



Public Agenda Briefing Forum

11 November 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



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, other than the confidential sessions, are being recorded and live streamed.

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

Council takes all care when maintaining privacy, however members of the public gallery and those addressing Council should be aware that you may be recorded.

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).

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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

10. Reports to Council

10.1. Development Reports

10.1.1. Scheme Amendment 118 - Short Term Rental Accommodation

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

Previous Items	OCM 2025/79
Directorate	Development Services
Business Unit	Approval Services
File Reference	PG-LPS-003/118
Applicant	N/A
Owner	N/A

Attachments 1. Scheme Amendment Report [**10.1.1.1** - 15 pages]

Confidential 2. Submissions
Attachment

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

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops
Objective 3.3 - To develop and enhance the City's economy.

Strategy 3.3.1 - Facilitate and support the success and growth of businesses.

Priority 3: Kalamunda Develops

Objective 3.4 - To be recognised as a preferred tourism destination.

Strategy 3.4.1 - Facilitate, support and promote, activities and places to visit.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the outcomes of the community consultation on proposed Local Planning Scheme Amendment 118 (Amendment 118) and to support Amendment 118, without modification.
2. The scheme amendment proposes to amend the City of Kalamunda Local Planning Scheme No. 3 (LPS3) to update the scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for Short Term Rental Accommodation (STRA).
3. It is recommended that Council proceed with Amendment 118, without modification and submits Amendment 118 to the Western Australian Planning Commission for approval.

BACKGROUND

4. On 9 November 2023, the State Government announced new regulations for Short-Term Rental Accommodation (STRA) in Western Australia.

The State government also progressed amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)* to introduce 'Hosted Short-Term Rental Accommodation' and 'Unhosted Short-Term Rental Accommodation' land uses and associated exemptions from the requirement to obtain development approval.

5. The State Government has advised all local governments will be expected to amend their local planning schemes to implement the changes, which will ensure determinations can be issued ahead of STRA Registration Scheme becoming mandatory by January 2026.
6. The City has prepared Amendment 118 to LPS3 to align with the Regulations.
7. At its meeting on 24 June 2025, Council approved Amendment 118 for the purposes of advertising.

DETAILS AND ANALYSIS

8. 'Hosted Short-Term Rental Accommodation' will be exempt from requiring any development approval.
9. 'Unhosted Short-Term Rental Accommodation' will be exempt from requiring any development approval if the property is not rented for more than 90 nights in a 12-month period.
10. The amendments to the Regulations have now been finalised which include:
 - a) New definitions to be introduced into all local planning schemes which deal with STRA;
 - b) Statewide exemptions from development approval for hosted STRA properties;
 - c) Exemptions for unhosted STRA within the Perth metropolitan area where the owner does not intend to rent their property out for more than 90 nights within a 12-month period;
 - d) Revised tourism land uses that can be adopted into local planning schemes
11. Ultimately, the proposed amendments to the Scheme will make it easier for landowners to pursue short term accommodation within the City of Kalamunda (City), which aligns with multiple strategic aspirations of the City, and broadly will result in good planning outcomes.
12. Amendment 118 to LPS3 is contained as Attachment 1, proposing to replace existing STRA land uses with new land uses to align with the Regulations.
13. The amendment seeks to:
 - Delete the following land uses from LPS3: Bed and Breakfast, Chalets – short term accommodation, Motel and Tourist Development.
 - Introduce the following land uses to LPS3: Hosted Short Term Rental Accommodation, Unhosted Short Term Rental Accommodation, Tourist and Visitor Accommodation
 - Introduce the following General Definitions to LPS3: Cabin and Chalet
14. The City has provided for a greater level of flexibility for short term rental accommodations within the Residential Zone to allow for a greater diversity in housing offerings and tourism opportunities.

APPLICABLE LAW

15. *Planning and Development Act 2005 (PD Act)*

The PD Act is legislation that establishes Western Australia's land use planning system, including the making and amending of local planning schemes.

16. Planning and Development (Local Planning Scheme) Regulations 2015

Regulation 35 of the Regulations requires a resolution of a local government to adopt or refuse to adopt an application to amend a local planning scheme, as well as justification for the type of amendment proposed (basic, standard, or complex).

Pursuant to Regulation 35, the proposal is considered to be a 'standard amendment' for the following reasons:

- a) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
- b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- c) The amendment is not considered a complex or basic amendment.
- d) The amendment would be consistent with Planning Bulletin 115/2024, which states that if a scheme amendment introduces or changes permissibility for new short-term rental and traditional accommodation uses, it will be generally progressed as a standard amendment.

Clause 50 of the Regulations requires the local government to consider all submissions made during community consultation and make a resolution to support the amendment with or without modification, or to not support the amendment.

In accordance with Clause 53 of the Regulations, once Council has considered Amendment 118, it is submitted to the WAPC along with the submissions received and the City's responses.

The WAPC would present the amendment with a recommendation to the Minister for Planning within 60 days.

APPLICABLE POLICY

17. Planning Bulletin 115/2024 provides guidance for Local Government in implementing the changes through the planning framework for STRA.

This amendment has been conducted in accordance with the guidance provided in Planning Bulletin 115/2024.

18. The City’s Local Planning Policy 29 – Unhosted Holiday Houses was adopted by Council at its Ordinary Council Meeting on 22 September 2020.

The policy seeks to provide direction on the assessment of development applications for unhosted holiday houses within the City of Kalamunda without adversely affecting the amenity of neighbouring properties and to support tourism.

The City forecasts reviewing this Policy to reflect the updated planning framework, and further explore ways to achieve good planning outcomes as they relate to short term accommodation within the City.

STAKEHOLDER ENGAGEMENT

19. Community consultation for Amendment No. 118 occurred for 42 days from 29 August 2025 to 10 October 2025, in accordance with the City’s Community and Stakeholder Engagement Policy and the Regulations.

The methods of advertising included:

- Publishing the Scheme Amendment on the City’s website (Engage)
- Promotion on the City’s social media account

20. At the close of advertising, the City received one submission, supporting the amendment.
See details below for a summary of the submission:

Submission	Summary of Submission	City’s Comment
1	Supports the Scheme amendment to align Short Term rental accommodation and Tourist visitor accommodation	Noted

FINANCIAL CONSIDERATIONS

21. No immediate financial costs are anticipated as a direct outcome of this initiation report. Costs associated with scheme amendments are to be met through the Development Services annual budget.

SUSTAINABILITY

Social Implications

22. The scheme amendment will simplify the planning process as it will align with the State Government's exemptions for STRA, simplifying the development approval processes and once operating, accommodation may contribute to achieving the social and cultural objectives of Kalamunda Advancing and associated strategic documents.

Economic Implications

23. The scheme amendment by simplifying the planning process is expected to allow some proposals to proceed without the need to provide expensive technical reports for bushfire assessment. Short stay accommodation within the City facilitates retention of visitors to the City's tourism attractions, aligning with broad tourism goals.

Environmental Implications

24. The Scheme Amendment does not propose any direct environmental impact. Development Applications are required to deal with relevant environmental matters through the planning assessment and approval processes.

RISK MANAGEMENT

- 25.
- | | | |
|--|-------------------|---------------|
| Risk: The Amendment is not progressed to the required standard or within the required timeframes, resulting in non-compliance with the <i>Planning and Development Act 2005</i> and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . | | |
| Consequence | Likelihood | Rating |
| Moderate | Unlikely | Low |
| Action/Strategy | | |
| Action the Officer Recommendation. | | |
- 26.
- | | | |
|--|-------------------|---------------|
| Risk: Council resolves not to proceed with Amendment 118 for the purpose of adoption by the WAPC. | | |
| Consequence | Likelihood | Rating |
| Moderate | Unlikely | Low |
| Action/Strategy | | |
| The Minister for Planning may direct Amendment 118 to LPS3 to be completed without Council involvement in accordance with section 76 of the <i>Planning and Development Act 2005</i> . | | |

CONCLUSION

- 27. The proposed changes of Amendment 118 to LPS3 would ensure consistency with the recent updates to the Regulations.
- 28. It is recommended that the Council resolve to support Amendment 118, without modification.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

- 1. Pursuant to Part 5, Division 2, Regulation Clause 50(2) and Clause 50(3)(a) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to SUPPORT proposed Standard Amendment 118 to the Local Planning Scheme No, 3, without modification as outlined in Attachment 1.
- 2. AUTHORISE the Mayor and Chief Executive Officer to sign and affix the common seal to the Form 6A document as shown in Attachment 1
- 3. DIRECTS the Chief Executive Officer to refer Scheme Amendment No. 118 to Local Planning Scheme No. 3 and a schedule of submissions (Attachment 2) received to the Western Australian Planning Commission for a recommendation to the Minister for Planning to approve the proposed amendment pursuant of Part 5, Division 3, Regulation 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 4. NOTES that Amendment No. 118 to Local Planning Scheme No. 3 would be published in the government gazette following approval from the Minister for Planning;
- 5. NOTES that the City's Local Planning Policy 29 – Unhosted Holiday Houses will be reviewed to amend the policy to reflect the updated planning framework.

