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Shire of Kalamunda

# Ordinary Council Meeting Agenda

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Monday 19 December 2011

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## **NOTICE OF MEETING ORDINARY MEETING OF COUNCIL**

Councillors,

Notice is hereby given that the next meeting of the Ordinary Meeting of Council will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on:

**Monday 19 December 2011, commencing at 5.30 pm.**

For the benefit of members of the public, attention is drawn to the following requirements as adopted by Council.

### **Open Council Meetings – Procedures**

1. All Council Meetings are open to the public, except for matters raised by Council under Item No. 15.0 of the Agenda.
2. Members of the public may ask a question at an Ordinary Council Meeting under Item 3.0 of the Agenda.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the Shire President opens '*question time*' under Item 3.0 of the Agenda.
4. All other arrangements are in accordance with Council's Standing Orders, Policies and decision of the Shire or Council.

James Trail  
**Chief Executive Officer**

15 December 2011





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## AGENDA

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**1.0 OFFICIAL OPENING**

**2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Cr Noreen Townsend – Leave of Absence

**3.0 PUBLIC QUESTION TIME**

A period of not less than 15 minutes is provided to allow questions from the Public Gallery on matters relating to the functions of Council.

**4.0 PETITIONS/DEPUTATIONS**

**5.0 APPLICATIONS FOR LEAVE OF ABSENCE**

**6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**6.1 Ordinary Council Meeting 21 November 2011**

1. That the Minutes of the Ordinary Council Meeting of the Shire of Kalamunda held in the Council Chambers, 2 Railway Road, Kalamunda on 21 November 2011 are confirmed as a true and correct record.

Moved:

Seconded:

Vote:

Statement by Presiding Member

**“On the basis of the above motion I now sign the minutes as a true and accurate record of the meeting of 21 November 2011.”**

**7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

**8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**8.1 PS45 Amendment of Shire of Kalamunda Health Local Law 2011**

If discussion required to be dealt with at 15.0 on this agenda.

Confidential Attachment 1 - Fax from the Joint Standing Committee on Delegated Legislation

Reason for Confidentiality: *All correspondence from the Delegated Legislation Committee is required to be kept confidential by the Committee itself*

8.2 **GS166 Awarding of Tender - Provision of Skid Steer Loader and Truck Services (T1121)**

If discussion required to be dealt with at 15.0 on this agenda.

Confidential Attachment 1 - Summary of Tender Prices for the Provision of Skid Steer Loader and Truck Services (T1121)

Reason for Confidentiality: *Local Government Act 1995 S5.23(2)(c)* – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

Confidential Attachment 2 - Evaluation of Tender Submissions for Compliance Criteria and Qualitative Criteria

Reason for Confidentiality: *Local Government Act 1995 S5.23(2)(c)* – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

Confidential Attachment 3 - Memorandum, T1121– Provision of Skid Steer Loader and Truck

Reason for Confidentiality: *Local Government Act 1995 S5.23(2)(c)* – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

8.3 **10.4.2 RFT1124 – Community Consultation and Engagement Consultants**

If discussion required to be dealt with at 15.0 on this agenda.

Confidential Attachment 1 - Price Schedule

Reason for Confidentiality: In accordance with Section 5.23(2) (c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: “A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.”

8.4 **10.4.3 Development Proposal – 39 (Lot 263) Maida Vale Road Maida Vale**

If discussion required to be dealt with at 15.0 on this agenda.

Confidential Attachment 1 - Property Development Feasibility Study

Reason for Confidentiality: In accordance with Section 5.23(2) (c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: “A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.”

Confidential Attachment 2 - Property Development Feasibility Study – Letter dated 7 November 2011

Reason for Confidentiality: In accordance with Section 5.23(2) (c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: “A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.”

8.5 **10.4.10 Director Redundancy Payment – Provided Under Separate Cover**

Reason for Confidentiality: In accordance with Section 5.23(2) (a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: “a matter affecting an employee or employees”

9.0 **DISCLOSURE OF INTERESTS**

Disclosure of Financial and Proximity Interests

- (a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (*Local Government Act 1995* Sections 5.60B and 5.65).
- (b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (*Local Government Act 1995* Sections 5.70 and 5.71)

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 has given or will give advice.

**10.0 REPORT TO COUNCIL**

Declaration of Financial/Conflict of interests to be recorded prior to dealing with each item.

**10.1 Planning Services Committee Report****10.1.1 Adoption of Planning Services Committee Report**

That the recommendations contained in the Planning Services Committee Report of the 5 December 2011, excluding PS46 and PS47 to be considered separately, be adopted.

Moved:

Seconded:

Vote:

**10.1.2 PS45 Amendment of Shire of Kalamunda Health Local Law 2011**COMMITTEE RECOMMENDATION TO COUNCIL PS45/2011

That Council:

1. Resolves to give state-wide public notice of its intention to amend the Shire of Kalamunda Health Local Law 2011, and invites comment pursuant to Section 3.12 of the *Local Government Act 1995*.
2. Gives an undertaking to the Joint Standing Committee on Delegated Legislation that:
  - All consequential undertakings arising from the amendments to the Shire of Kalamunda Health Local Law 2011 will be made.
  - Until such time as the amendments take effect clauses 4.4(b), 5.7(b)(i) and 6.16(3)(c) of the Shire of Kalamunda Health Local Law 2011 will not be enforced in a manner contrary to the intent of the amendments.
  - The amendments will be completed within six months of the date of this resolution.
  - Where the Local Law is made publicly available, whether in hard copy or electronic form, it will be accompanied by a copy of the proposed amendments and these undertakings.

**For Separate Consideration**

**10.1.3 PS46 The Parking of Four Commercial Vehicles – Lot 20 (17) Maud Road, Maida Vale**

COMMITTEE RECOMMENDATION TO COUNCIL PS46/2011

That Council:

1. Refuses the proposal for Nenad Pavlinovich to continue to park four commercial vehicles, a Kenworth prime mover (registration number 1CPF 262), A Western Star prime mover (registration number STAR 444), an H Porter tipper trailer (registration number 1THL 421) and an H Porter tipper trailer (registration number 1TKG 893) on Lot 20 (17) Maud Road, Maida Vale, for the following reasons:
  - a. The application failing to comply with Local Planning Policy DEV22 – Parking of Commercial Vehicles on Private Property, which stipulates that a maximum of two commercial vehicles can be parked on a Special Rural zoned property; major maintenance cannot occur to the vehicles on site; vehicle movement and start up times being restricted to between 7.00am and 7.00pm Monday to Saturday and 9.00am to 5.00pm on Sundays and public holidays; and the commercial vehicles cannot cause damage to the road or kerbing.
  - b. The proposed use being considered to be a transport depot due to more than two commercial vehicles being proposed to be parked on the property. A transport depot is an 'X' use (use not permitted) on a Special Rural zoned property under the Zoning Table of Local Planning Scheme No. 3.
  - c. The commercial vehicles having an unacceptable impact on the safety of other vehicles and pedestrians by virtue of the width of the adjoining road reserve.
  - d. The scale of the proposed use being considered incompatible with the purpose and intent of the Special Rural zone in that it would not retain the amenity of the locality.
  - e. The commercial vehicles being used in conjunction with an unauthorised business which operates from the subject property.

Moved:

Seconded:

Vote:



Councillors requested and were provided with additional information following further investigation of the site. An alternative Officer Recommendation is now presented to Council for its consideration.

ALTERNATIVE OFFICER RECOMMENDATION

That Council:

1. Approves the proposal for Nenad Pavlinovich to continue to park two prime movers and two trailers, a Kenworth prime mover (registration number 1CPF 262), A Western Star prime mover (registration number STAR 444), an H Porter tipper trailer (registration number 1THL 421) and an H Porter tipper trailer (registration number 1TKG 893) on Lot 20 (17) Maud Road, Maida Vale, subject to the following conditions:
  - a. The vehicles must, at all times, be parked in the location shown on the approved site plan (Attachment 2).
  - b. The commercial vehicles are only to be operated between the hours of 6.30am and 7.00pm Monday to Saturday and 9.00am to 5.00pm Sundays and public holidays.
  - c. Approval of the parking activity does not include approval for the loading of the commercial vehicles, or the storage of goods and materials in transit.
  - d. Only maintenance of a minor nature, such as servicing or wheel changing, is to be carried out on the subject property. No panel beating, spray painting or the removal of major body or engine parts is permitted.
  - e. The idling time for the start-up and cool down of the vehicles being a maximum of five minutes.
  - f. Washing of the commercial vehicles on the subject lot is to be limited to the use of water and mild detergent, but not involve the use of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment.
  - g. The approval is personal to the landowner and shall not be transferred or assigned to any other person, property or commercial vehicle.

Moved:

Seconded:

Vote:

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10.1.4 **PS47 Lot 8 (10), 9 (12) and 10 (14) Central Mall, Kalamunda – Proposed Office and Shop Unit Development**

COMMITTEE RECOMMENDATION TO COUNCIL PS47/2011

That Council:

1. Defers this item to the OCM to allow Officers to investigate the following:

That the provision of a cash in lieu payment for the parking bays be looked at in more detail and a new amount be provided between to the two figures already mentioned in the recommendations above.

Additional information requested at the Planning Services Committee Meeting of 5 December 2011 has been provided to Councillors under separate cover. The Officer Recommendation from Planning Services Committee 5 December 2011 is presented for Council consideration.

