the environment commits an offence. Penalty: \$5000.</i></p> <p>If the applicant wishes to wash their own private vehicles on their own property that is different and accepted. The only acceptable way to wash <b>commercial vehicles</b> on the property will be to use a wash bay with a secondary treatment system that treats the water prior to disposal."</p> <p>Managing wildlife impact is considered to fall outside the scope of this development application.</p>
<p><b>Noise and Visual Impacts</b></p> <ul style="list-style-type: none"> <li>Vehicle noise</li> </ul>	<p>As per LPP1, the commercial vehicle shall only be started and/or manoeuvred on the</p>

	<ul style="list-style-type: none"> <li>• Visual amenity</li> <li>• Lack of screening</li> </ul>	<p>lot in such a manner and such times approved by the Council, being consistent with the provisions of the <i>Environmental Protection (Noise) Regulations</i>. Standard vehicle movement and start up times between 7.00am and 7.00pm Monday to Saturday, and 9.00am to 5.00pm on Sundays and public holidays shall apply, unless otherwise approved. The idling times for start-up and cool down on the property shall be restricted to 5 minutes per day. Subsequently, both are proposed to be conditioned to ensure noise is managed, should the application be approved. As the proposed parking area is located to the rear of the property (behind the dwelling alignment), it is unlikely there will be an impact on visual amenity from the streetscape. To address visual amenity for adjoining properties and screening, there is potential to condition that the applicant must install permanent screening along the boundaries of the proposed parking area.</p>
	<p><b>Compliance with LPP 1</b></p> <ul style="list-style-type: none"> <li>• Unable to measure compliance with LPP 1 post approval</li> <li>• Existing non-compliance</li> </ul>	<p>The City imposes a range of conditions relating to the proposal that are enforced to ensure compliance. Any action which is against the conditions imposed by the approval are dealt with accordingly by the City's compliance team.</p> <p>Council in exercising its planning discretion on this application should not have regard to any existing non-compliance, as the Council must make a decision based on the planning merit of the proposal, as it has been presented by the applicant.</p>
	<p><b>Rates</b></p> <ul style="list-style-type: none"> <li>• Operating commercial activity on a site which is more appropriately zoned with</li> </ul>	<p>Council in exercising its planning discretion on this application should not have regard to any existing non-compliance, as the Council must make a decision based on the planning merit of</p>

	commercial operations would incur different rates	the proposal, as it has been presented by the applicant.
<b>FINANCIAL CONSIDERATIONS</b>		
23.	Should Council not support the officer recommendation and approve the application, the proponent may exercise their rights to appeal the decision through the State Administrative Tribunal (SAT). In which case, the City would need to engage legal representation.	
<b>SUSTAINABILITY</b>		
24.	The commercial operations raised in submission responses may pose significant threats to the surrounding environment. These alleged operations are separate to the proposal and should be addressed by compliance following determination of this proposal.	
<b>RISK MANAGEMENT</b>		
25.	<b>Risk:</b> The proposal may impact on the amenity of the adjoining properties.	
	<b>Consequence</b>	<b>Likelihood</b>
	Moderate	Possible
	<b>Action/Strategy</b>	
	The City to provide appropriate conditions of planning approval to ensure potential amenity impacts are managed and adhered to.	
26.	<b>Risk:</b> Additional commercial operations may occur following approval.	
	<b>Consequence</b>	<b>Likelihood</b>
	Moderate	Possible
	<b>Action/Strategy</b>	
	Further compliance action to follow to ensure operations are in line with conditions specified.	
<b>CONCLUSION</b>		
27.	Officers have concluded, having regard to the submissions received during the advertising period and assessment against the relevant elements of the planning framework, that subject to conditions which have the capacity to ensure ongoing compliance – the proposed development can be consistent with the planning framework and is capable of being approved.	