{scheme-amendment-recommendations}

10.1.2. Property Matter - Divestment of Surplus Land Assets

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

Previous Items	OCM 2025/24
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	3.00297
Applicant	N/A
Owner	City of Kalamunda

Attachments Nil

Confidential Attachment	1. Urch & Mcrae HLBC Final Report February 2025 2. Carmel HLBC Final Report February 2025 3. Opteon Urch & Mcrae Land Valuation 3.10.25 4. Opteon Carmel Land Valuation Report 3.10.25 5. Submission Table
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Reasons for Confidentiality:

Local Government Act 1995 Section 5.23 (2) (b) - " the personal affairs of any person"

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"

TYPE OF REPORT

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	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 2027

Priority 3: Kalamunda Develops

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

Strategy 3.3.1 - Facilitate and support the success and growth of businesses.

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 seek the Council's endorsement to approve the sale of the following properties following public advertising in accordance with s3.58 of the *Local Government Act 1995* (the Act):
 1. Lot 8 (3) Urch Road, Kalamunda.
 2. Lot 7 (12) Mcrae Road, Kalamunda; and
 3. Lot 23 (152) Carmel Road, Carmel.
2. The City of Kalamunda has previously identified the three subject properties as being surplus to requirements. Understanding the development opportunities that exist for the City owned properties and anticipated revenue from the sale and/or development this presents, the City commenced due diligence investigations in 2023 culminating in the preparation of a High-Level Business Case (HLBC) for each property (refer to confidential Attachments 1 & 2).
3. In February 2025 Council resolved (OCM 2025/24) to proceed with Option 1 of the HLBC for the subject properties, namely, to proceed with the disposal of the subject properties in accordance with the provisions of s3.58 of the Act. The decision of Council in February 2025 does not fetter its current decision with respect to whether it grants final approval to sell the subject properties.
4. In July 2025, the City appointed Ray White Kalamunda (RWK) as the selling agent for the subject properties, with the properties to be advertised through an Expression of Interest (EOI) process.
5. In August 2025, the subject properties were marketed by RWK for a period of three weeks, culminating in 20 offers being received across all three properties as detailed in Table 1 of this report.

6. In accordance with s3.58 of the Act, the subject properties were advertised for a period of two weeks commencing on 10 October 2025 and concluding on 24 October 2025. At the conclusion of the advertising period, a total of 17 submissions had been received, 16 for Urch and Mcrae and 1 for Carmel.
7. Having regard to the investigations contained in HLBC and the submissions received to the proposal, it is recommended that in accordance with s3.58 of the Act the Council grants approval for the disposal of the subject properties as recommended in Table 2 of this report.

BACKGROUND

5. **Land Details:**
Lot 8 (3) Urch Road and Lot 7 (12) Mcrae Road, Kalamunda

Land Area:	Lot 8 - 964m ² Lot 7 - 1,014m ²
Metropolitan Region Scheme	Urban
Local Planning Scheme No.3	Residential R10/R20
Land Use Permissibility	Residential Community Civic
Location	

6. **Land Details:**
Lot 23 (152) Carmel Road, Carmel

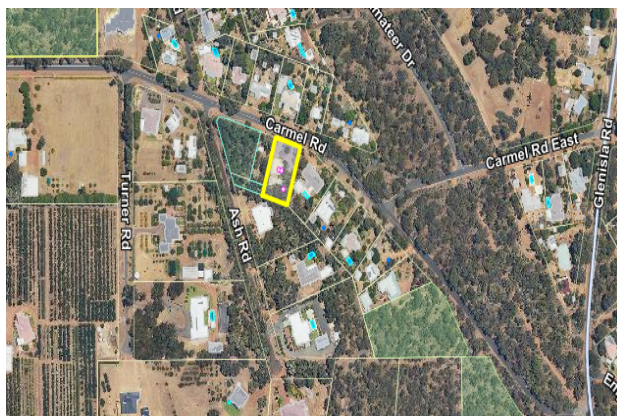
Land Area 2,026m²

Metropolitan Urban
Region Scheme

Local Planning Residential Bushland R5
Scheme No.3

Land Use Residential
Permissibility Community
Civic

Location



7. In February 2025, Council resolved (OCM 2025/24) the following:

That Council:

1. *RECEIVE the information contained in this confidential report and the High-Level Business Cases in Confidential Attachments 1 and 2.*
 2. *ADOPT the officer recommendation for Option 1 as listed within the body of the distributed report.*
 3. *NOTE the gross proceeds from the disposal of the land assets will be allocated to the Land Development Reserve, minus \$50,000 to environmental improvements and not maintenance, within the immediate locality as an offset for potential loss of mature trees on the subject lots.*
8. With regard to Point 2 of the Council resolution, Option 1 of the confidential Council report recommended that Council proceed with the divestment of the subject properties.
9. In June 2025, the City requested the following real estate agents to provide a quote for their services to market the subject properties:
- Ray White Kalamunda
 - The Professionals Kalamunda
 - Provincial Real Estate Kalamunda

10. Having considered the three submissions, RWK was selected in August 2025 as the preferred selling agent on the following basis:
 - The market appraisal for the subject properties was considered reflective of market conditions
 - The market appraisal was reflective of likely development costs to be incurred by the prospective purchaser
 - RWK demonstrated a sound understanding of the market potential for each lot
 - The submission from RWK was more aligned with the approach requested by City
 - The fee proposal was very competitive
11. The market appraisal provided by RWK in their submission recommended the following pricing for each lot:
 - Lot 8 (3) Urch Road - Offers from \$450,000
 - Lot 7 (12) Mcrae Road – Offers from \$499,000
 - Lot 23 (152) Carmel Road – Offers from \$589,000
12. In addition to the above market appraisals, the City in October 2025 commissioned Opteon Land Valuers to prepare market land valuations for each of the properties (refer Confidential Attachments 3 & 4). The valuations are noted below:
 - Lot 8 (3) Urch Road - \$575,000
 - Lot 7 (12) Mcrae Road –\$625,000
 - Lot 23 (152) Carmel Road –\$540,000

The timing of the valuations satisfy the requirements of s3.58(4) of the Act.
13. The subject properties were marketed through an Expression of Interest (EOI) process and advertised for a period of three weeks commencing on 20 August 2025 and concluding on 10 September 2025.
14. The marketing campaign for the subject properties incorporated the following:
 - Signs being placed on site
 - Open days being held on each of the lots, with information packs being provided to interested parties
 - Properties listed on major real estate portals, including Realestate and Domain
 - Extensive social media coverage, including regular social postings and video content across Facebook and Instagram
15. At the conclusion of the selling period, RWK had received a total of 20 offers across all three properties. The details are provided in the following table:

Property	Number of Offers Received	Range of Offers	Recommended Offer/Buyer
Lot 8 (3) Urch Road	8	\$485k - \$590k	\$590k Dewhirst Family Pty Ltd & Silver Mink Holdings Pty Ltd
Lot 7 (12) Mcrae Road	10	\$485 - \$650k	\$650 Matthew & Jessica Lacey
Lot 23 (152) Carmel Road	2	\$620k - \$650k	\$650k Thomas Smith

Table 1: *Ray White Kalamunda - Selling Period Details September 2025*

16. The recommended offers from RWK outlined in Table 1 are considered well above the original market appraisal provided by RWK, but in keeping with the land valuation provided by Opteon and reflective of current market conditions.

DETAILS AND ANALYSIS

16. The purpose of this report is to seek Council's approval for the sale of the following properties, the recommended purchasers and offers following advertising of the proposal in accordance with s3.58 of the Act as outlined in Table 2 below:

Property	Recommended Purchaser	Recommended Offer
Lot 8 (3) Urch Road, Kalamunda	Dewhirst Family Pty Ltd & Silver Mink Holdings Pty Ltd as Trustee for P & K Rando Family Trust	\$590,000
Lot 7 (12) Mcrae Road, Kalamunda	Matthew & Jessica Lacey	\$650,000
Lot 23 (152) Carmel Road, Carmel	Thomas Smith	\$650,000

Table 2: *Ray White Kalamunda Recommended Purchaser/Offer*

17. In accordance with s3.58 of the Act, the subject properties were advertised for a period of two weeks commencing on 10 October 2025 and concluding on 24 October 2025. The advertising comprised the following:

- Letters to be sent to all residents within a 200m radius of the site
- Letter to include a link to an online submission form
- Public notice to be included in local and state newspapers

- Details exhibited on a notice board at the City's administrative offices and libraries
 - Opportunity for written submissions to be received via web/porta, post and email.
18. At the conclusion of the advertising period, a total of 17 submissions had been received, comprising 16 submissions for the Urch and Mcrae properties and one submission for the Carmel Road property.
19. Of the 16 submissions received, 12 did not support the proposal, with the balance either in support or providing comment to the proposal. The one submission received for the Carmel Road property did not support the proposal. Refer Confidential Attachment 5 for the details of the submissions received and the City responses.
20. In considering the number of persons who did not support the proposed sale, it should be noted that there were 20 offers received to purchase the subject lots, suggesting that on balance there is comparable support in the community for the proposal.
21. The principal reasons raised by residents who did not support the proposal are summarised below:

Loss of Vegetation over the Urch and Mcrae Lots and lack of Environmental Rigor in the Assessment Process

- It is acknowledged that the existing vegetation on the subject site is important from a community and environmental perspective and there will likely be the loss of vegetation associated with future residential development of the subject properties. The City will need to manage this process by applying relevant Scheme and Policy provisions, and where practically possible ensure the potential loss of vegetation is minimised through the appropriate siting and design of the dwellings.
22. The potential loss of trees on site arising from the sale of the land must be balanced against the social and economic benefits the sale would deliver in terms of housing opportunities for the community and the enhancement and delivery of community based projects. The demand for housing in Kalamunda was evident with the 20 bids/offers that RWK received from interested parties across all three properties during the selling period.
23. Acknowledging the potential loss of vegetation, Council in February 2025 (OCM 2025/24) resolved to allocate \$50,000 from the sale of both lots for environmental improvements to existing areas of local open space including Andrew Street Reserve. In the event that Council approves the sale of the subject properties, then the City will finalise a Project Plan as a priority and consult with the local community regarding the expenditure of the funds.