**OFFICER RECOMMENDATION**

That Council:

1. Approves the application received on 28 September 2011 for Shops/Offices on Lot 8 (10), 9 (12) and 10 (14) Central Mall, Kalamunda, subject to the following conditions:
  - a. The provision and maintenance of a total of 49 car spaces including a minimum of one (1) disabled bay. The parking area is to include the provision of shade trees.
  - b. No loading or unloading of vehicles is to occur that interferes with the parking of vehicles in the car park by visitors and employees. All car parking bays in the car park are to be made available at all times for the parking of vehicles by employees and visitors.
  - c. All car parking bays and vehicle access ways being line marked, sealed and drained prior to the occupation of the building and maintained thereafter to the satisfaction of Council's Director Engineering Services.
  - d. The provision of a cash in lieu payment for sixty parking bays of \$150,000. The payment shall include the cost of providing paving, kerbing, drainage, landscaping, crossovers and lighting.

- e. Provision of a colours and textures schedule in accordance with the palette adopted in the Kalamunda Town Centre Improvement Plan.

Moved:

Seconded:

Vote:

## **10.2 General Services Committee Report**

### **10.2.1 Adoption of General Services Committee Report**

That the recommendations contained in the General Services Committee Report of the 12 December 2011, excluding GS154, GS159, GS161, GS162, GS163, GS164, GS165 and GS169 to be considered separately, be adopted.

Moved:

Seconded:

Vote:

### **10.2.2 GS150 Creditors' Accounts Paid During the Period 26 October to 24 November 2011**

#### COMMITTEE RECOMMENDATION TO COUNCIL (GS 150/2011)

That Council:

1. Receive the list of creditors paid during the period 26 October to 24 November 2011 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

### **10.2.3 GS151 Monthly Financial Statements for the Four Months to 31 October 2011**

#### COMMITTEE RECOMMENDATION TO COUNCIL (GS 151/2011)

That Council:

1. Receive the monthly financial statements which comprise the Statement of Financial Position, Equity Statement, Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Rate Setting Statement and Reserve Balances Statement for the period ending 31 October 2011.

10.2.4 **GS152 Debtors and Creditors Reports for the Period ending 30 November 2011**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 152/2011)

That Council:

1. Receive the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports as at 30 November 2011.

10.2.5 **GS153 Rates Debtors Report for the Period ending 30 November 2011**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 153/2011)

That Council:

1. Receive the rates debtors report as at 30 November 2011 (Attachment 1).

10.2.6 **GS155 RFT 1116 – Sewer Extensions Canning Road Kalamunda**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 155/2011)

That Council:

1. Awards the Contract for RFT1116 Sewer Extension Canning Road Kalamunda to Correct Line Contracting for the sum of:

Stage 1	\$151,567.30
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Stage 2	\$155,568.50
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<b>Total Tender Price:</b>	<b>\$307,135.80</b>
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Exclude Provisional Sum	(\$9,200.00) (Exclude Sewer
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<b>Total Contract Price</b>	<b>\$297,935.80</b>	<b>Excluding GST</b>
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10.2.7 **GS156 Land Asset Rationalisation – Disposal of Two Additional Freehold Properties and a Review of Existing Market Values**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 156/2011)

That Council:

1. Dispose of, in accordance with the *Local Government Act 1995* Sections 3.58 and 3.59, the following properties:
  - 34 McCrae Road Kalamunda
  - 46 Cotherstone Road Kalamunda
  - 2 Cabarita Road Kalamunda
  - 21 Andrew Street Kalamunda
  - 29 Barbegal Place Lesmurdie



2. Provide The Professionals Kalamunda with a six month exclusive selling agent agreement for the sale of properties at:
  - 34 McCrae Road Kalamunda
  - 46 Cotherstone Road Kalamunda
  - 2 Cabarita Road Kalamunda
  - 21 Andrew Street Kalamunda
  - 29 Barbical Place Lesmurdie.
3. Accept the disposal of properties at the values listed in Attachment 2 – Valuations.
4. Authorise the sale of a property for not less than 90% of valuation unless by Council resolution.
5. Delegate to the Chief Executive Officer, in accordance with the *Local Government Act 1995* Section 5.42, powers and duties to dispose of the properties.
6. Delegate to the Chief Executive Officer, in accordance with the *Local Government Act 1995* Section 5.43, a limit of five million dollars (\$5,000,000).

10.2.8

**GS157 EOI 1103 – Land Development Partnership with the Shire of Kalamunda – Proposed Subdivision of 1 Cygnet Court and 21 Edney Road High Wycombe**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 157/2011)

That Council:

1. Accepts Westbury Investments Pty Ltd expression of interest for the Land Development of Reserve 43471 Cygnet Court and 21 Edney Road High Wycombe.
2. Accepts Westbury Investments Pty Ltd Concept 3 as shown in the attachment to this report as the preferred design for the site.

10.2.9

**GS158 Land Asset Assessment – Proposed 20A Acquisition of Reserve 33221 Swan Road High Wycombe**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 158/2011)

That Council:

1. Agrees to postpone the proposed acquisition of Reserve 33221 Swan Rd High Wycombe.

2. Undertakes monitoring of the use of the park over the next 12 months and report the findings of the usage patterns before further consideration of Reserve 33221 Swan Rd High Wycombe is undertaken.
3. Advise all residents who submitted a submission or signed the petition of the decision of Council.

10.2.10 **GS160 Zig Zag Cultural Centre – Business Plan Progress Report**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 160/2011)

1. That Council receives the Zig Zag Cultural Centre – Business Plan Progress Report.

10.2.11 **GS166 Awarding of Tender - Provision of Skid Steer Loader and Truck Services (T1121)**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 166/2011)

That Council:

1. Awards the Tender for the Provision of Skid Steer Loader and Truck Services (T1121) to:
  - a) Full time on road construction and maintenance jobs
    1. Fonz's Bobcat and Truck Hire
  - b) When additional operator is required on the road construction and maintenance jobs
    1. Hawley's Bobcats
  - c) As required for the Parks Crew, building maintenance and waste crews
    1. Kala Bob Kats Pty Ltd

For the period of three years from the date of signing documentation with an option to extend a further two 12 month periods based on an annual CPI increase for Perth from the preceding 12 months as per tendered prices in the (Confidential Attachment 1).

10.2.12 **GS167 Draft Structure Plan – Forrestfield District Centre**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 167/2011)

That Council:



1. Endorses the Draft Structure Plan (Attachment 2) for Forrestfield District Centre for the purpose of public advertising.

10.2.13 **GS168 Local Planning Scheme No. 3 Amendment – Lot 4371 (1) Cygnet Court and Lot 102 (21) Edney Road, High Wycombe – Increasing the Residential Density from R20 to R40**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 168/2011)

That Council:

1. Initiates the amendment to Local Planning Scheme No. 3, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING  
SCHEME

SHIRE OF KALAMUNDA

LOCAL PLANNING SCHEME NO. 3

AMENDMENT NO.

Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

1. Increasing the residential density of Lot 4371 (1) Cygnet Court and Lot 102 (21) Edney Road, High Wycombe, from R20 to R40.

The amendment documents being adopted by Council and the Amendment being formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

10.2.14 **GS170 Implementation of Alternative Meals on Wheels Service Delivery Model**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 170/2011)

That Council:

1. Receive this report regarding the implementation of an alternative Meals on Wheels service delivery model.

**For Separate Consideration****10.2.15 GS154 Budget Review for the Four Months to 31 October 2011****COMMITTEE RECOMMENDATION TO COUNCIL (GS 154/2011)**

That Council:

1. Notes the issues with the adopted Budget for 2011/2012 and requires the Chief Executive Officer to present to Council by December 2011 recommendations on how to fund the Revised Original Budget deficit of \$1,213,185 as shown of the Amended Rates Setting Statement (Attachment 1)
2. Authorises the Chief Executive Officer to amend the 2011/2012 Budget to reflect the necessary corrections as detailed in Attachment 2 and 3 and summarised in the Amended Rates Setting Statement (Attachment 1).

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED****10.2.16 GS159 Review of Fees and Charges – Zig Zag Cultural Centre****COMMITTEE RECOMMENDATION TO COUNCIL (GS 159/2011)**

That Council:

1. Pursuant to *Section 6.17 of the Local Government Act 1995* approves the inclusion of additional fees relative to the Zig Zag Cultural Centre operations as indicated within (Attachment 1).
2. In accordance with *Section 6.19 of the Local Government Act 1995* the new fees will apply from 1 January 2012.
3. Authorises the CEO to amend the 2011/12 budget to reflect the new accounts for the proposed fees and charges and associated expenditure for the Zig Zag Cultural Centre as follows:
  - New Account: ZZCC Art Gallery Sales Income \$10,000
  - New Account: ZZCC Art Gallery Sales Expenditure \$ 7,000
  - New Account: ZZCC Consignment Merchandise Income \$6,500
  - New Account: ZZCC Consignment Merchandise Expenditure \$5,000
  - Increase Account No: 305710.519 (Goods for Resale) by \$4,500 to \$12,500



Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

10.2.17 **GS161 Boonooloo Road, Kalamunda – Anti-Hoon Speed Hump Program**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 161/2011)

That Council:

1. Defer this Item to the Ordinary Council Meeting to be 19 December 2011.

Councillors requested and have been provided with additional information in relation to this matter. The Officer Recommendation from General Services Committee 12 December 2011 is presented for Council consideration.

OFFICER RECOMMENDATION

That Council:

1. Supports the installation of the speed cushions on Boonooloo Road, Kalamunda at the location shown at (Attachment 1).

Moved:

Seconded:

Vote:

10.2.18 **GS162 Cotherstone Road, Kalamunda – Anti Hoon Speed Hump Program**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 162/2011)

That Council:

1. Defer Items 162 to the Ordinary Council Meeting 19 December 2011.

Councillors requested and have been provided with additional information in relation to this matter. The Officer Recommendation from General Services Committee 12 December 2011 is presented for Council consideration.

OFFICER RECOMMENDATION

That Council:

1. Supports the installation of the speed cushions under the 'Anti-Hoon Speed Hump Program' on Cotherstone Road, Kalamunda at the location shown at (Attachment 1).