	It is recommended that Council approve the application for the proposed Commercial Vehicle Parking for 2 vehicles at Lot 11 (No. 30) Valcan Road, Wattle Grove.
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<b>Voting Requirements: Simple Majority</b>
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## **RECOMMENDATION**

That Council APPROVE the Development Application (DA24/0327) for the proposed Commercial Vehicle Parking for 2 vehicles at Lot 11 (No. 30) Valcan Road, Wattle Grove, subject to the below conditions and advice:

### **Conditions:**

1. The commercial vehicle parking approved herein is personal to L J & D A Gittos and subject to Hino Table Top and Toyota Table Top Dyna with the registration 1EFT.818 and 1ESJ.793, respectively. The approval ceases to be valid upon the sale of the property, change of vehicle or lapse of vehicle registration.
2. The approved commercial vehicles must, at all times, be parked in the location shown on the approved plan to the satisfaction of the City of Kalamunda.
3. The maintenance and cleaning of the commercial vehicle(s) is only permitted between 8:00am and 7:00pm Monday to Saturday and between 9:00am and 6:00pm on Sunday and Public Holidays. Spray painting, panel beating, washing and major servicing of the commercial vehicle(s) is not permitted on-site.
4. The movement and start-up times of the commercial vehicle(s) is only permitted between 7:00am and 7:00pm Monday to Saturday and 9:00am to 5:00pm on Sundays and Public Holidays.
5. The idling time for the commercial vehicle(s) must not exceed five (5) minutes per day for start-up and cool down on the property.
6. The off-loading and storage of any commercial products on-site associated with the parking of the commercial vehicle(s) is not permitted.
7. Within 90 days of completion of the approval, permanent screening must be provided where annotated in red on plans. The permanent screening device must be at least 1.8 metres in height, permanently fixed, made of durable material, and maintained for the duration of the development.
8. Prior to occupation of the development, crossovers must be designed and constructed to the specification and satisfaction of the City of Kalamunda.

**Advice:**

- a) A new commercial vehicle application will be required where the sale of the property, change of vehicle or lapse of vehicle registration occurs.
- b) Regarding condition 7, the applicant is advised that installing a dividing fence along the lot boundaries is a sufficient screen.

**10.2. Asset Services Reports**

**10.2.1. RFT2431 Provision for General Electrical Services and Irrigation Electrical Maintenance Services - Award of Tender**

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

Previous Items	OCM 06/2015; OCM 2/2020
Directorate	Asset Services
Business Unit	Asset Maintenance
File Reference	AD-TEN-005
Applicant	N/A
Owner	City of Kalamunda

Attachments Nil

Confidential Attachment 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."*

**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 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 seek Council approval to award a tender seeking to engage a contractor for the Provision for General Electrical Services and Irrigation Electrical Maintenance Services (RFT 2431).
2. This will be services contract providing labour and materials to undertake a variety of preventative and reactive electrical maintenance tasks in the City of Kalamunda (City) owned building facilities and electrical systems used for irrigation of open spaces.
3. This tender is split into two (2) Separable Portions to attract the maximum number of potential contractors who could make submissions for any or all of the following services listed and provide best value to the City of Kalamunda (City):

### **Separable Portion A** – General Electrical Services

This includes but is not limited to services such as emergency/exit lighting and RCD testing, electrical repairs/replacements, BBQ maintenance, programmed lighting, solar panel maintenance etc.

### **Separable Portion B** – Irrigation and Electrical Maintenance

This portion includes but is not limited to maintenance, installation and programming of irrigation switchboard pumps and controllers.

4. It is recommended Council accept the tender from Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798 based on the schedule of rates for an initial three-year period with the option to extend two one-year options.

## BACKGROUND

5. The Contract Term on the previous provision of General Electrical Maintenance Services and Provision of Irrigation Electrical Maintenance Services (RFT 1907) is due to expire in March 2025.

**DETAILS AND ANALYSIS**

6. The City issued RFT 2431 seeking to engage a contractor to provide general electrical and/or irrigation electrical maintenance services for a three-year period, with two optional single year extensions at the City’s discretion. The tender is split into two Separable Portions:

1. Separable Portion A – General Electrical Services
2. Separable Portion B – Irrigation and Electrical Maintenance

Tenders closed on 11 December 2024, with seven tenders received by the closing date.