24. As part of its due diligence process, the City has given due regard to the environmental values and undertaken an appropriate level assessment of the natural vegetation in consultation with the Department of Biodiversity Conservation and Attractions. This involved a targeted survey of both lots and the adjoining road reserve.
25. The survey identified 11 trees worthy of retention and a mixture of species, some native to Western Australia, including Marri and Jarrah and some native to Eastern Australia including Southern Mahogany. The survey however revealed no Threatened, Priority or Ecological Communities which would have required the retention of the vegetation under the *Biodiversity Conservation Act 2016*.
26. **The loss of the Urch and Mcrae lots for use as Public Open Space**
- The informal use of the subject lots over many years by the community for access to Andrew Street Reserve from Urch and Mcrae Roads has created a perception in the community that the lots comprise part of the Andrew Street Reserve.
27. The subject lots are zoned 'Urban' under the Metropolitan Region Scheme and 'Residential R10/20' under the provisions of the City's Local Planning Scheme No 3 and therefore can be considered for residential use. Importantly, the lots are not classified as reserved land, and do not form part of the adjoining Andrew Street Reserve. The local community will continue to have access to the adjoining 2.3ha reserve for passive and active recreational pursuits.
28. **The nature of Community Engagement regarding the proposal**
- The disposal of land by local government is regulated under S3.59 and 3.58 of the Act. This section outlines the requirements local government must follow for the disposal of property to ensure transparency and fairness in the process.
29. As outlined in the Applicable Law and Stakeholder Engagement sections of this report, the Act establishes the process and the sequence the City must follow with respect to the method of disposal, i.e. by tender or EOI and the advertising requirements for the disposal.
30. In regard to advertising requirements established under s3.58(3) of the Act, the following methods were undertaken by the City:
- Letters to be sent to all residents within a 200m radius of the site

- Letter to include a link to an online submission form
 - Public notice to be included in local and state newspapers
 - Details exhibited on a notice board at the City of Kalamunda administration offices and libraries within the City
 - Opportunity for written submissions to be received via web/porta, post and email
31. In addition to the regulatory advertising requirements established under s3.58, the City undertook extensive additional consultation associated with the marketing of the subject lots to ensure that the community was aware of the proposal and could seek further information, including:
- Information letter sent to residents out regarding the proposed sale
 - On-site signage - Installed on the Urch and McRae lots to clearly alert local residents and passers-by
 - Resident enquiries and conversations - City staff have responded to residents who reached out after receiving the letter or noticing the signage, providing information, answering questions, and noting their feedback
 - Resident enquiries and conversations - City staff have responded to residents who reached out after receiving the letter or noticing the signage, providing information, answering questions, and noting their feedback.
32. The extent of community consultation the City has undertaken since Council resolved in February 2025 to proceed, not approve, with the sale of the subject properties has focused on informing residents, gathering feedback through enquiries and submissions, and making sure Elected Members have a full understanding of community views.
33. This reflects the principles in the City's Communication and Engagement Policy, ensuring engagement occurs before decisions are finalised and that community input forms a meaningful part of Council's deliberations.
34. **Lack of Due Process followed under the *Local Government Act 1995***
- Whilst the City has met its obligations for the disposal of the subject properties under s3.59 and s3.58 of the Act, it is acknowledged that the process established under the relevant provisions is problematic. In particular, the timing of the public consultation and Council deliberations creates the perception that Council has given in principle approval for the disposal of land prior to the community having an opportunity to formally consider the proposal.
35. To ensure an open and transparent process and more confidence for the community in the process, consideration should be given to reforming s3.58 of the Act to require local government to consult with community prior to

progressing with the advertising requirements under s3.58, i.e. marketing. This would enable Council to give consideration whether to proceed with the disposal of land having heard the view of the community. Moreover, the City in developing a Policy position regarding the divestment of land, could establishes this process as a Policy provision.

APPLICABLE LAW

34. Section 3.59 of the *Local Government Act 1995* (Act) requires all land transactions including major land transactions be reported to Council for consideration and resolution.
35. The proposal to dispose of land owned by the City in freehold is considered a 'land transaction' as defined under sec 3.59(1) of the Act, which means an agreement, or several agreements for a common purpose, under which a local government is to –
 - a. Acquire or dispose of an interest in land; or
 - b. Develop land;
36. Disposal to sell the subject properties is regulated under *Part 3 Division 3* s.3.58 of the Act.
37. S3.58(2) of the Act enables the local government to dispose of the subject site either by public auction or tender, or by an alternative means under s3.58(3) which will require the local government to advertise the proposed method of disposal and for Council to consider any submissions received.
38. s3.58(4) of the Act requires the details of the disposal required under S(3)(a)(ii) to include –
 - a. *the names of all other parties concerned; and*
 - b. *the consideration to be received by the local government for the disposition; and*
 - c. *the market valuation of the disposition –*
 - I. as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - II. as declared by a resolution of the local government on the basis of a valuation carried out not more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the disposition.*

APPLICABLE POLICY

39. Service 5: Communication and Engagement.

STAKEHOLDER ENGAGEMENT

40. Under S3.58(3)(a) of the Act, before agreeing to dispose of a property, a local government is required to advertise the proposed disposal by:
- I. describing the property concerned; and
 - II. giving details of the proposed disposition; and
 - III. inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
- b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

FINANCIAL CONSIDERATIONS

41. Costs and revenue associated with the divestment of the subject properties will be sourced from and returned to the Land Development Reserve. The proposed divestments are an important component of the City's strategic management and review of land assets, and long term objectives for revenue diversification and financial sustainability.

SUSTAINABILITY

Social Implications

42. The sale of the subject properties will generate revenue to support delivery of projects and improvements which meet the needs of the community.
43. Divestment of the subject properties to the market will support the delivery of more housing opportunities in the City during a housing crisis and constrained property market.

Economic Implications

44. Disposal and/or development of the subject properties will generate revenue to support the City's long term financial position and support ongoing revenue diversification initiatives under its property portfolio through the Property Development Reserve.
45. Furthermore, property projects utilising the Property Development Reserve will prioritise social and economic development, and environmental enhancement opportunities.

Environmental Implications

46. Residential development of the subject properties will result in the loss of some vegetation however, this can be managed through the development application process and with the appropriate siting and design of buildings.
47. To address the loss of some vegetation over the subject properties, Council at its February OCM (OCM 24/2025) resolved to allocate \$50,000 from the sale of the subject properties for environmental improvements within the immediate locality including Andrew Street Reserve to offset the potential loss of mature vegetation on the subject properties.

RISK MANAGEMENT

48.	Risk: Loss of onsite Vegetation.		
	Consequence	Likelihood	Rating
	Moderate	Likely	Medium
	Action/Strategy		
	Loss of vegetation onsite to be assessed at the development application stage of the planning process and managed through the application of Scheme/Policy provisions and appropriate siting and design of the buildings.		

CONCLUSION

49. In accordance with the Council resolution in February 2025 (OCM 2025/24) the City has followed due process under s3.58 of the Act and progressed with the disposal of the subject properties through the selling, marketing phase of the proposal, and undertaken additional informal consultation with the local community. It is acknowledged that there is an opportunity to increase the level of community engagement and transparency to build on the statutory process established under s3.58.
50. It is considered that the extent of community consultation both formally and informally reflects the principles in the Service 5: City's Communication and Engagement Policy, ensuring engagement occurs before decisions are finalised and that community input forms a meaningful part of Council's deliberations. Further learnings regarding this process will inform a review of engagement processes as part of the formulation of future updates to the City's Long term Financial Plan and associated strategies and policies on the strategic management of land assets and property matters, expected to be considered by the Council in 2026.
51. In regard to the environmental concerns raised by the community, it is acknowledged that future residential development of the subject properties will likely result in the loss of some existing vegetation. This can however be managed and where possible minimised through the development

application process. The environmental concerns however need to be balanced against the social and economic benefits the sale of the properties will bring. In particular, more housing opportunities and revenue to support community based projects, and the City's long term financial sustainability.