Moved:

Seconded:

Vote:

10.2.19 **GS163 George Road, Lesmurdie – Anti Hoon Speed Cushion Program**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 163/2011)

That Council:

1. Defer Items 163 to the Ordinary Council Meeting 19 December 2011.

Councillors requested and have been provided with additional information in relation to this matter. The Officer Recommendation from General Services Committee 12 December 2011 is presented for Council consideration.

OFFICER RECOMMENDATION

That Council:

1. Does not support the installation of the speed cushions under the 'Anti-Hoon Speed Hump Program' on George Road, Lesmurdie.

Moved:

Seconded:

Vote:

10.2.20 **GS164 Gladys Road, Lesmurdie – Anti Hoon Speed Cushion Program**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 164/2011)

That Council:

1. Defer Items 164 to the Ordinary Council Meeting 19 December 2011.

Councillors requested and have been provided with additional information in relation to this matter. The Officer Recommendation from General Services Committee 12 December 2011 is presented for Council consideration.

OFFICER RECOMMENDATION

That Council:

1. Does not support the installation of the speed cushions under the 'Anti-Hoon Speed Hump Program' on Gladys Road, Lesmurdie.

Moved:

Seconded:

Vote:

10.2.21 **GS165 Hartfield Road, Forrestfield – Anti Hoon Speed Cushion Program**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 165/2011)

That Council:

1. Defer Items 165 to the Ordinary Council Meeting 19 December 2011.

Councillors requested and have been provided with additional information in relation to this matter. The Officer Recommendation from General Services Committee 12 December 2011 is presented for Council consideration.

OFFICER RECOMMENDATION

That Council:

1. Does not support the installation of the speed cushions on Hartfield Road, Kalamunda.

Moved:

Seconded:

Vote:

10.2.22 **GS169 2011 Annual Report and Annual General Meeting of Electors**

COMMITTEE RECOMMENDATION TO COUNCIL (GS 169/2011)

That Council:

1. Pursuant to Section 5.54 of the *Local Government Act 1995* accepts the Annual Report 2011 as per (Attachment 1).
2. Endorses the production of a modified version of the 2011 Annual report containing an abridged set of financial statements, for general community distribution.

3. Agrees that the Annual General Meeting of Electors be held on Monday 6 February 2012 commencing at 6.30pm.

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

### **10.3 Audit Committee Report**

#### **10.3.1 Adoption of Audit Committee Report**

That the recommendations contained in the Audit Committee Report of the 24 October 2011 be adopted.

Moved:

Seconded:

Vote:

#### **10.3.2**

#### **AC9 Financial Statements for year ended 30 June 2011**

##### COMMITTEE RECOMMENDATION TO COUNCIL (AC 9 /2011)

That Council:

1. Receive the Draft Financial Report for the year ended 30 June 2011 and endorse the Chief Executive Officer's action in submitting the Financial Statements for the year ended 30 June 2011 to the Shire's Auditors for Audit.
2. Endorse the actions of the Chief Executive Officer in authorising the establishment of two (2) new Bank Accounts with the ANZ Banking Group with those accounts titled:
  1. Shire of Kalamunda Municipal Fund – Reserve Account
  2. Shire of Kalamunda Municipal Fund – Loan Account.
3. Authorise the Chief Executive Officer to request the Shire's Auditors to consider the valuation basis utilised by the Shire's Engineering Section for valuing Infrastructure (Roads, Footpaths, Drainage, Parks and Reserves and other) and if agreement is established bring to account the 30 June 2011 valuation on 1 July 2011.
4. Request the Chief Executive Officer during 2011/2012 to address any issues identified in the Auditor's Report for the year ended 30 June 2011.

10.3.3

**AC10 Sundry Debtor Write-Off**

COMMITTEE RECOMMENDATION TO COUNCIL (AC 10/2011)

1. That the Audit Committee endorses the write off of sundry debts totalling \$11,937.22 as detailed in Attachment 1 and Attachment 2.

---

## 10.4 Chief Executive Officer's Report

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

### 10.4.1 Appointment of a Recovery Coordinator

Previous Items	OCM 81/2011
Responsible Officer	Chief Executive Officer
Service Area	Corporate and Community Services
File Reference	BA-BFC-006
Applicant	N/A
Owner	N/A
Attachment 1	Terms of Reference for the Local Recovery Coordination Committee

#### PURPOSE

1. To consider the appointment of the Director of Corporate and Community Services as the Local Recovery Coordinator. The position oversees the management of the recovery process in the event of an emergency affecting the community of the Shire of Kalamunda.

#### BACKGROUND

2. The Shire has recently reviewed and updated its Local Emergency Management Arrangements, including the Local Recovery Management Plan as required under the *Emergency Management Act 2005*.
3. In order to meet the requirements outlined in Sections 36 (b) and 41 (4) of the *Emergency Management Act 2005* and the Local Recovery Management Plan the Shire must appoint a Local Recovery Coordinator who will manage the recovery process in the event of an emergency.
4. In June 2011 the Director Community Development was appointed as the Local Recovery Coordinator. Following an organisational restructure this position no longer exists.

#### DETAILS

5. The Local Recovery Coordinator has two broad areas of responsibilities:
  - a. In conjunction with the Local Recovery Coordination Committee ("LRCC"), the Local Recovery Coordinator is responsible for the development and implementation of recovery management arrangements for the Shire of Kalamunda. This includes, preparing, maintaining and testing the Local Recovery Plan and the coordination of promoting community awareness with respect to the recovery arrangements.

- b. The second area of responsibility is that during recovery operations, the Local Recovery Coordinator liaises with the hazard management agency, responsible for coordinating the incident plus other responsible agencies to determine the need to activate the Local Recovery Plan and convene the LRCC.
6. The, functions, core membership and Terms of Reference of the LRCC are provided in (Attachment 1).

## **STATUTORY AND LEGAL IMPLICATIONS**

7. In order to meet the requirements outlined in sections 36 (b) and 41 (4) of the *Emergency Management Act 2005* and the Local Recovery Management Plan, the Shire needs to appoint a Local Recovery Coordinator who will manage the recovery process.

## **POLICY IMPLICATIONS**

8. Nil.

## **PUBLIC CONSULTATION/COMMUNICATION**

9. Nil

## **FINANCIAL IMPLICATIONS**

10. Given that the appointment of the Local Recovery Coordinator is an existing employee within the Executive Team of the Shire of Kalamunda, there will be no additional employee.
11. There are two pre-requisite training courses that FESA conduct that are relevant to Local Government employees and relevant members of the Local Recovery Coordination Committee namely:
  - Introduction to Emergency Management for Local Government
  - Introduction to Recovery Management.Both of these training courses will be held at the Shire of Kalamunda at no cost to the Shire, however FESA has advised that the Introduction to Recovery Management training course may include participants from other local governments.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

12. *Shire of Kalamunda Strategic Plan 2009 – 2014*
  - 1.4. The Shire of Kalamunda is a safe and secure community.
  - 1.4.7 Ensure effective planning for and coordinated management of emergencies within the Shire via the Local Emergency Management Committee.

---

## **Sustainability Implications**

### Social implications

13. The main objective of the Local Recovery Coordinator is to lead the LRCC, and activate the Local Recovery Management Plan to ensure that timely and effective short and long term recovery strategies are implemented.

### Economic Implications

14. The Local Recovery Coordinator and the LRCC will assist the community with the reconstruction of physical infrastructure and the restoration of emotional, social, economic and physical wellbeing.

### Environmental Implications

15. Nil.

## **OFFICER COMMENT**

16. Following an organisational restructure it is important that the Shire of Kalamunda ensures that the role of Recovery Coordinator is filled.
17. There will be an on-going need for the Recovery Coordinator and other identified staff to undertake appropriate training.
18. It should be noted the attached Terms of Reference will need to be reissued to reflect changes in positions within the organisation and will be a matter for the next meeting of the Local Emergency Management Committee.

## **RECOMMENDATION**

That Council:

1. In accordance with Section 41 (4) of the *Emergency Management Act 2005*, endorses the appointment of the Director of Corporate and Community Services position as the Local Recovery Coordinator for the Shire of Kalamunda.

Moved:

Seconded:

Vote:





**Local Recovery Coordination Committee**

**Terms of Reference**

1. Functions

The functions of the committee include the following:

- a) Actively participate in recovery exercises developed by the Shire in conjunction with the Local Recovery Coordinator; and
- b) to develop a recovery process that:
  - meets the immediate needs of the community;
  - take into account the Shire's long term planning and goals that may have been developed prior to the disaster;
  - includes an assessment of the immediate recovery needs of the community and determines which recovery functions are still required;
  - develops a time table for completing the major functions;
  - considers the needs of youth, aged, the disabled, and non-English speaking people;
  - allows for the monitoring of the progress of recovery;
  - allows full community participation and access;
  - effectively uses the State and Commonwealth agencies;
  - provides for public access to information on the proposed programs and subsequent decisions and actions; and
  - allows consultation with all relevant community groups.

2. Membership

The Local Recovery Coordination Committee shall comprise of a core membership of nine (9) with the power to co-opt up to ten (10) additional members. The additional members will be sought by the Local Recovery Coordinator depending on the recovery event. All committee members shall be appointed by Council for a term of two (2) years unless Council elects to reappoint any or all members for a further term.

The core membership should include the following:

*Core Members:*

- a) **Shire President**
- b) **Director Community Development - Local Recovery Coordinator (To be appointed)**
- c) **Administrative Assistant to Local Recovery Coordinator**
- d) **Director Engineering**
- e) **Director Planning and Development**
- f) **Director Corporate Services**
- g) **Local Emergency Coordinator (Police)**
- h) **Coordinator Ranger & Emergency Services**
- i) **Department for Child Protection representative**

When the Local Recovery Coordination Committee is activated to manage the local recovery process, additional membership will be co-opted from the list below depending on the type of impact the hazard has had on the affected community.