7. Tenders received by the closing date were from the following companies (in alphabetical order):

- a) Circuitree Electrical
- b) Electritech Industries
- c) GES (WA) Pty Ltd t/as Gorey Electrical Services
- d) Kalamunda Electrics
- e) Northlake Electrical Pty Ltd
- f) PEAP Contractors Pty Ltd
- g) Ready Resources Pty Ltd

8. An Evaluation Panel was convened of suitably qualified City officers to assess the tenders received.

9. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again set out in the tender invitation). The Qualitative Criteria and weighting were determined as follows:

<b>Qualitative Criteria</b>	<b>Weighting</b>
Relevant Experience	20%
Tenderer’s Resources	20%
Methodology	35%
Local Benefits	10%
WHS – Management Plan Manual	15%

10. Tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.

11. For Separable Part A, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark of 60%.

12. The tenders were ranked as follows regarding the Qualitative Criteria:

<b>Tenderer</b>	<b>Qualitative Total Score (Weighted @ 100%)</b>	<b>Rank</b>
Kalamunda Electrics	76.50%	1
Northlake Electrical	57.50%	2
Circuitree Electrical	43.00%	3
Ready Resources Pty Ltd	31.00%	4

13. For Separable Part B, two (2) of the six (6) tender submissions exceeded the required qualitative pass mark of 60%.

14. The tenders were ranked as follows regarding the Qualitative Criteria:

<b>Tenderer</b>	<b>Qualitative Total Score (Weighted @ 100%)</b>	<b>Rank</b>
Kalamunda Electrics	73.00%	1
GES (WA) Pty Ltd t/as Gorey Electrical Services	63.50%	2
Northlake Electrical	57.50%	3
PEAP Contractors	56.50%	4
Electritech Industries	46.00%	5
Circuitree Electrical	25.50%	6

15. For Separable Part A, one (1) conforming tender submission met the required QPM and was advanced to the price assessment stage of the evaluation process. Each tenderers price submission is outlined in the following table.

<b>Tenderer</b>	<b>Rank</b>
Kalamunda Electrics	1
Northlake Electrical	2
Circuitree Electrical	3
Ready Resources Pty Ltd	4

16. For Separable Part B, two (2) conforming tender submission met the required QPM and was advanced to the price assessment stage of the evaluation process. Each tenderers price submission is outlined in the following table.

<b>Tenderer</b>	<b>Rank</b>
GES (WA) Pty Ltd t/as Gorey Electrical Services	1
Kalamunda Electrics	2
Electritech Industries	3
Northlake Electrical	4
PEAP Contractors	5
Circuitree Electrical	6

17. A price assessment was also undertaken 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. This Attachment also assess the anticipated costs for labour for the range of tasks anticipated by the City each year.
19. The recommended tender best satisfied the City's requirements in terms of:
- a) meeting or exceeding the qualitative assessment benchmark;
  - b) proven capacity and capability to undertake the work;
  - c) satisfying reference checks from previous clients;
  - d) satisfying independent financial reference checks of the proposed contractor; and
  - e) providing the best value for money outcome.
20. The contract term is proposed to be an initial three-year term with two further one-year extensions at the City's discretion. The schedule of rates will increase annually by CPI.

### **APPLICABLE LAW**

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

### **APPLICABLE POLICY**

22. CEOD-CS51 – Purchasing, has been followed and complied with.

## FINANCIAL CONSIDERATIONS

23. The use of electrical and irrigation services under this contract, will form part of approved annual budgets in Infrastructure Services, Parks and Environmental Services and Capital Works Projects.
24. Kalamunda Electrics ranked 1<sup>st</sup> in both Separable Portions A and B through the Qualitative Criteria and was best priced for Separable Portion A. For Separable Portion B, Kalamunda Electrics ranked second in price. Considering both the Qualitative Criteria and assessment of price, the consensus of the Tender Panel is to award Kalamunda Electrics with both Separable Portions A and B.

## SUSTAINABILITY

25. Nil.

## RISK MANAGEMENT

26. 

<b>Risk:</b> The Contractor fails to fulfil the requirements of the contract, leading to increased costs to the City through re-tendering.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Insignificant	Unlikely	Low
<b>Action/Strategy</b>		
a) Corporate scorecard confirms financial viability of contractor. b) Formal and detailed Qualitative criteria within Tender minimise risk. c) The contractor's performance for the duration of the contract will be monitored and areas of improvement communicated accordingly.		
27. 

<b>Risk:</b> Contractor unable to attend to urgent work in a timely manner which results in a safety risk.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Significant	Possible	High
<b>Action/Strategy</b>		
a) Embedding contractual mechanisms to ensure response to emergency situations has been agreed to. b) The capacity of the organization to respond was assessed as part of the qualitative assessment.		