52. Whilst several submissions received to the proposal that there is some concern in the community regarding the proposal, there is also some measure of support, and whilst this is not reflected in the number of submissions received, the 20 offers received suggest that on balance there is support from those in the community and demand for the investment and new opportunities to build home in the City of Kalamunda.
53. Having regard to the above, it is recommended that in accordance with s3.58 of the Act that Council approves the sale of the subject properties as outlined in Table 2 of this report.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RECEIVE the information contained in this confidential report, High-Level Business Cases, Submission Table and the Market Land Valuations in Confidential Attachments 1-6.
2. AUTHORISE the Chief Executive Officer pursuant to section 9.49A(4) of the *Local Government Act 1995* to enter into and execute a contract of sale on behalf of the local government for each disposition of property, inclusive of any requisite administrative actions necessary to give effect to each disposition of property:

Property	Recommended Purchaser	Recommended Offer
Lot 8 (3) Urch Road, Kalamunda	Dewhirst Family Pty Ltd & Silver Mink Holdings Pty Ltd as Trustee for P & K Rando Family Trust	\$590,000
Lot 7 (12) Mcrae Road, Kalamunda	Matthew & Jessica Lacey	\$650,000
Lot 23 (152) Carmel Road, Carmel	Thomas Smith	\$650,000

3. NOTE the gross proceeds from the disposal of the land assets will be allocated to the Land Development Reserve, minus \$50,000 to environmental improvements and not maintenance, within the immediate locality as an offset for potential loss of mature trees on the subject lots.

4. ALLOCATES \$50,000 to the Environmental Reserve to be drawn for Andrew Street Reserve environmental improvements to be determined via a budget bid.
5. REQUESTS the Chief Executive Officer present a report to the Council in 2026 containing recommendations to enhance the City of Kalamunda's engagement processes in respect to the strategic management of land assets.

10.1.3. Local Planning Policy 35 - Hatch Court Light Industrial Area

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

Previous Items	OCM 2025/128
Directorate	Development Services
Business Unit	Approval Services
File Reference	3.009297
Applicant	Nil
Owner	Nil
Attachments	1. Draft Local Planning Policy 35 – Hatch Court Light Industrial Area

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 3.3 – To develop and enhance the City’s economy.

Strategy 3.3.1 – Facilitate and support the success and growth of businesses.

Strategy 3.3.2 – Attract and enable new investment opportunities.

Strategy 3.3.3 – Plan for strong activity centres and employment areas to meet the future needs of the community, industry, and commerce.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the adoption of Draft Local Planning Policy 35 (LPP35) for the purpose of public advertising.
2. LPP35 is intended to guide subdivision and development within the Hatch Court Light Industrial Area in a manner that does not prejudice or prevent coordinated planning and infrastructure delivery in future through a Local Structure Plan (LSP), Development Contribution Plan (DCP), and Design Guidelines
3. Council is recommended to adopt LPP35 for the purposes of public advertising.

BACKGROUND

4. Council at its meeting on 26 July 2022 (OCM 94/2022) adopted for public advertising a previous version of LPP35.
5. The previous version of LPP35 divided the Hatch Court Light Industrial Area into two precincts – A and B. Development was not supported in Precinct A prior to Local Structure Planning, but was permitted in Precinct B. Precinct B comprised only one property fronting Adelaide Street, while all other land covered by the Policy was included in Precinct A.
6. Affected landowners objected to the previous Policy, resulting in Council (on 22 October 2024, OCM 137/2024) deciding to abandon that Policy and to instead prepare a Local Structure Plan, Development Contribution Plan, and Design Guidelines for the Hatch Court Light Industrial Area. The City has appointed a consultant team for this work, and the project is now underway.
7. Development and subdivision applications continue to be received for land within the Hatch Court Light Industrial Area, despite the need for more coordinated planning and infrastructure provision through a Structure Plan, Development Contribution Plan and Design Guidelines (most recently by the Metro Outer DAP on 19 August 2025 – DA25/0154).
8. In recognition of the mounting development interest in the Area, Mayor Thomas presented a Notice of Motion to Council on 26 August 2025 to prepare a new Draft Local Planning Policy for the Hatch Court Light Industrial Area, to introduce appropriate planning controls pending

finalisation of the City's proposed LSP, DCP and Design Guidelines for the area.

9. The Mayor's Motion was unanimously adopted by Council and is reproduced below (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."

10. This Council Report and the attached Draft LPP35 are provided in response to Council's resolution above.

DETAILS AND ANALYSIS

11. The Hatch Court Light Industrial Area comprises approximately 30 hectares of land and is in the north-western corner of High Wycombe generally bounded by Kalamunda Road, Stirling Crescent and Adelaide Street. The area is zoned Light Industry under the City's Local Planning Scheme No. 3 (LPS3).
12. The City owns Lot 13 Hatch Court, which is within the area covered by Draft LPP35.
13. Draft LPP35 will introduce planning controls for the area so that any subdivision and development occurring prior to adoption of a Local

Structure Plan, Development Contribution Plan and Design Guidelines for the area:

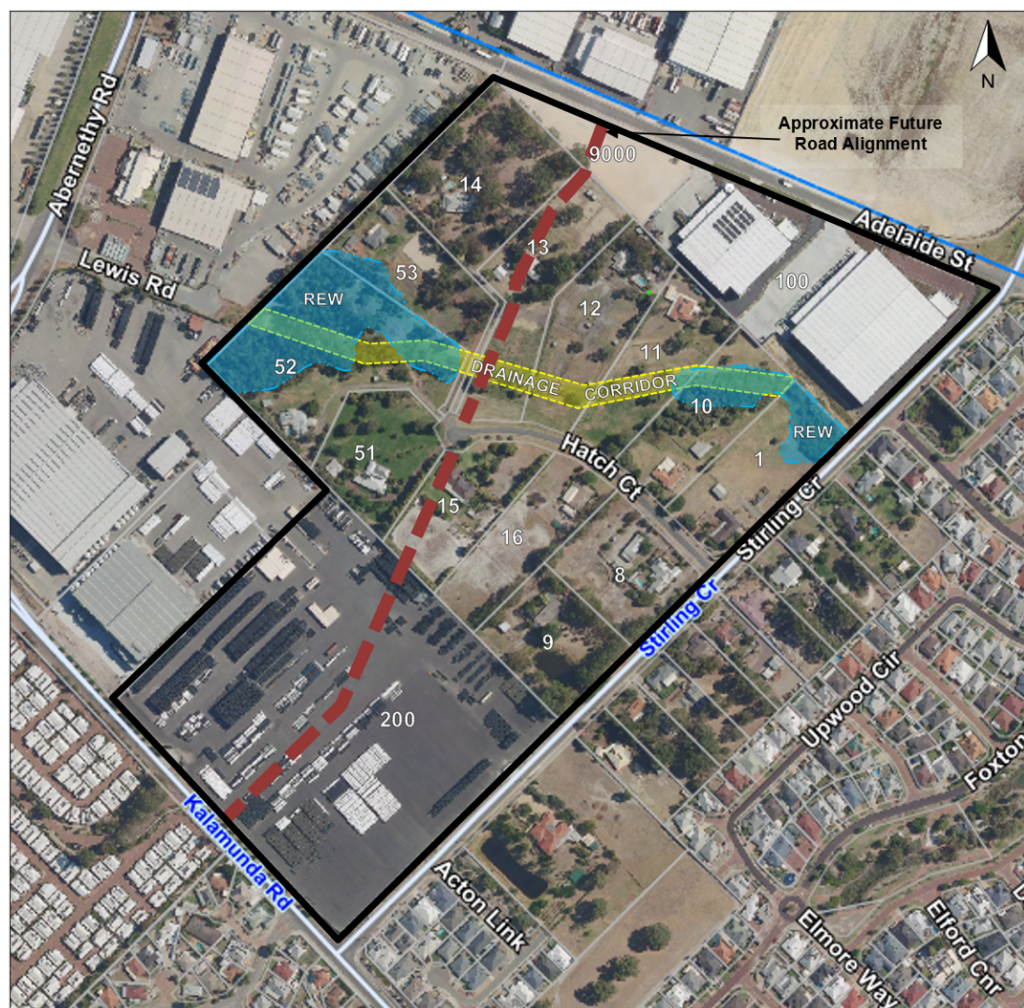
- a) Does not prejudice or preclude the orderly and proper planning of the area via a Structure Plan;
- b) Does not prejudice or preclude the timely and coordinated delivery of common infrastructure that is reasonably required for and generated by development in the area;
- c) Is accompanied by relevant details and technical information to address these requirements; and
- d) If approved, is subject to a condition requiring satisfactory arrangements to be made with the City for payment of the landowner's development contribution in accordance with the Hatch Court Development Contribution Plan once adopted in future.