*Additional Members (where appropriate):*

- j) Shire Chief Executive Officer
- k) Coordinator Public Relations
- l) Manager of Operations
- m) Manager Health Services
- n) Manager Financial Services
- o) Relevant Hazard Management Agency representative
- p) LEMC representatives (where appropriate)
- q) Lifeline Agency Representatives (where appropriate)
- r) Plus any other members drawn from government and non-government organisations including community groups with a major role to play in the recovery process.

The appointment of any person who is absent without leave for more than three (3) consecutive meetings shall lapse and that person will need to seek reappointment to continue on the Committee for the duration of its term.

The Presiding Person and Deputy Presiding Person shall be appointed from members of the Committee.

3. Meetings

- a) The Committee shall meet at least two times in any twelve (12) months.
- b) A quorum shall consist of at least one half of the appointed core membership being present.
- c) An agenda and notice of meeting will be distributed by the Secretary at least seven (7) days prior to each meeting.
- d) It is important that agenda items along with any supporting papers are sent to the Secretary no later than ten (10) days prior to meeting. This allows time for members to consider the item and make an informed decision.
- e) If there are no agenda items the Secretary in consultation with the Presiding Person will advise all members that the scheduled meeting is cancelled.

4. Minutes

- a) A Shire of Kalamunda staff member will act as Secretary for the Committee.
- b) The Secretary shall keep minutes of all business transacted at all meetings and shall forward a copy of these minutes to members within ten (10) days of each meeting.

5. Voting

- a) Each appointed member present shall have one (1) vote.



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

**10.4.2 RFT1124 – Community Consultation and Engagement Consultants**

Previous Items	Nil
Responsible Officer	Director Corporate Services
Service Area	Property & Procurement
File Reference	
Applicant	N/A
Owner	N/A

Confidential  
Attachment 1

Reason for Confidentiality: In accordance with Section 5.23(2) (c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: "A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."

**PURPOSE**

1. To consider awarding the tender for the Provision of Community Consultation and Engagement Consultants for a period of three years with an option to extend for a further two periods of twelve months.

**BACKGROUND**

2. The purpose of the tender is to provide the Shire of Kalamunda with a number of Consultants whom can assist with the Community Consultation and Engagement process for a number of land and community based projects staff will be working on in coming years.

**DETAILS**

3. The Request for Tender was advertised in The West Australian Newspaper on Wednesday 23 November 2011 and closed at 2.00 pm Thursday 8 December 2011.
4. From the tender advertisement a total of five responses were received.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**POLICY IMPLICATIONS**

6. The Tender complies with Policy PUR 1 – Purchasing Policy.

## **PUBLIC CONSULTATION/COMMUNICATION**

7. There is no requirement for public consultation.

## **FINANCIAL IMPLICATIONS**

8. The awarding of the tender is expected to provide some savings in consultant costs and will ensure the Shire's compliance with the *Local Government (Functions and General) Regulations 1996*.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

9. Shire of Kalamunda Strategic Plan:  
Goal 5 Governance and Organisation 5.1.4 Ensure appropriate systems and procedures are in place to comply with statutory compliance and enhance effective business management.

### **Sustainability Implications**

#### Social Implications

10. There are no social implications.

#### Economic Implications

11. There are no economic implications.

#### Environmental Implications

12. There are no environmental implications.

## **OFFICER COMMENT**

13. Tender submissions were received from the following:

- Gerard Healey & Associates
- Consult WG
- Creating Communities
- Aim – UWA Business School
- Blue Zoo

14. **Gerard Healy & Associates Pty Ltd**

Has been established since 1997 practicing in Landscape Architecture, Urban Design and Recreational Planning and Community Consultation.

The consultancy is committed to understanding client requirements and producing public consultation programmes that ensure favourable results for all parties and have undertaken projects for a number of local governments including Kwinana, Bayswater, Gosnells and Mount Barker.

15. **Consult WG**

The consultancy specialises in project development and community engagement and facilitation and undertaken a number of consultation projects for local governments including Ashburton, East Fremantle, Subiaco and WALGA.

16. **Creating Communities**

Has been established for over two decades and is one of Western Australia's premium Community Consultation Agencies having undertaken projects for over thirty local governments including most metropolitan town and city councils as well as State Government Agencies and a large number of major corporations.

17. **AIM – UWA Business School**

The proposal is a joint venture between AIM and UWA Business school and relies on a number of independent consultants to deliver the required service.

18. **Blue Zoo**

The consultancies engagement methodology is highly consultative in nature and is focused on ensuring all stakeholder concerns are thoroughly addressed and optimal solutions are found.

The consultancy has undertaken projects for the Shire of Augusta Margaret River and the Shire of East Pilbara and the Pilbara Regional Development Authority.

19. The assessment of each of the applicants to the Tender Selection Criteria (Attachment 1) has shown that Creating Communities and Gerard Healey & Associates have the experience and capability to meet the Shire's requirements for Community Consultation and Engagement Consultants.

20. General inquiries have been made with a number of local governments in regard to the capability of Creating Communities and Gerard Healey & Associates and their ability to meet the requirements of the consultancy project and achieve the required goals.



- 
21. These inquiries further high-lighted the different skill sets between the two consultancies, with Creating Communities having a greater strength in Statutory Planning and Policy Direction, with the "City of the North Community Development Planning and Community Consultation" project for LandCorp Karratha and "Bentley Technology Precinct Community Engagement Strategy and Network Development Strategy" for WA Department of Commerce being examples.
22. Gerard Healey and Associates display different, but equally important, skill sets with the "Urban design to historic precinct adjacent to the Bayswater Railway Station" for the City of Bayswater and "Kwinana Industries Landscape Masterplan Rockingham Road Environmental Improvements for the Town of Kwinana.
23. It is therefore believed that the Tender Contract should be awarded to two consultancies to provide the Shire with the opportunity to select the consultant that best fits the purpose.

### **RECOMMENDATION**

That Council:

1. Appoints the following Panel of Specialist providers for Provision of Community Consultation and Engagement:
  1. Creating Communities
  2. Gerard Healey & Associates

As per the tender prices in the Schedule (Confidential Attachment 1) for a period of three years with an option to extend for a further two periods of twelve months.

Moved:

Seconded:

Vote:

**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.****10.4.3 Development Proposal – 39 (Lot 263) Maida Vale Road Maida Vale**

Previous Items	OCM 50/2011 April 2011 & OCM 171/2011 October 2011
Responsible Officer	Director Corporate Services
Service Area	Property & Procurement
File Reference	MD-03/039 PG-TPS-008/069
Applicant	N/A
Owner	N/A
Attachment 1	Property Development Feasibility Study <u>Reason for Confidentiality:</u> In accordance with Section 5.23(2) (c) of the <i>Local Government Act 1995</i> , which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: "A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."
Attachment 2	Property Development Feasibility Study – Letter dated 7 November 2011 <u>Reason for Confidentiality:</u> In accordance with Section 5.23(2) (c) of the <i>Local Government Act 1995</i> , which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: "A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."
Attachment 3	Locality Plan

**PURPOSE**

1. To obtain approval for the proposed development of Lot 263(39) Maida Vale Road in Maida Vale as a R40 survey strata development.

**BACKGROUND**

2. At the Ordinary Meeting of Council held on 18 April 2011 Council resolved (OCM 50/2011)the following:  
*That 39 Maida Vale Road be listed exclusively with the sole Real Estate Agent that identified this site as a development site.*
3. At the Ordinary Meeting of Council held on 17 October 2011 Council resolved (OCM 171/2011) the following:  
*The proposed modification to the Structure Plan by removing the "Community Centre" designation for Lot 263 (39) Maida Vale Road, Maida Vale and replacing it with a Residential Density Code of R40 and forward the modification to the WA Planning Commission for endorsement.*

---

**DETAILS**

4. The listing of this property in its current form has failed to attract any interest from developers.
5. In September 2011 Council appointed (OCM 139/2011) Westbury Investments Pty Ltd under Tender 1118 to the Panel of Specialist Providers for Property Development Specialists for the purpose of Property Development, Sales and Marketing.
6. Advice has now been sort from Westbury Investments Pty Ltd (Westbury) as to the best method for the disposal/development of 39 Maida Vale Road Maida Vale.
7. Westbury have advised this site would be better developed by the Shire of Kalamunda as a R40 Survey Strata development.
8. Westbury have also advised one of Perth's leading project and unit development builders, Ventura Homes, has expressed an interest in undertaking a built form design for the site to facilitate development. This would be done on the basis that Ventura Homes is provided with exclusive rights to market house and land packages over the site.
9. Burgess Design Group were appointed (OCM 140/2011) to the Panel of Specialist Providers for the provision of Town Planning Services and it is proposed that Burgess Design prepare a preliminary concept design for the strata subdivision.
10. It is proposed the construction works (access roads, internal roads, drainage and hardstand areas) for the development of the subdivision be undertaken by the Shires own resources and the provision of services (Power, Water, Sewer and Telephone) would be provided by external sources.

**STATUTORY AND LEGAL IMPLICATIONS**

11. The development proposal requires approval under the *Planning and Development Regulations 2009*.

**POLICY IMPLICATIONS**

12. There are no Policy Implications.

**PUBLIC CONSULTATION/COMMUNICATION**

13. There is no requirement for public consultation.

**FINANCIAL IMPLICATIONS**

14. The cost to develop the site will be allowed for in the 2012/2013 budget process.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

15. The funds received from the development of 39 Maida Vale Road will assist Council addressing the Shire of Kalamunda's Strategic Plan:

*Goal 2: BUILT ENVIRONMENT – Sustainably manage the built environment and to effectively plan for future community needs and population growth.*

### **Sustainability Implications**

#### Social Implications

16. There are no social implications.

#### Economic Implications

17. There are no economic implications.

#### Environmental Implications

18. There are no environmental implications.

### **OFFICER COMMENT**

19. The professional advice received from Westbury Investments for the strata development of 39 Maida Vale Road provides the Shire with the best opportunity to maximise returns for the disposal of this property.
20. Providing Ventura Homes with exclusive rights to market house and land packages over the site, will provide the best option for the built form of the development.