## **CONCLUSION**

28. After evaluating all the submissions from the various suppliers and taking all the risks into consideration, it is believed that Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798 will be the best suitable supplier to provide the City with for General Electrical Services and Irrigation Electrical Maintenance Services. The City is satisfied that the recommended tenderer has the capability, capacity and experience to provide the City with the required services.

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

That Council:

1. ACCEPT the tender for Separable Portion A – General Electrical Services (RFT 2431) from Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.
  
2. ACCEPT the tender for Separable Portion B – Irrigation Electrical Maintenance Services (RFT 2431) from Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.

## 10.2.2. RFT2426 Provision for Security Services - Award of Tender

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Maintenance
File Reference	AD-TEN-005
Applicant	N/A
Owner	City of Kalamunda
Attachments	Nil
Confidential Attachment	<u>Reason for Confidentiality: Local Government Act 1995 s5.23 (c)</u> <i>"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."</i>

### TYPE OF REPORT

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### 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 seek Council approval to award a tender seeking to engage a contractor for the Provision of Security Services (RFT 2426).
2. The contract was split into five (5) Separable Portions, to attract the maximum number of potential contractors who could make submissions for any or all of the following services listed and provide best value to the City of Kalamunda (City):

**Separable Portion A** – Planned and Reactive Security Patrolling Services (AS 4421:2023) to include services such as random patrols for City facilities and premises unlocking and lock up.

**Separable Portion B** – Locksmith (AS4145) includes the installation, repair, replacement and maintenance of various types of locks and related hardware for City facilities.

**Separable Portion C** – Security & Intrusion Alarm Services cover works such as responding to emergency calls of lock outs, creation of non-restricted replacement keys, intruder alarm maintenance etc.

**Separable Portion D** – Electronic Access Control includes services such as programming of electronic security and access systems, troubleshooting of devices, etc.

**Separable Portion E** – CCTV Maintenance/Services includes scheduled maintenance to City owned CCTV (City Facilities and Public Realm), maintenance, repair, modification and testing of CCTV systems hardware and software, etc.

3. It is recommended Council accepts the tender from:
  - a) Eastern Region Security for Separable Portion A; and
  - b) Perth Access Control & Security for Separable Portions B – E.

As per the schedule of rates set out in the Confidential Attachment 1 to this report for an initial three-year period with the option to extend two one-year options.



**BACKGROUND**

- 4. Previously the City engaged security services on an adhoc basis. This is the first time these services are combined for tendering to provide the best value for the City.

**DETAILS AND ANALYSIS**

- 5. The City issued RFT 2426 seeking to engage a contractor to provide security services for a three-year period, with two optional single year extensions at the City’s discretion. Tenders closed on 6 November 2024, with nine (9) tenders received by the closing date.
- 6. Tenders received by the closing date were from the following companies (in alphabetical order):
  - a) Allied Security
  - b) Aust Guards & Patrol Services
  - c) CTI Security
  - d) Eastern Region Security
  - e) MA Service Group
  - f) Nightguard Security
  - g) Oceanic Security
  - h) Perth Access Control
  - i) SAPIO
- 7. An Evaluation Panel was convened of suitably qualified City officers to assess the tenders received.
- 8. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again set out in the tender invitation). The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	20%
Tenderer’s Resources	20%
Methodology	35%
Local Benefits	10%
WHS – Management Plan Manual	15%

- 9. Tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.

10. For Separable Portion A, three (3) of the six (6) tender submissions exceeded the required qualitative pass mark.

11. The tenders were ranked as follows regarding the Qualitative Criteria:

<b>Tenderer</b>	<b>Score</b>	<b>Rank</b>
Eastern Region Security	69.50%	1
AustGuards & Patrol Services	68.50%	2
Allied Security	65.50%	3
MA Service Group	59.50%	4
SAPIO	56.50%	5
Oceanic Security	20.00%	6

12. For Separable Portion B, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark.

13. The tenders were ranked as follows regarding the Qualitative Criteria:

<b>Tenderer</b>	<b>Score</b>	<b>Rank</b>
Perth Access Control	86.50%	1
SAPIO	56.50%	2
MA Service Group	56.00%	3
CTI Security	44.50%	4