- 14. There are four key components to Draft LPP35 – Application, Advertising, Assessment, and Conditions. These components are summarised in the paragraphs below.
- 15. Application – Based on specific planning considerations for the Hatch Court Light Industrial Area, the Policy prescribes (in clauses 6.1 and 6.2) a minimum level of information that must be submitted for an application to be accepted. This information relates to the Resource Enhancement Wetlands (REW) in the area; drainage; the width and alignment of Hatch Court; and the need for a future road connection between Adelaide Street and Kalamunda Road. Clause 6.3 extends these information requirements to the subdivision process.
- 16. Advertising – Clause 6.3 of the Policy prescribes that every application for development within the Hatch Court Light Industrial Area will be advertised for public comment, unless the City waives that requirement in accordance with clause 6.4.
- 17. Assessment – The Policy introduces the concept of “Sacrificial Development” which can occur in the meantime, in areas that may be needed for wetland management, drainage, Hatch Court road widening, or a new road alignment in future. This is supplemented by clauses 7.1 and 7.3 setting out how the City will assess and respond to applications.
- 18. Conditions – Clause 7.2 of the Policy lists some of the conditions which the City may impose or recommend for subdivision and development applications in the Hatch Court Light Industrial Area. These conditions include – imposing time-limited approvals, ceding land free of cost for road

widening, applying easements on land for drainage and future road alignment purposes, and requiring proponents to enter into binding agreements with the City to fulfil their development contribution obligations in future once the Hatch Court Development Contribution Plan is adopted.

19. LPP35 has been informed by the precedent of information required and conditions imposed on subdivision and development applications within the Hatch Court Light Industrial Area in recent years.

20. Figure 1 (Policy Area) from Draft LPP35 is shown below.



21. The Approximate Future Road Alignment shown in Figure 1 has the highest potential impact on Lots 15 and 200 south of Hatch Court. Importantly, however, LPP35 does not require subdivision or development on those lots to give up land free of cost for that future road, as the need for and cost of that road is yet to be determined through the current Structure Planning project. Rather, the Policy:

- a) Requires any such application to depict the owner's preferred alignment of that road;
 - b) Requires development to make provision for and be suitably setback from that future road, unless the development is "Sacrificial Development"; and
 - c) Enables the City to impose or recommend a condition requiring an easement to protect the future alignment of that road.
- 22. Lots 13 and 9000 north of Hatch Court are also burdened by the Approximate Future Road Alignment shown in Figure 1 but are less impacted than Lots 15 and 200. This is because:
 - a) The City acquired Lot 13 in late 2024 for the express purpose of facilitating the road connection between Hatch Court and Adelaide Street; and
 - b) The City has entered into an agreement with the owner of Lot 9000 to acquire the land needed to extend the future road connection through to Adelaide Street. This agreement was a requirement of the development approval granted for Lot 9000 on 26 May 2023 (DAP/23/02417) and subdivision approval 16413 granted on 3 May 2024.
- 23. Public Advertising of Draft LPP35 will allow landowners within the Hatch Court Light Industrial Area and the adjacent residents to have their say on the planning framework proposed by the LPP.
- 24. Public advertising of draft LPP35, will also be subject to additional advertising requirements to cover for the Christmas period as per Schedule 2 Part 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015 ('Deemed Provisions')* and the City's Local Planning Policy 11 – Public Notification of Planning Proposals which will require a 35 day advertising period for draft LPP35.

APPLICABLE LAW

- 25. LPP35 has been prepared under and in accordance with Schedule 2 Part 2 of the 'Deemed Provisions'.
- 26. In accordance with clause 27(2) of the Deemed Provisions, the City may approve a development application in an area where a Structure Plan is required but has not yet been prepared (as is the case for the Hatch Court Light Industrial Area) if the City is satisfied that the proposed development

or subdivision does not conflict with the principles of orderly and proper planning; and would not prejudice the overall development potential of the area.

LPP35 will provides guidance for the City when exercising this judgement.

APPLICABLE POLICY

27. State Planning Policy 4.1 – Industrial Interface (SPP 4.1) applies to existing and new industrial areas and industrial uses. Its purpose is to protect industry from encroachment of sensitive land uses and, conversely, to protect sensitive land uses from potentially hazardous industrial activity.
28. SPP 4.1 will apply in addition to LPP35, ensuring that development within the Hatch Court Light Industrial Area considers and responds to the residential land uses on the opposite side of Stirling Crescent.
29. The provisions of LPP35 which require satisfactory arrangements to be made with the City for all owners to fulfil their development contribution obligations once the DCP is adopted in future, will ensure that:
 - A fair and equitable cost-sharing arrangement is implemented for the coordinated development of the Hatch Court Light Industrial Area; and
 - The City and future developing landowners are not unduly burdened by common infrastructure and administrative costs that ought to be shared by all landowners in the precinct.
30. This arrangement is supported by:
 - Clause 6.10.2 of State Planning Policy 3.6 – Infrastructure Contributions (SPP 3.6), which states –

“Interim arrangements, such as Deed of Agreements, should be agreed and implemented via conditions of subdivision or development to contribute to the cost of providing community and/or development infrastructure.”
 - Local Planning Policy 25 – Interim Development Contribution Arrangements (LPP 25) which states –

“In the interests of progressing development in the area, a condition of approval can be included on a subdivision and/or development approval, which requires a legal agreement between the parties to address the matter of the contribution requirement (Refer Part 2.2.1.3 of this Policy). The legal agreement referred to as an Interim Development Contribution Arrangement (IDCA), provides a means by which subdivision and

development conditions relating to interim contributions can be cleared and cost contributions made, allowing development to progress prior to formal gazettal of the DCP. Through this Policy, the City provides guidance to landowners as to what it deems to be a satisfactory arrangement.

31. In accordance with SPP 3.6, clause 6.5 of the Scheme and Local Planning Policy 24 – Development Contribution (LPP24), a Scheme Amendment will also be presented to Council in the near future, to formally establish the Hatch Court Light Industrial Area as a Development Contribution Area (DCA) with corresponding provisions introduced into Local Planning Scheme No. 3.

STAKEHOLDER ENGAGEMENT

32. In accordance with Clause 4(2) of the Deemed Provisions, the advertising period of an LPP must not be less than 21 days.
33. In accordance with Local Planning Policy 11 – Public Notification of Planning Proposals advertising of LPP35 is to include notice on a social media platform, local newspaper advertisement and display of documents at the City's Administration Centre. Based on the timing of this recommended advertising, it is noted that the holiday periods including 15 December to 15 January, require an additional 14 days to be added to the consultation period (total of 35 days).
34. Letters will also be sent to impacted landowners within the Hatch Court Light Industrial Area, residents on the opposite side of Stirling Crescent, and to relevant public agencies and service authorities.

FINANCIAL CONSIDERATIONS

35. LPP35 has been prepared in collaboration with the City by LK Advisory (a member of the consultant team appointed to prepare the Hatch Court LSP, DCP and Design Guidelines), as a minor variation to the approved scope of work.

SUSTAINABILITY

36. **Environment**
LPP35 requires subdivision and development applications within the Hatch Court Light Industrial Area to be accompanied by technical information from suitably qualified consultants to address local environmental considerations – namely wetlands and drainage.
37. LPP35 also requires public advertising and referral of development applications to the Department of Water and Environmental Regulation

(DWER), and Department of Biodiversity, Conservation and Attractions (DBCA) to ensure that due consideration is given to all relevant environmental features within the area.

38. **Economic**

Facilitating development of the Hatch Court Industrial Area prior to adoption of a LSP, DCP and Design Guidelines will generate additional employment and broaden the City's economic base.

39. **Social**

LPP35 neither promotes nor prevents the reasonable subdivision and development of land in the Hatch Court Light Industrial Area ahead of the City's LSP, DCP, and Design Guidelines. Rather, the Policy provides a framework for landowners wishing to subdivide or develop to ensure their activities do not prejudice or preclude the orderly and proper planning and overall development potential of the area.

40. Potential impacts of development within the Hatch Court Light Industrial Area on the residential land opposite Stirling Crescent will be considered through public advertising of development applications and application of SPP 4.1.

RISK MANAGEMENT

41.	Risk: Development occurs in the area without guidance and before the City can finalise its LSP, DCP and Design Guidelines.		
	Consequence	Likelihood	Rating
	Significant	Possible	High
	Action/Strategy		
	Adopt LPP35 for advertising to seek comments from all relevant stakeholders. LPP35 will introduce a vital interim planning framework to guide the appropriate subdivision and development of land ahead of the City's LSP, DCP and Design Guidelines.		

CONCLUSION

42. LPP35 responds to Council's resolution from 26 August 2025 (OCM2025/128) and will provide essential guidance and planning controls for subdivision and development within the Hatch Court Light Industrial Area prior to adoption of a LSP, DCP and Design Guidelines.
43. Adopting LPP35 for public advertising will allow Council to consider comments from all affected landowners and stakeholders before deciding whether to formally adopt the LPP after the public advertising has closed.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ADOPT the proposed Local Planning Policy 35 – Hatch Court Light Industrial Area for the purposes of advertising pursuant to Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

10.1.4. Scheme Amendment 116

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

Previous Items	OCM 2025/38
Directorate	Development Services
Business Unit	Approval Services
File Reference	PG-LPS-003/116
Applicant	Taylor Burrell Barnett
Owner	Dawsons Garden World Trust and Water Corporation
Attachments	1. Attachment 1 Submission Response Table [10.1.4.1 - 4 pages] 2. Attachment 2 BAL Contour Map [10.1.4.2 - 1 page] 3. Attachment 3 Scheme Amendment Report [10.1.4.3 - 21 pages] 4. Attachment 4 Amended Plan [10.1.4.4 - 1 page] 5. Attachment 5 DoE Response [10.1.4.5 - 1 page] 6. Attachment 6 MRWA Response [10.1.4.6 - 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 3.3 - To develop and enhance the City's economy.