### **RECOMMENDATION**

That Council:

1. That Council notes Confidential Attachments 1 and 2.
2. Provide exclusive rights to Ventura Homes for the development of House and Land packages for the whole of the site at Lot 263(39) Maida Vale Road in Maida Vale.

- 
3. Pursuant to Section 5.42 (1) and Section 5.43 (b) of the *Local Government Act 1995* delegates authority to Chief Executive Officer to accept Tenders for Construction works up to \$250,000 for this project.

Moved:

Seconded:

Vote:





<b>LEGEND</b>					
Suburbs	LGA Boundaries	Main Roads	Roads [x]	Street Numbers [x]	Hydrants
AM. Drainage Pits [x]	AM. Drainage Pipes [x]	AM. Path Network [x]	Shire Owned Land	Easements [SOK]	Easements [Landgate]
Strata Lots	Crown Reserves	Cadastre [x]	Aerial Photo (Landgate)		

<TITLE>



**Disclaimer :** The Shire of Kalamunda accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image. Map is not to scale. Based on information provided by and with the permission of the Western Australian Land Information Authority (2011).





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

#### **10.4.4 Forreestfield/ High Wycombe Industrial Area Design Guidelines**

Previous Items	N/A
Responsible Officer	Director Development and Infrastructure Services
Service Area	Development and Infrastructure
File Reference	PG-STU-014
Applicant	N/A
Owner	Various owners
Attachment 1	Locality Plan
Attachment 2	Design Guidelines Area
Attachment 3	Design Guidelines Draft Document

#### **PURPOSE**

1. To consider endorsing the Draft Design Guidelines for Forreestfield/High Wycombe Industrial Area for the purpose of public advertising. Refer (Attachment 1) for Locality Plan.

#### **BACKGROUND**

2. The land bounded by Roe Highway, Berkshire Road, Maida Vale Road, Sultana Road West, Milner Road and Dundas Road has been identified as a future industrial development area, due to its location- adjacent to Perth Airport, Forreestfield Marshalling Yards/Container Depot and the key freight routes of Roe Highway, Dundas Road, Abernethy Road and Tonkin Highway. Refer (Attachment 1)- Stages 1, 2 and 3 of the Forreestfield/High Wycombe Industrial Area.
3. A portion of the land bounded by Milner Road, Sultana Road West and Dundas Road is already zoned Light Industry with the balance of that area subject to Local Planning Scheme amendments to change the zoning to Light Industry.
4. Both areas are subject to the proposed draft Design Guidelines. Refer (Attachment 2)- Design Guidelines Area.

#### **DETAILS**

5. The objective of the Design Guidelines is to allow the Shire of Kalamunda to oversee the development of a high standard, attractive, functional and sustainable industrial area, which will attract a range of businesses eager to locate within the area, offering ease of access to both customers and suppliers.



6. The guidelines will provide clear and readily understandable criteria aimed at ensuring a consistently high standard of development is achieved. New development should result in a pleasant working environment, attractive streetscapes and contribute to the protection of value in business investment within the area.
7. The Shire envisages that, in addition to the usual light industrial uses, establishment of complementary and progressive industries such as research and development facilities will be encouraged.

### **STATUTORY AND LEGAL IMPLICATIONS**

8. Clause 6.4 of Local Planning Scheme No.3 specifies the process for adoption of Design Guidelines for development areas as identified under the Clause 2.2 of the Scheme.
9. Clause 2.2 of the Scheme outlines provisions for adoption of Local Planning Policies.
10. Where the Design Guidelines provisions are inconsistent with the Scheme, if adopted by the Council, they will become the subject of a separate Scheme amendment.

### **POLICY IMPLICATIONS**

11. Nil.

### **PUBLIC CONSULTATION/COMMUNICATION**

12. In accordance with the 2.4 of the Scheme, the Design Guidelines will be advertised by a notice in the local paper for two consecutive weeks, copies of the document will be provided for inspection in the Shire offices and local libraries and public consultation will be for the period of 28 days.

### **FINANCIAL IMPLICATIONS**

13. Costs associated with the advertising of the Structure Plan are provided for in the Strategic Planning Services budget.

### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

#### **Strategic Planning Implications**

14. The Forrestfield/ High Wycombe Industrial Area was identified in the *Kewdale-Hazelmere Integrated Masterplan* as one of the key precinct suitable for significant freight related industries.
15. The Forrestfield/High Wycombe Industrial Area development is identified as one of the key strategic issues in Shire's draft *Local Planning Strategy* that is currently with the WA Planning Commission for endorsement.

16. The Forrestfield/High Wycombe Industrial Area has been identified as one of the key strategic industrial sites in the Stage Government's Draft Industrial Land Strategy.

### **Sustainability Implications**

#### Social implications

17. Adoption of Design guidelines will allow the Shire the means to ensure that the working environment, external as well as on individual sites is pleasant, attractive and safe, thus creating spaces for quality social interaction.

#### Economic Implications

18. Design guidelines aim at providing attractive streetscapes and high quality development thus contributing to the protection of value in business investment within the area.
19. Industrial development in the Forrestfield/High Wycombe area will provide employment opportunities for the local population.

#### Environmental Implications

20. Design guidelines include principles, guidelines and mandatory requirements relating to environmental management in the area.

### **OFFICER COMMENT**

21. The proposed guidelines contain recommendations that will necessitate amendments to Local Planning Scheme No.3. The amendments to the Scheme will be initiated once the design guidelines have been adopted.
22. The design guidelines present a planning and development control instrument to ensure that the final product of the years of planning work presents exactly as originally envisaged.
23. The guidelines will allow the Shire to enforce consistency, quality and sustainability of development in order for Forrestfield/High Wycombe Industrial area to become a sought-after business location and prestigious industrial address.
24. It is therefore recommended that the Council endorsed the Draft Design Guidelines for Forrestfield/High Wycombe Industrial Area for the purpose of public advertising.

---

**RECOMMENDATION**

That Council:

1. Endorses the Draft Design Guidelines (Attachment 3) for Forrestfield/High Wycombe Industrial Area for the purpose of public advertising.

Moved:

Seconded:

Voted:



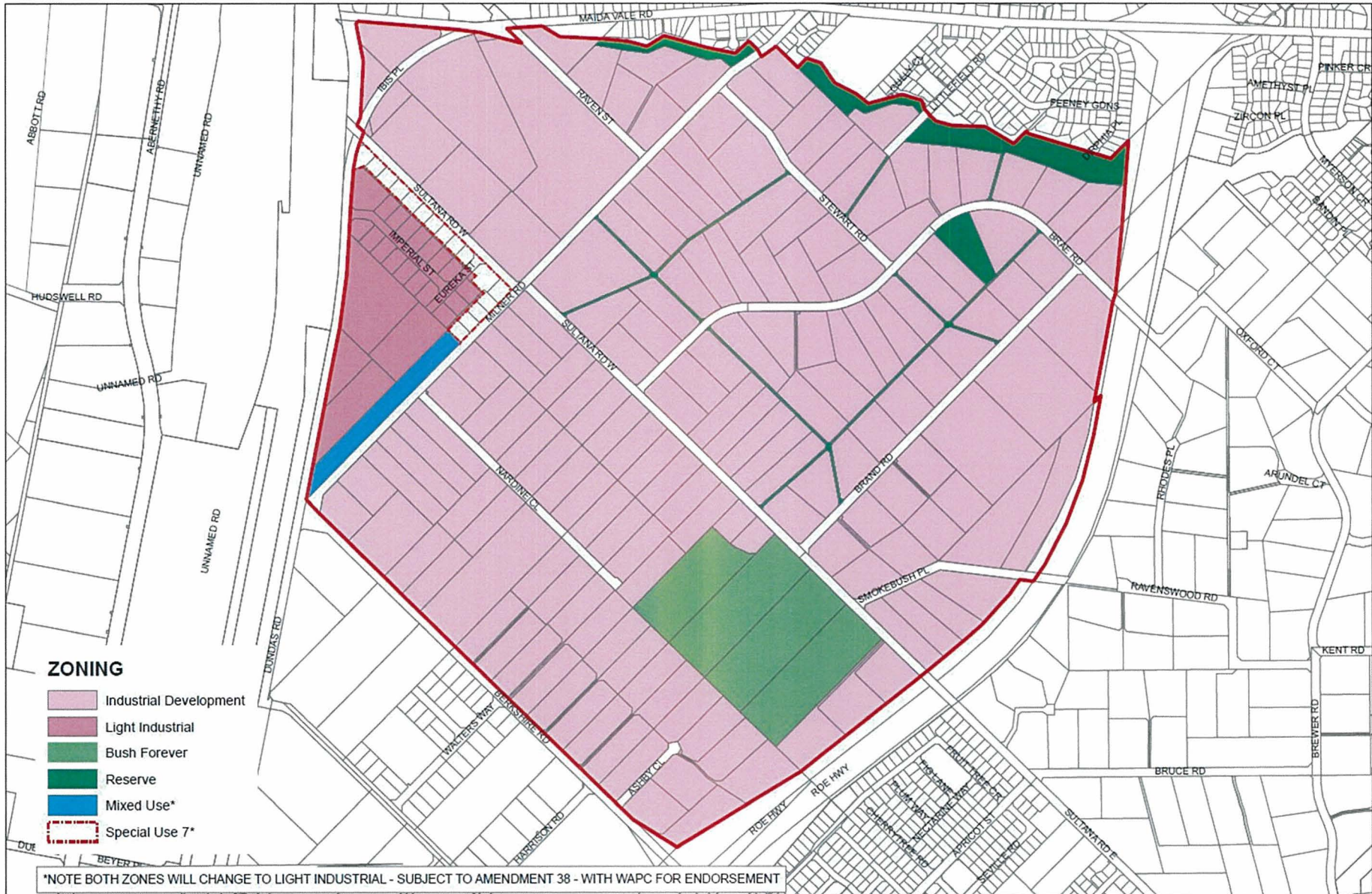


## FORRESTFIELD/HIGH WYCOMBE INDUSTRIAL AREA DESIGN GUIDELINES

### Locality Plan







## FORRESTFIELD/HIGH WYCOMBE INDUSTRIAL AREA DESIGN GUIDELINES

### Design Guidelines Area





*SHIRE LOGO*

**LOCAL PLANNING SCHEME NO. 3**

**LOCAL PLANNING POLICY No. *xx***  
**FORRESTFIELD/HIGH WYCOMBE**  
**INDUSTRIAL AREA DESIGN GUIDELINES**

*Draft*  
*October 2011*

This Policy has effect from *<date>*

This Policy shall be reviewed 12 months on from *<date>*



# LOCAL PLANNING SCHEME NO. 3

## LOCAL PLANNING POLICY No. XX

### FORRESTFIELD/HIGH WYCOMBE INDUSTRIAL AREA DESIGN GUIDELINES

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APPENDIX 1 – Development Application Requirements