14. For Separable Portion C, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark.

15. The tenders were ranked as follows regarding the Qualitative Criteria:

<b>Tenderer</b>	<b>Score</b>	<b>Rank</b>
Perth Access Control	86.50%	1
SAPIO	56.50%	2
MA Service Group	52.50%	3
CTI Security	37.50%	4

16. For Separable Portion D, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark.

17. The tenders were ranked as follows regarding the Qualitative Criteria:

<b>Tenderer</b>	<b>Score</b>	<b>Rank</b>
Perth Access Control	86.50%	1
SAPIO	56.50%	2
MA Service Group	56.00%	3
CTI Security	34.00%	4

18. For Separable Portion E, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark.

19. The tenders were ranked as follows regarding the Qualitative Criteria:

<b>Tenderer</b>	<b>Score</b>	<b>Rank</b>
Perth Access Control	86.50%	1
SAPIO	60.00%	2
MA Service Group	52.50%	3
CTI Security	37.50%	4

20. A price assessment was then undertaken for these tenders to determine the best value for money outcome for the City. Each tenderer's price submission is outlined in the following table for each portion of the contract.

#### **Separable Portion A**

<b>Tenderer</b>	<b>Rank</b>
Eastern Region Security	1
SAPIO	2
AustGuards & Patrol Services	3
Allied Security	4
MA Service Group	5
Oceanic Security	6

#### **Separable Portion B**

<b>Tenderer</b>	<b>Rank</b>
Perth Access Control	1
SAPIO	2
MA Service Group	3
CTI Security	4

**Separable Portion C**

<b>Tenderer</b>	<b>Rank</b>
Perth Access Control	1
MA Service Group	2
SAPIO	3
CTI Security	4

**Separable Portion D**

<b>Tenderer</b>	<b>Rank</b>
Perth Access Control	1
MA Service Group	2
SAPIO	3
CTI Security	4

**Separable Portion E**

<b>Tenderer</b>	<b>Rank</b>
Perth Access Control	1
SAPIO	2
MA Service Group	3
CTI Security	4

21. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report. This Attachment also assess the anticipated costs for labour for the range of tasks anticipated by the City each year.
22. The recommended tender best satisfied the City's requirements in terms of:
- a) meeting or exceeding the qualitative assessment benchmark;
  - b) proven capacity and capability to undertake the work;
  - c) satisfying reference checks from previous clients;
  - d) satisfying independent financial reference checks of the proposed contractor; and
  - e) providing the best value for money outcome.
23. The contract term is proposed to be an initial three-year term with two further one-year extensions at the City's discretion. The schedule of rates will increase annually by CPI.

**APPLICABLE LAW**

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

**APPLICABLE POLICY**

- 25. CEOD-CS51 – Purchasing, has been followed and complied with.

**FINANCIAL CONSIDERATIONS**

- 26. Security services under this contract will form part of approved annual budgets in Facilities Maintenance and Capital Works Projects.
- 27. To date the City undertook reactive works for the City’s CCTV infrastructure without having regular inspections or maintenance of these assets (e.g. change of batteries, cleaning of lens, etc.). Issues with the CCTV are generally found when an incident occurs, and the footage is required as part of investigations but unavailable as the camera is not operational. The submitted Schedule of Rates have come back higher than the City’s historical expenditure for these services by approximately \$150,000. The difference in historical spend and the submitted total price of the tender can be attributed to the inclusion of regular scheduled maintenance to the existing City CCTV assets compared to the reactive approach to date.

**SUSTAINABILITY**

- 28. Nil.

**RISK MANAGEMENT**

29.	<b>Risk:</b> The Contractor fails to fulfil the requirements of the contract, leading to increased costs to the City through re-tendering.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Insignificant	Unlikely	Low
	<b>Action/Strategy</b>		
	<ul style="list-style-type: none"> <li>a) Corporate scorecard confirms financial viability of contractor.</li> <li>b) Formal and detailed Qualitative criteria within Tender minimise risk.</li> <li>c) Contractor’s performance for the duration of the contract will be monitored and areas of improvement communicated accordingly.</li> </ul>		

30.