Strategy 3.3.1 - Facilitate and support the success and growth of businesses.

EXECUTIVE SUMMARY

- 1. The purpose of this report is for Council to consider whether to adopt Amendment 116 (A116) to Local Planning Scheme 3.
- 2. The Scheme Amendment proposes to amend Local Planning Scheme No. 3 (LPS3) to modify the existing density coding from 'Residential – R15' to 'Residential – R40' for Lots 1, 2, 47, 48, 100 (eastern portion), 105, and 106 Reynolds Road, Forrestfield.
- 3. It is recommended that Council proceed with Amendment 116, without modifications and submits Amendment 116 to the Western Australian Planning Commission for approval.

BACKGROUND

4. **Historic Details:**

Historically, the site has been utilised as a growing centre for Dawson’s Garden World. The broader area has predominantly been residential since development commenced in the 1970s.

5. **Land Area:**

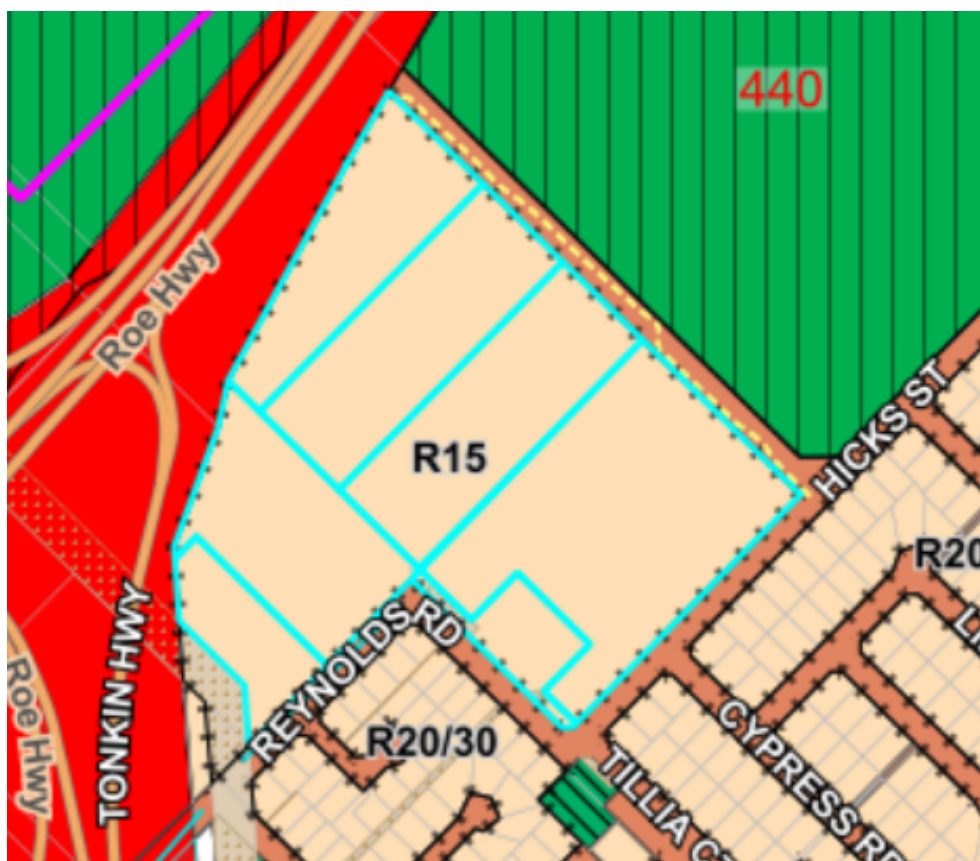
The total land area of the subject sites is provided within the table below:

Lot 1 Reynolds Road, Forrestfield	0.549ha
Lot 2 Reynolds Road, Forrestfield	3.674ha
Lot 47 Reynolds Road, Forrestfield	2.042ha
Lot 48 Reynolds Road, Forrestfield	2.044ha
Lot 100 Reynolds Road, Forrestfield	1.812ha
Lot 105 Reynolds Road, Forrestfield	0.757ha
Lot 106 Reynolds Road, Forrestfield	1.629ha
TOTAL LAND AREA:	12.507ha

6. **Land Details:**

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Residential
R-Code	R15

7. **Zoning Plan:**



8. **Locality Plan:**



9. The subject sites are located east of the intersection of Roe and Tonkin Highways.
10. As demonstrated in the Zoning Plan, surrounding sites to the east have a dual density code of R20/30.
11. To the north-east of the subject site is Parks and Recreation Reservation, which encompasses Pioneer Park, and is also covered by a Bush Forever area (Site 440).
12. The subject site is relatively flat with a fall of approximately 2m across 160m from the northeast to the southwest.

DETAILS AND ANALYSIS

13. The applicant is seeking to amend Local Planning Scheme No. 3 (LPS3) to modify the density coding of the subject sites from Residential (R15) to Residential (R40).
14. The subject site falls within the North-East Sub-regional Planning Framework and is identified as an 'Urban' area.
15. The proposed scheme amendment does not alter the use of the land from its current zoning under the Metropolitan Scheme (MRS). The proposal is considered to be consistent with the objectives of the Urban zone.

16. The proposed scheme amendment is consistent with the zone objectives for land zoned 'Residential' under LPS3. The zone objectives are:
- a) To provide primarily for single residential development whilst allowing for a range of residential densities in order to encourage a wide choice of housing types within the Shire.
 - b) To give consideration to grouped dwelling developments if the site is near amenities and can be integrated into the single residential environment.
 - c) To facilitate a range of accommodation styles and densities to cater for all community groups inclusive of the elderly, young people in transition and the handicapped. Such accommodation is supported where it is appropriately situated in proximity to other services and facilities.
 - d) To encourage the retention of remnant vegetation.
17. Pursuant to section 83A of the *Planning and Development Act 2005*, the Department of Planning, Lands and Heritage (the Department), has resolved to require the local government to modify the scheme amendment, pursuant to Section 83A(2)(b) of the *Planning and Development Act 2005*, by:
- (a) Deleting and replacing the amendment text with:
"modify the existing density coding of the following lots from R15 to R40:
 - Lots 1, 2, 47, 48, 105 and 106; and
 - the eastern portion of Lot 100;each of Reynolds Road, Forrestfield".
 - (b) Providing an amendment map that depicts the proposed increased density code to the amendment area, that is to no longer include the south-western portion of Lot 100 on D72027 (No. 108) Reynolds Road, Forrestfield, which is subject to the Dampier-Bunbury Natural Gas Pipeline easement.

In accordance with the above advice, the scheme amendment was modified to exclude the southern portion of Lot 100, as this forms part of the of the Dampier Bunbury Natural Gas Pipeline, which is contained within an easement.

18. The proposed increase in density to R40 aligns with state and local planning objectives, facilitating urban infill and housing diversity while addressing the increase in population in Forrestfield. The 2021 Local Housing Strategy identifies Forrestfield and High Wycombe as currently experiencing the highest forecast population in addition to the highest

residential densities. A projected population increase of 1,777 people is expected in Forrestfield between 2021 and 2041.

19. The proposed increase in density to R40 is considered acceptable in the context of the adjoining residential areas which provide for split density coding of R20/30 and R25/40.

20. **Residential Design Codes**

An increase in the density code from R15 to R40 will provide flexibility in street blocks to explore variety in width and depth of front-loaded lots to create a variety of housing options.

Lots at the R40 code would have a minimum and average lot size requirement of 180m² and 220m² respectively.

A Local Development Plan (LDP) would be required to be prepared and recommended by the City as a condition of subdivision approval to guide future development.

21. **Bush Forever**

The subject site does not contain any bushland identified by State Planning Policy 2.8, however, is adjacent to a site designated as 'Bush Forever'. This site has been largely degraded with only a small portion of the site containing significant vegetation.

22. **Noise**

The site falls almost entirely within the road and rail noise buffer from Roe and Tonkin Highways to the north and west. The proposed scheme amendment does not seek to alter the current zoning of the land and therefore a noise assessment is not considered to be necessary at this stage.

23. **Bushfire**

A portion of the site is designated 'bushfire prone area' in the state Map of Bush Fire Prone Areas. However, the City is satisfied that a Bushfire Management Plan (BMP) is not necessary at the scheme amendment stage. Under SPP 3.7, a scheme amendment is a strategic proposal which necessitates a BMP to be prepared in support of the proposal. However, following the scheme amendment a broader subdivision application will be lodged, which would necessitate a BMP.

A preliminary Bushfire Attack Level (BAL) Report and Contour Report has been prepared which demonstrates the impact of the surrounding bushfire risk on the future subdivision of the site. The entire bushfire risk is manageable, requiring setbacks to dwellings which interface with the eastern and northern boundaries to an acceptable BAL rating.

24. **Water Supply and Sewerage**

The Water Corporation has confirmed that existing infrastructure can support the increased demand for water and increased flows that will be associated with increasing the density of dwellings on the sites.

25. **Gas Supply and Communications**

Gas and Communications infrastructure have the capacity to supply these services to dwellings with the R40 density coding.