APPENDIX 2 – Landscape Plan & Reticulation Plan Requirements

# FORRESTFIELD/HIGH WYCOMBE INDUSTRIAL AREA DESIGN GUIDELINES

## 1.0 INTRODUCTION

### 1.1 Background

The Policy Area has been identified under the “Kewdale Hazelmere Integrated Masterplan (2006)” as a future development area, due to its key strategic location adjacent to Perth Airport, Forrestfield Marshalling Yards/Container Depot, and the key road freight routes of Roe Highway, Dundas Road, Abernethy Road and Tonkin Highway.

The Policy Area was referenced in the WA State Government’s key strategic planning documents “Directions 2031 and Beyond” and in the impending “Industrial Land Strategy”.

Some of the land within the Policy Area has previously been the subject of rural residential-type development. The Shire acknowledges that the progressive development of the area for industrial land use activities may lead to some amenity implications for residents who wish to remain on their properties in the short-term. However, the Shire shall endeavour to minimise any potential problems through the development application assessment process.

It is apparent that industrial areas in many parts of the Perth metropolitan area have often reflected inadequate attention to building design, site layouts, appropriate land uses and site landscaping. This has resulted in industrial areas with rudimentary shed structures, often with offices, storage sheds and areas designed and arranged in a seemingly haphazard manner, with poor vehicle accessibility and parking arrangements, minimal landscaping, signage clutter, unsightly perimeter fencing and visually unattractive streetscapes. The Shire of Kalamunda is committed to ensuring this will not be the case in the new Forrestfield/High Wycombe Industrial Area.

Compliance with this Policy shall also ensure that new development is more efficient and sustainable in the use of energy, water and resources.

Irrespective of these Design Guidelines, all designs and building works shall at all times conform to all relevant Australian Standards and Building Codes.

### 1.2 Vision/Statement of Intent *(To be confirmed/modified)*

The Shire of Kalamunda is firm in its resolve to oversee the development of a high standard, attractive, functional and sustainable industrial area, which will attract a range of businesses eager to locate within the area, offering ease of access to both customers and suppliers.

In addition to the usual industrial uses, the Shire will encourage the establishment of complementary and progressive industries such as research and development facilities.

The Design Guidelines contained within this Local Planning Policy aim to complement the attractiveness of the industrial area’s geographic and strategic



location, and to encourage design features, construction quality and landscaping of a high standard which will ensure the Forrestfield/High Wycombe Industrial Area is a sought-after location for business relocation, and a prestigious industrial address.

The Shire of Kalamunda will insist upon a high standard of presentation and quality for new development in order to maintain the value of existing and future business investment throughout the Policy Area.

### 1.3 Policy Area

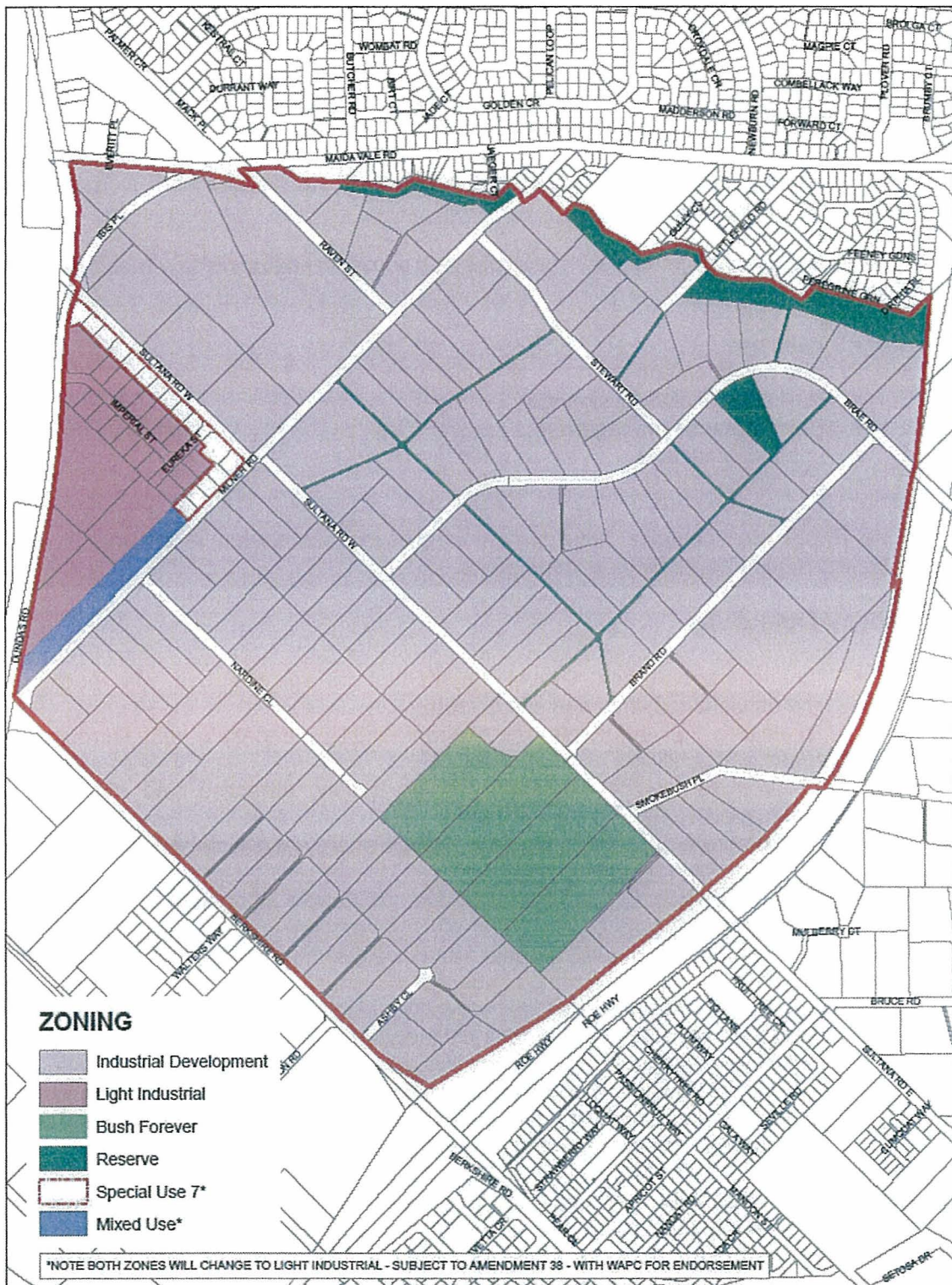
This Policy applies to all development of land zoned “Light Industry” and “Industrial Development” located within the area generally bounded by Dundas Road, Maida Vale Road, Poison Gully, Roe Highway and Berkshire Road, and defined more accurately by the area bordered in red and shown in **Figure 1** below. The areas of zoned land are illustrated in **Figure 2** over the page.



**FIGURE 1 – Policy Area**

(NOTE: The Stages identified on the map in Figure 1 above refer to the proposed order of development of those areas as described in the adopted Indicative Development Plan – see Figure 3.)





## Extent of the Policy Area

200 100 0 200 Meters



FIGURE 2 – Zoning Map



## **1.4 Policy Purpose**

The Forrestfield/High Wycombe Industrial Area Design Guidelines provide clear and readily understandable criteria aimed at ensuring a consistently high standard of development is achieved throughout the Policy Area. New development should result in a pleasant working environment, attractive streetscapes, and contribute to the protection of value in business investment within the area.

The Policy will also provide assistance to Shire of Kalamunda staff in assessing proposed developments.

The Policy contains principles, guidelines and some mandatory requirements relating to:

- Land use;
- Site development;
- Built form (including signage);
- Environmental management;
- Landscaping; and
- Site amenity.

The Policy also contains development application submission requirements, and detailed requirements for landscape plans.

## **1.5 Policy Objectives**

- To encourage attractive developments that are well designed, with functional and efficient buildings and site layouts;
- To ensure that industries are environmentally compatible with surrounding zones and activities;
- To promote the development of high quality, attractive and sustainable landscaped areas and streetscapes;
- To promote greater sustainability through energy and water-efficient building design and site development;
- To achieve water conservation through sustainable stormwater management, water-wise landscaping and water efficient reticulation;
- To minimise the impact of new industrial development on the environment and amenity of neighbouring residential properties;
- To minimise the impact of new industrial development on identified sensitive areas such as native bushland and waterways;
- To maintain the green open space linkages in the Stage 3 area;
- To avoid unsightly and poorly planned and maintained developments; and
- To maintain the value of existing and future business investment by insisting upon quality development throughout the Policy Area.