**Risk:** Contractor unable to attend to urgent work in a timely manner which results in a safety risk.

Consequence	Likelihood	Rating
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Significant	Possible	High
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**Action/Strategy**

- a) Embedding contractual mechanisms to ensure response to emergency situations have been agreed to.
- b) The capacity of the organization to respond was assessed as part of the qualitative assessment.

## CONCLUSION

31. After evaluating all the submissions from the various suppliers and taking all the risks into consideration, it is believed that Eastern Region Security for Separable Portion A and Perth Access Control & Security for Separable Portions B - E will be the best suitable suppliers to provide the City with security services.

**Voting Requirements: Simple Majority**

## RECOMMENDATION

That Council:

1. ACCEPT the tender for Separable Portion A – Provision of Security Services (RFT 2426) from Eastern Region Security Pty Ltd, t/a Eastern Region Security ACN 119 975 101, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.
2. ACCEPT the tender for Separable Portions B to E – Provision of Security Services (RFT 2426) from Perth Access Control & Security ABN 86 420 562 061, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.

### 10.2.3. Kalamunda Energy Project Phase 2

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Services
File Reference	
Applicant	N/A
Owner	N/A
Confidential Attachments	Nil

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"*

**Provided under separate cover.**

### 10.3. Corporate Services Reports

#### 10.3.1. Corporate Business Plan - Quarterly Update - October to December 2024

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

Previous  
Items

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

Attachments	1. Quarterly Corporate Plan Report October-December 2024 [ <b>10.3.1.1</b> - 60 pages]
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#### TYPE OF REPORT

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

#### STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

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

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

**Strategy 4.1.1** - Provide good governance.



## **EXECUTIVE SUMMARY**

1. The purpose of this report is to provide Council with the progress on the City of Kalamunda's (City) achievement against "Kalamunda Achieving: Corporate Business Plan 2023-2027" for the period October to December 2024.
2. On average, actions from the Corporate Business Plan are 56.3% complete at the end of the second quarter, 31 December 2024.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period October to December 2024.

## **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 is currently under review. Any changes made to the CBP and adopted by Council will be reported on in the next 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 CBP is a component of the City of Kalamunda's integrated planning and reporting framework.

## **DETAILS AND ANALYSIS**

8. The CBP is comprised of 4 Strategic Priority areas, being:
  1. Kalamunda Cares and Interacts
  2. Kalamunda Clean and Green
  3. Kalamunda Develops
  4. Kalamunda Leads
9. There are 136 individual actions set out within the CBP. Progress reporting is provided as Attachment 1 to this report.
10. The report reflects the management progress report against the work schedule for each of the individual actions, as at 31 December 2024.

11. The CBP actions are on average 56.3% complete. The average target at the end of the second quarter is 46.4%, indicating that progress, on average, is ahead of schedule. The average target is less than 50% because some actions commence later in the year, so the target for the current quarter is 0%.

**APPLICABLE LAW**

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

**APPLICABLE POLICY**

14. Nil.

**STAKEHOLDER ENGAGEMENT**

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

**FINANCIAL CONSIDERATIONS**

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

**SUSTAINABILITY**

18. Nil.

**RISK MANAGEMENT**

19.	<b>Risk:</b> The City lacks transparency in its achievement of the statutory requirements of the Corporate Business Plan leading to reputational impacts						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Consequence</th> <th style="text-align: left; padding: 2px;">Likelihood</th> <th style="text-align: left; padding: 2px;">Rating</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Moderate</td> <td style="padding: 2px;">Unlikely</td> <td style="padding: 2px;">Low</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Moderate	Unlikely	Low
Consequence	Likelihood	Rating					
Moderate	Unlikely	Low					
	<b>Action/Strategy</b>						
	Quarterly reports are provided to Council of progress against the CBP and are publicly available						

**CONCLUSION**

- 20. The City is working to carry out the actions listed in the Corporate Business Plan. On average, actions from the Corporate Business Plan are 56.3% complete at the end of the second quarter of 2024/2025.

**Voting Requirements: Simple Majority**

**RECOMMENDATION**

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2023-2027 for the period October to December 2024.

**10.4. Community Services Reports**

**No reports presented.**

**10.5. Office of the CEO Reports**

**No reports presented.**

**11. Closure**