APPLICABLE LAW

26. **[Planning and Development \(Local Planning Schemes\) Regulations 2015](#)**

Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) requires a resolution of a local government to adopt or refuse to adopt an application to amend a local planning scheme, as well as justification for the type of amendment proposed (basic, standard, or complex).

27. Pursuant to Regulation 35, the proposal is considered to be a 'standard amendment' for the following reasons:

- a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve
- b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission
- c) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area

28. **[Planning & Development \(Local Planning Schemes\) Regulations 2015](#)**

Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) required a resolution of a local government to adopt or refuse to adopt an application to amend a local planning scheme, as well as justification for the type of amendment proposed (basic, standard or complex)

APPLICABLE POLICY

29. **[State Planning Policy 2.8 – Bushland Policy for the Metropolitan Region](#)**
Consideration is applied to SPP 2.8, which provides an implementation framework that will ensure bushland protection and management issues in the Perth Metropolitan Region are appropriately addressed and integrated with broader land use planning and decision-making.
30. **[State Planning Policy 3.7 – Planning in Bushfire Prone Areas](#)**
A portion of the subject sites falls within a bushfire prone area. In accordance with SPP 3.7, a BMP is required for strategic planning proposals.
31. **[State Planning Policy 5.4 – Road and Rail Noise](#)**
The subject sites are bound by Roe and Tonkin Highway. Quiet house design mechanisms therefore may be applicable to some of the future lots created in subdivision of the subject sites.
32. **[State Planning Policy 7.0 – Design of the Built Environment](#)**
SPP7.0 provides a framework for considering high quality-built form and building design outcomes. The subject site is visible from a regionally significant road. It is likely that any future development application to develop or redevelop the site will be assessed against SPP7.0.
33. **[The Residential Design Codes](#)**
The Residential Design Codes will apply to the subdivision of the subject sites and guide development.
34. **[City of Kalamunda Local Housing Strategy](#)**
The 2021 Local Housing Strategy identifies Forrestfield and High Wycombe as currently experiencing the highest forecast population. A projected population increase of 1,777 people is expected in Forrestfield between 2021 and 2041.
35. **[Local Planning Policy 2 – Advertising Signage and Local Planning Policy 11 – Public Notification of Planning Proposals](#)**
The proposal was advertised in accordance with the Planning & Development (LPS) Regulations 2015 and LPP11 and the outcome is discussed further below, a sign of site was prepared as part of the advertising process.
36. **[Local Planning Policy 18 – Requirements of Local Planning Scheme Amendments](#)**
The City of satisfied the level of detail provided is in accordance with the requirements to progress a Standard Scheme Amendment.

STAKEHOLDER ENGAGEMENT

37. Public Advertising Pursuant to r47 of the Regulations, A114 was advertised for a period of 42 days from 1 August 2025 to 12 September 2025 via the following methods:
- a) A notice on the City of Kalamunda's website
 - b) A sign on site
 - c) Letters to surrounding landowners
 - d) Letters to relevant external agencies.
38. Seven (7) submissions were received during the advertising period, comprising three (3) objections, one (1) comment, and three (3) non objections.
39. The submissions raised concerns regarding construction noise, increased traffic, drainage and the increased densities bringing unwanted persons into the area. Detailed responses to the submission can be viewed in Attachment 1, however most of the concerns raised can be addressed in the broader subdivision of the subject sites.
40. **Department of Education**
- The Department of Education has noted that whilst the Department has no in-principle objections to the proposed LPS Amendment, the Department will continue to monitor the student enrolment demand as development progresses within the locality. It is requested that the local government and/or proponents engage with the Department at future preparation of localised planning instruments to ensure it can suitably forward plan for the public education needs of the locality.
41. **Main Roads Western Australia**
- Main Roads had no objections to the scheme amendment, and stated the following in their correspondence:
- Roe Highway is a proclaimed Control of Access Road pursuant to Section 28A of the Main Roads Act 1930. No Access to Roe Highway is permitted.
42. **Department of Fire and Emergency Services**
- DFES had advised that a BMP would be required in support of the application, in line with SPP 3.7. A portion of the subject sites falls within a bushfire prone area. In accordance with SPP 3.7, a BMP is required for strategic planning proposals and will be required for a scheme

amendment. Therefore, DFES declined to provide formal comment in absence of a BMP.

The officer assessment deemed the bushfire risk could be appropriately managed through a BMP at the subdivision stage, so it was appropriate to go against the advice of DFES in this instance and delay the BMP until a broader subdivision of the site. This is further supported by the attach BAL contour map which demonstrates the bushfire risk can be appropriately managed.

FINANCIAL CONSIDERATIONS

43. All costs associated with the Scheme amendment will be borne by the Applicant.

SUSTAINABILITY

44. Social

The proposed increase in density will contribute to greater housing diversity and availability within the area, supporting a broader range of household types and lifestyles.

Higher density development also tends to enhance social vibrancy by concentrating residents closer to existing amenities, services, and community facilities, fostering greater interaction and community cohesion.

45. Economic

The increase in density will accommodate an increased population which can generate economic benefits for local commercial centres by stimulating the economy.

46. Environmental

The proposed increase in density will promote more efficient use of land and existing infrastructure, helping to reduce the pressure for urban expansion and associated environmental impacts. The site benefits from proximity to established open space areas, with further opportunities for landscaping and public open space improvements to be incorporated at the subdivision and development stages.

In addition, the land's favourable topography and soil conditions minimise the need for extensive earthworks, thereby reducing potential environmental disturbance. The site is also well serviced by existing public

transport routes, supporting sustainable travel options and reinforcing the environmental benefits of the proposal.

RISK MANAGEMENT

47.

Risk: increase in density will lead to increased noise and traffic from future development.		
Consequence	Likelihood	Rating
Moderate	Likely	Moderate
Action/Strategy		
Traffic Impact Assessment to be prepared as part of the subdivision to address how the increased traffic can be managed.		

48.

Risk: Increase in bushfire risk/population exposed to bushfire.		
Consequence	Likelihood	Rating
High	Unlikely	Moderate
Action/Strategy		
A bushfire management plan will be prepared at the subdivision stage to demonstrate how bushfire risk will be appropriately managed across the proposed lots.		

49.

Risk: increase in density puts strain on local schools.		
Consequence	Likelihood	Rating
Moderate	Likely	Moderate
Action/Strategy		
Future population growth within the area is expected to increase demand for schools; however, this demand is anticipated to be accommodated through the natural progression of development and the establishment of additional educational facilities over time.		

CONCLUSION

50. The applicant is seeking an amendment to the Scheme to modify the existing density coding from 'Residential – R15' to 'Residential – R40' for Lots 1, 2, 47, 48, 100 (eastern portion), 105, and 106 Reynolds Road, Forrestfield.
51. The increase in density supports residential development that aligns with the City of Kalamunda's Local Housing Strategy and Local Planning

Strategy. The increase in density will improve diversity and increase density to meet current and future population needs while ensuring compatibility with the surrounding residential character.

52. Advertising of the proposed amendment has provided City the opportunity to fully consider the implication of the proposed density change and determine the suitability of the subject site for future higher density development at the R40 coding, demonstrating this as a viable scheme amendment.
53. Noting the above, it is recommended that Council adopts A116.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. Pursuant to Part 5, Division 2, Regulation Clause 50(2) and Clause 50(3)(a) of *the Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to SUPPORT proposed Standard Amendment 116 to the Local Planning Scheme No. 3, without modification as outlined in **Attachment 3**.
2. AUTHORISE the Mayor and Chief Executive Officer to sign and affix the common seal to the Form 6A document as shown in **Attachment 3**.
3. DIRECTS the Chief Executive Officer to refer Scheme Amendment No. 116 to Local Planning Scheme No. 3 and a schedule of submissions (Attachment 2) received to the Western Australian Planning Commission for a recommendation to the Minister for Planning to approve the proposed amendment pursuant of Part 5, Division 3, Regulation 53 of *the Planning and Development (Local Planning Schemes) Regulations 2015*.
4. NOTES that Amendment No. 116 to Local Planning Scheme No. 3 would be published in the government gazette following approval from the Minister for Planning.

10.2. Infrastructure Reports

10.2.1. Provision & Management of Light Vehicles

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

Previous Items	OCM 49/2010; OCM 137/2014
Directorate	Infrastructure
Business Unit	Waste, Fleet & Facilities
File Reference	EG-CMP-025
Applicant	N/A
Owner	N/A
Attachments	1. Attachment 1 - 2014 Provision and Management of Light Vehicles Policy [10.2.1.1 - 1 page] 2. Attachment 2 - Provision & Management of Light Vehicles Policy 2025 [10.2.1.2 - 3 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 (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 2: Kalamunda Clean and Green

Objective 2.1 - To protect and enhance the environmental values of the City.

Strategy 2.1.1 - Implementation of the Local Environment Strategy

Priority 2: Kalamunda Clean and Green

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

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

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 and endorse the outcome of the review of the City of Kalamunda's (City) Provision and Management of Light Vehicles Policy and future funding.

BACKGROUND

2. The management of the City's light vehicle fleet is being administered through management procedures, the City's budget/long term financial plan processes and Provision and Management of Light Vehicles Policy which was adopted by Council 22 September 2014 (OCM 137/2014). A review is therefore necessary.