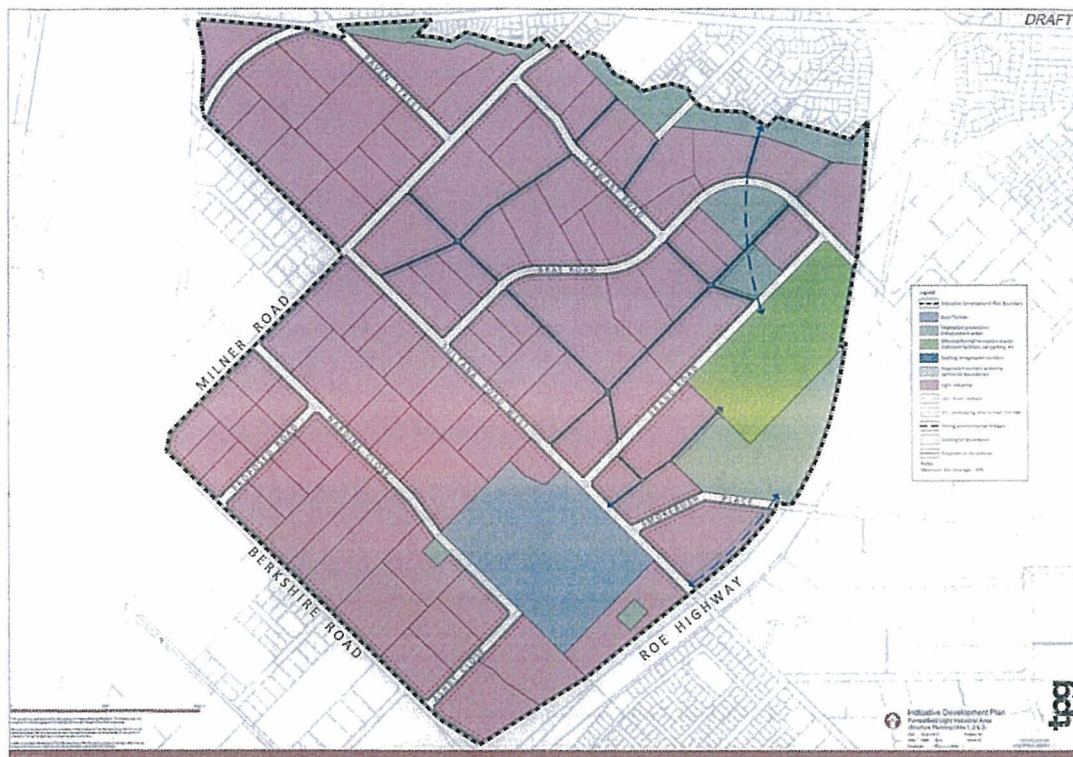
No new developments, nor the uses or processes carried out on-site, shall be permitted to adversely affect the amenity of the Policy Area or its immediate surrounds due to poor building or site appearance. The transportation or storage of materials and vehicles, the nature of the goods produced, emissions of waste products, noise, smells or smoke shall not be permitted to have an undue adverse impact on the amenity and environment of the locality.

## 1.6 Application of this Policy

This Policy is adopted under clause 2.2 of Local Planning Scheme No. 3. It is to be used in conjunction with the Shire's Local Planning Scheme No. 3, and other relevant planning policies and guidelines.

It shall also be used in conjunction with the Shire's adopted environmental health and engineering regulations, policies and practices.

## 2.0 DRAFT INDICATIVE DEVELOPMENT PLAN



**FIGURE 3 – Draft Indicative Development Plan**

The draft plan covers most of the Policy Area. The land coloured purple in Figure 3 above is to be zoned "Industrial Development." Note that this is a draft plan only, and subject to finalisation and adoption by the Shire of Kalamunda.

The draft plan includes the following elements:

- A subdivision pattern based on the existing and proposed road network;
- A conceptual lot layout that provides a variety of lot sizes in excess of 1.0 ha. (The final layout is intended to be very flexible, as several lots could be purchased and amalgamated according to the requirements of developers);
- An expanded network of environmental links between the Regional Reserve and the Poison Gully area. This includes the recreation area likely to be developed near Roe Highway; and



- Building setbacks and landscape strips in accordance with Local Planning Scheme requirements.

### 3.0 LAND USE

Land use within the Forrestfield/High Wycombe Industrial Area is governed by the Shire of Kalamunda Local Planning Scheme No. 3, Table 1.

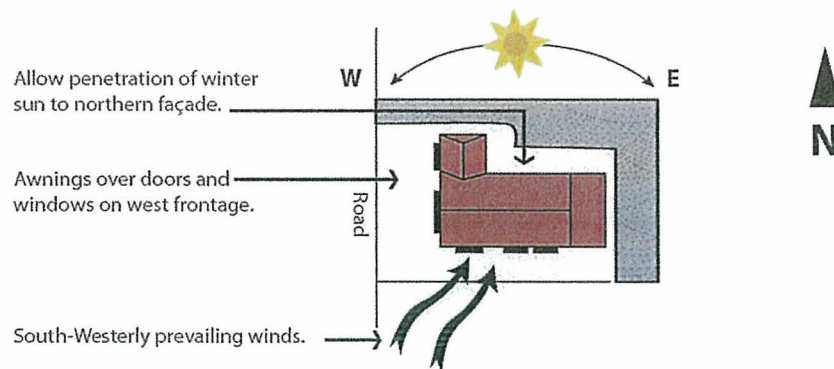
The Shire of Kalamunda will endeavour to ensure compatibility of existing and planned land uses within the Policy Area. New developments must not unreasonably compromise or constrain future developments. It is preferred that new proposals will enhance existing and future developments.

### 4.0 SITE DEVELOPMENT

#### 4.1 Building Orientation

The primary building entrance and façade shall front onto the primary street.

Wherever possible, buildings should be orientated and designed to be energy-efficient, and to conserve non-renewable energy.



**FIGURE 5 – Passive Solar Design Principles Applied to Building Orientation & Design**

Passive solar design principles can include the following:

- Building orientation and wall openings should maximise exposure to the north and south;
- Building orientation and wall openings should maximise cross ventilation, especially cooling summer breezes from the south-west and south;
- The amount of walling and wall openings facing east and west should be minimised; or if this is not possible/practical, ensure adequate shading of the walls and wall openings; and
- Appropriate landscaping (trees, wall creepers, etc.) should be provided to create shade in summer, and to allow the penetration of winter sun.

## 4.2 Site Coverage

Site coverage within the Forrestfield/High Wycombe Industrial Area is governed by the Shire of Kalamunda Local Planning Scheme No. 3. The maximum site coverage for buildings is 60% of the total site area.

## 4.3 Plot Ratio

Plot ratio within the Forrestfield/High Wycombe Industrial Area is governed by the Shire of Kalamunda Local Planning Scheme No. 3. The maximum plot ratio of buildings to site area is 0.5:1.

## 4.4 Building Layout & Setbacks

Building setbacks will be established which give consideration to:

- Adjoining properties, uses and buildings;
- The bulk and scale of new developments in relation to the bulk and scale of developments on adjoining sites;
- Fire appliance access;
- The general streetscape; and
- Solar aspect and prevailing winds.

The following minimum building setbacks shall apply to land within the areas marked "Stage 1", "Stage 2", and "Stage 3" on **Figure 1** and zoned "Industrial Development":

Min. Setback from Main Street	Min. Setback from Minor Street	Min. Setback from Side Boundaries	Min. Setback from Rear Boundaries
20m	10m	At the discretion of Council *	At the discretion of Council *

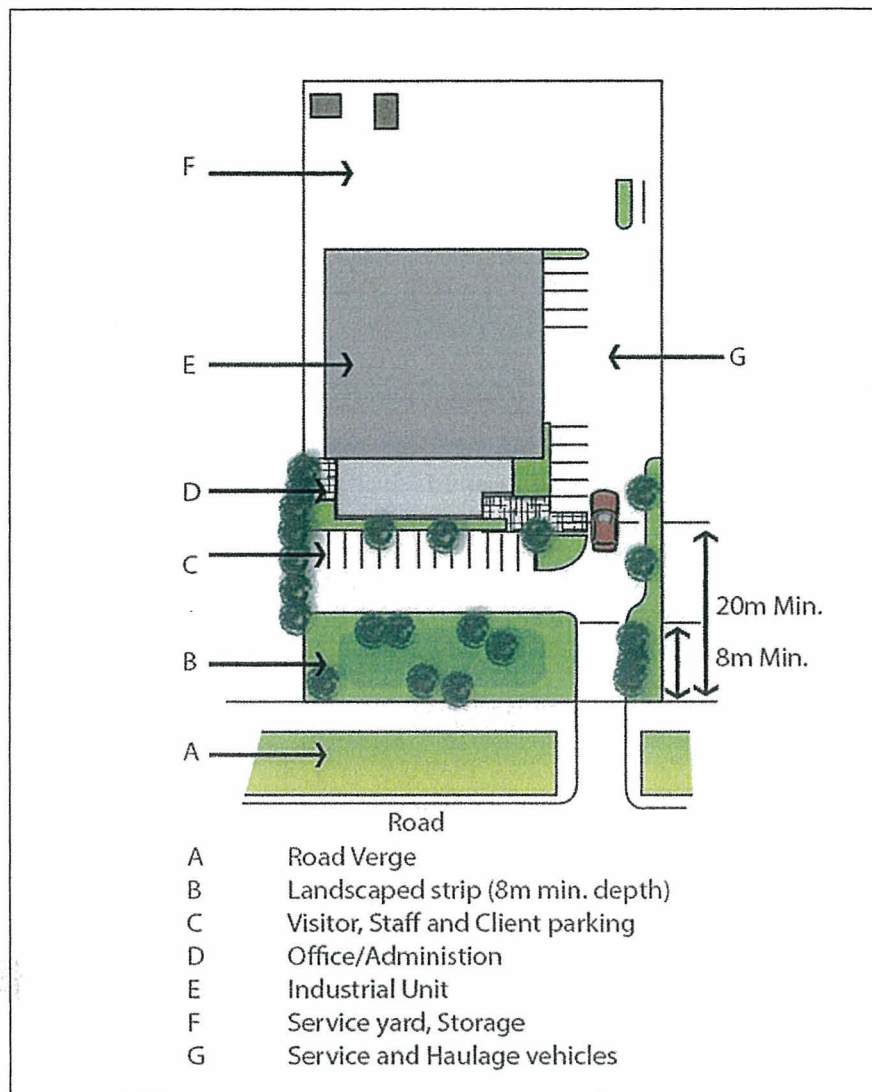
**Note \***: Proponents of new developments are encouraged to set back buildings a minimum of 3m from both the side and rear boundaries to assist with natural light penetration and natural cross-flow ventilation.