DETAILS AND ANALYSIS

3. The revised Provision and Management of Light Vehicles Policy includes the following key changes:
 - a) Updated practices;
 - b) To provide clarity;
 - c) Operational need primary consideration;
 - d) Environmental considerations i.e. Hybrid, Electric Vehicles;
 - e) Employee Responsibilities;
 - f) Weighted assessment;
 - g) Introduces employee contribution towards private useage; and.
 - h) Focus on safety as vehicle defined as a place of work.
4. A key consideration of fleet/plant in respect to asset management is the optimum replacement of vehicles versus maintenance/upkeep of the existing vehicles. There is a risk of asset deterioration if vehicle renewals are not funded in accordance with life cycle costing and the 10-year plant replacement program.

5. A light vehicle policy manages risks, ensures compliance and protects employees and city assets. Policies clarify employee responsibilities and employer obligations for using city vehicles, covering safety, maintenance and compliance of road rules.

APPLICABLE LAW

6. *Local Government Act 1995 (WA) Section 2.7 Role of Council;*
Local Government (Financial Management) Regulations 1996
Work Health and Safety Act 2020

APPLICABLE POLICY

7. Provision and Management of Light Vehicles Policy (OCM 137/2014).

STAKEHOLDER ENGAGEMENT

8. Internal consultation was carried out with key stakeholders from Governance, People & Culture, Finance, Corporate and Fleet (Workshop) business units on the proposed policy.

FINANCIAL CONSIDERATIONS

9. The City's light fleet portfolio has a total estimated gross replacement value of approximately \$4 Million. The investment decisions of the portfolio can have an impact on the operational efficiency of the City's fleet and the long-term financial sustainability. Vehicles must be purchased and maintained with an understanding of cost-benefit and life cycle costs.
10. The City will continue to brief Council on the specific financial implications as determined in 10 Year Plant replacement program and annual budget processes.
11. To transition away from the City's reliance on borrowing money (loans/line of credit) to fund plant replacements over the long term it is proposed to establish and maintain a separate Plant Replacement Reserve Fund.

SUSTAINABILITY

12. The automotive industry is responsible for 10% of the worlds carbon dioxide emissions which impact on planetary health. The draft reviewed policy aims to demonstrate a commitment to transformative change through the use of hybrid, electric vehicles etc., in an affordable fashion for the City.

RISK MANAGEMENT

13.

Risk: Lack of investment in the Plant portfolio resulting in asset deterioration or failure.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
City staff continue to implement asset management protocols and include critical renewals in the annual budget process for Council's consideration. City staff continue to report Asset Management Plan financial implications to Council. Establishment of a Plant Reserve Fund to set aside monies for future replacement/purchases.		

CONCLUSION

14.

It is recommended that Council adopt the Provision and Management of Light Vehicles Policy to continue pursuing a best practice approach to management of its Fleet portfolio.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ADOPT the revised Provision and Management of Light Vehicles Policy as shown in Attachment 2.
2. ESTABLISH and maintain a specific Plant Reserve Fund for the purpose of setting aside money for the future replacement of both light and heavy vehicles, machinery and equipment.

10.3. Corporate Reports

No reports presented

10.4. Community Reports

No reports presented

10.5. Office of the CEO Reports

10.5.1. 2026 Council Meeting Dates

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

Previous Items	OCM 150/2024, OCM 295/2019
Directorate	CEO’s Office
Business Unit	Governance
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. This report presents a proposed schedule of Ordinary Council (OCM) and Public Agenda Briefing Forum (PABF) meeting dates for the 2026 calendar year.
2. In accordance with the *Local Government (Administration) Regulations 1996*, the Chief Executive Officer is required to publish the detail of meeting dates and location(s) for the forthcoming calendar year.
3. The current meeting cycle adopted by Council in 2019 provides for the PABF to be held on the second Tuesday of each month and the OCM on the fourth Tuesday, with no meetings scheduled in January.
4. It is recommended Council adopt the dates of the PABF and OCM as detailed in the table.

BACKGROUND

5. Section 5.4 (b) of the *Local Government Act 1995* (Act) provides for Council to call OCM's, and section 5.25 (1) (g) of the Act and Regulation 12 of the *Local Government (Administration) Regulations 1996* requires at least once every year a local government is to give local public notice of the dates, time and place for OCM and committee meetings required to be open to members of the public.
6. Council affirmed its current meeting structure in 2019 (OCM 295/2019). The proposed meeting dates broadly align with what was adopted by Council for 2025 and previous years.

DETAILS AND ANALYSIS

7. The current meeting structure and cycle has been in operation for a number of years and appears to be appropriately meeting the operational and strategic direction of Council and the needs of the community, with no major issues identified for either Council or the community.
8. It has been the custom of the City for no meetings to be scheduled in January and the meetings for December to be brought forward by one week.

9. The following schedule of the proposed meeting dates for 2026 has been developed to account for Council's preference for the scheduling of meetings, as follows:

Month 2026	Public Agenda Briefing Forum	Ordinary Council Meeting
January	N/A	N/A
February	10 February 2026	24 February 2026
March	10 March 2026	24 March 2026
April	14 April 2026	28 April 2026
May	12 May 2026	26 May 2026
June	9 June 2026	23 June 2026
July	14 July 2026	28 July 2026
August	11 August 2026	25 August 2026
September	8 September 2026	22 September 2026
October	13 October 2026	27 October 2026
November	10 November 2026	24 November 2026
December	8 December 2026	15 December 2026

10. The fall of public holidays does not materially affect the scheduling of meetings in 2026. Public holidays will occur in –

- January – Thursday the 1st and Monday 26th (New Years' Day and Australia Day)
- March – Monday 2nd (Labor Day)
- April – Friday 3rd (Good Friday), Monday the 6th (Easter Sunday Public Holiday) and Monday 27th (ANZAC Day)
- June – Monday 1st (WA Day)
- September – Monday 28th (King's Birthday)
- December – Friday 25th and Monday 28th (Christmas Day and Boxing Day)

Proposed changes to public holiday scheduling and composition are currently before State Parliament and if passed as proposed, will not come into effect until the 2028 calendar year.

APPLICABLE LAW

11. Section 5.4(b) of the Act provides for the Council to call OCM's, with section 5.25(1)(g) of the Act specifying regulations to set out the detail of any notice required.
12. Regulation 12 of the *Local Government (Administration) Regulations 1996* prescribes the manner and content of public notice to be given in respect of meetings for the forthcoming calendar year:

"12. Publication of meeting details (Act s. 5.25(1)(g))

- (1) *In this regulation —
meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.*
- (2) *The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
(a) ordinary council meetings;
(b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.*
- (3) *Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.*
- (4) *If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government's official website as soon as practicable after the decision is made.”
(emphasis in original)*

APPLICABLE POLICY

13. Nil.

STAKEHOLDER ENGAGEMENT

14. This report recommends no change to Council's established meeting structure or cycle; therefore no stakeholder engagement has occurred. However public notice will be given in the required way (the City's website, social media) for community information.

FINANCIAL CONSIDERATIONS

15. Adoption of the proposed meeting dates will not incur additional expenditure outside of Council's current adopted budget or for the 2026/2027 Financial Year.

SUSTAINABILITY

16. N/A

RISK MANAGEMENT

17.

Risk: Council does not approve a schedule of meetings as required by the legislation.

Consequence

Moderate

Likelihood

Unlikely

Rating

Low

Action/Strategy

Ensure the Council meets its legislative obligations by adopting a schedule of meetings, prior to the next calendar year commencing.

CONCLUSION

18.

The proposed meeting dates for 2026 are structured in the same manner as that previously adopted by Council in 2024 and 2025. This structure appears to meet the needs of Council and the community. It is on this basis Council is requested to adopt the meeting schedule, as proposed.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council in accordance with section 5.25(1)(g) of the *Local Government Act 1995* and Regulation 12(1) of the *Local Government (Administration) Regulations 1996*, ENDORSE for local public notice purposes, the following Council meeting dates, times and places for the period 1 January 2026 to 31 December 2026 inclusive:

(1) Meeting dates

Month 2026	Public Agenda Briefing Forum	Ordinary Council Meeting
January	N/A	N/A
February	10 February 2026	24 February 2026
March	10 March 2026	24 March 2026
April	14 April 2026	28 April 2026
May	12 May 2026	26 May 2026
June	9 June 2026	23 June 2026
July	14 July 2026	28 July 2026
August	11 August 2026	25 August 2026
September	8 September 2026	22 September 2026
October	13 October 2026	27 October 2026
November	10 November 2026	24 November 2026
December	8 December 2026	15 December 2026

(2) Meeting times and places

- (a) All Ordinary Council Meetings and Agenda Briefing Forums to be held in the Council Chambers at the City of Kalamunda Administration Centre, 2 Railway Road Kalamunda and commence at 6:30pm, unless otherwise specified.

- (b) All Ordinary Council Meetings and Agenda Briefing Forums, unless otherwise specified or determined by Council resolution, are open to the public.
- (3) Any variation to the adopted schedule of meetings for 2026 will be advised by notice on the City's website and social media channels.

11. Closure