Within the area marked "Light Industrial" on **Figure 1**, the minimum setbacks applicable to land zoned "Light Industry" in Local Planning Scheme No. 3 shall apply.

The land between the street alignment and the front of a building may be used for access, the daily parking of vehicles or landscaping.

**The setback area between the main building and any road must not be used for storage purposes, for loading or unloading vehicles, or for the parking of haulage or service vehicles, or for repairing and/or maintaining vehicles or items.**

The front entrance door of the main office/administration should be visually obvious, and have a clear and safe pedestrian accessway leading to it from the visitors' parking area.



**FIGURE 4 – Model Site layout**

#### **4.5 Vehicle Parking, Access & Circulation**

##### Number of Car Parking Bays Required:

The provision of car parking bays for staff and visitors shall be in accordance with Clause 5.8 and Table 3 of LPS3.

LPS3 also allows the Shire, at its discretion, to apply a greater or lesser requirement for car parking bays than that stipulated as the minimum in Table 3 of the Scheme if:

- the circumstances of a development justify such variation and there will not be any resultant lowering of safety, convenience and amenity standards, it may permit a reduction in the number of car parking bays required by Table 3;



- it is necessary to increase the required number of car parking bays in order to maintain desirable standards of safety, convenience and amenity, such extra car parking bays as the Shire considers necessary shall be provided. In imposing such extra car parking requirements, the Shire shall explain the reasons for the increase to the owner of the land;
- where there are two separate and different developments with different hours of peak operation, but being located on the same lot or adjoining lots, the Shire may permit a reduction of the required number of parking bays on either or both lots, provided it is satisfied there would be no resultant lowering of safety, convenience and amenity standards and there is written agreement to the reciprocal use of some or all car parking bays;
- where a proposed development is located adjacent to a constructed public car park the Shire may, where it is satisfied there would be no lowering of safety, convenience and amenity standards, reduce the quantity of required on site car parking for that development by the quantity which it considers the public car park serves the development.

Where a request for the reduction in the quantity of car parking bays is received, the following principles will be applied:

- The Shire will generally not accept a reduction in the required number of car parking bays for speculative developments. The applicant will need to provide advice from the prospective tenant as to their current and future parking needs.
- The Shire will not consider on-street parking as part of the calculation of car parking bays for a development proposal.
- Car parking ratios under previous Town Planning Schemes are not relevant and are not a mitigating factor.
- A reduction in car parking requirements will only be determined by Council and not under delegated authority.
- A change in land use may invalidate any parking reduction previously granted.

Disabled car parking bays are to be provided in accordance with current Australian and ACROD Standards.

#### Vehicle Access:

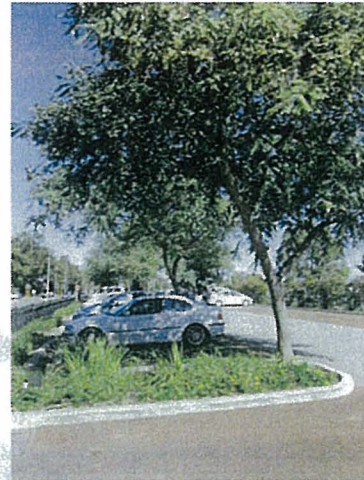
- All vehicle access must be contained on site.
- All vehicles must be able to exit the site in a forward direction.
- The number of access points to a site should be kept to a minimum.
- Access points should be designed to provide safe ingress/egress for vehicles and pedestrians.

#### Design of Vehicle Parking Areas and Accessways:

Accessways and parking areas must be planned and designed to achieve the following outcomes:



- Vehicle parking and circulation should be clearly marked and laid out and easily understandable by all users;
- Large expanses of parking are discouraged in favour of smaller modules broken up with vegetation and shade tree planting;
- Service and haulage vehicle parking areas are to be separated from visitor and staff parking areas, screened from the street, and located at the rear or sides of the buildings and behind the front building line;
- Within the service and haulage vehicle parking areas, large vehicle parking bays are to be located separate from small vehicle parking bays;
- Areas for loading bays, vehicle manoeuvring and outdoor storage are to be located separate from visitor and staff parking areas;
- External loading bays shall not be visible from primary street frontages, shall have access that is safe and convenient, shall be located at the side or rear of properties, and shall be screened from public streets by walls, landscaped earth mounds or dense planting;
- Clear paths are to be provided for pedestrian movement separate from areas of frequent vehicular movement;
- Parking areas for staff, clients and visitors are to be located adjacent to office/reception areas of buildings, with clear sight lines to entrances;
- Parking areas for staff, clients and visitors are to be provided with suitable species of canopy tree at a ratio of 1 tree per 6 car bays, spaced evenly throughout the parking area(s); [Further details provided in Section 6.0]
- Car parking areas are not to be used for temporary storage of goods, for servicing or for loading;
- Parking areas should be designed to channel rain water into areas set aside for planted vegetation;
- Parking for persons with disabilities is to be designed in accordance with the appropriate Australian and ACROD standards.
- Parking areas and access driveways must be paved or sealed with asphalt.



#### **4.6 Pedestrians & Cyclists**

In order to encourage staff members to travel to work by means other than the private car, new developments should provide end-of-trip facilities for pedestrians and cyclists. These could include secure bicycle storage, lockers and showers.

#### **4.7 External Service & Storage Areas**

- No open storage of goods, unserviceable vehicles or machinery shall be carried out within the front setback area (forward of the building line).
- All open storage areas shall be screened from the street and adjoining properties by landscaping, fencing and/or other means acceptable to the Shire of Kalamunda. Any screen fencing should use materials and colours that complement the main building design and, where possible, made to integrate with the building structure.

- Rubbish bin storage areas shall be screened from all road fronts. The dimensions and location of rubbish bin storage areas will be at the discretion of Council.
- All plant and equipment storage areas are to be adequately screened from public view from all road frontages.
- The preferred location for all external plant, service yards and bulk storage areas is at the rear of the lot.
- The storage of goods, materials, supplies or equipment is not permitted on road reserves, driveways, car parking areas, landscaped areas or public spaces.

#### **4.8 Loading & Service Areas**

- Loading bays and service dock areas shall be located at the rear or sides of buildings, and away from the main building entrance, or relatively visible areas.
- Where possible, service and loading areas should be enclosed within the building.
- Any external loading and service areas should be appropriately screened to minimise views from a public road and adjoining buildings.
- Loading areas should be designed to accommodate vehicular manoeuvring on site and should not prohibit on-site vehicular circulation or cause traffic queues.

#### **4.9 External Lighting**

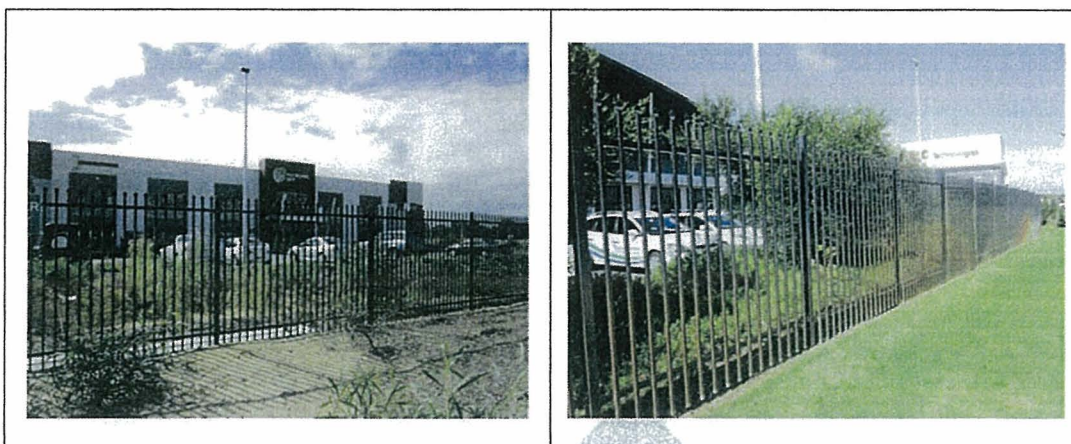
- Lighting must be adequate to ensure a safe and secure environment.
- All external lighting shall be utilised in a manner which is consistent with the use for which it was designed (e.g., flood or spotlights, bollard lights, sensor lights, etc.)
- Beacons, search lights, blinking lights, flashing or changing intensity lights will not be permitted.
- Lighting should be directed away from adjacent buildings and any public roads.
- Security lighting should be confined to entrances and pedestrian areas and should not project onto any public road.
- All car parking areas, pedestrian routes and entrances shall be well lit. Parking area lighting should have a greater height than pedestrian area lighting, and be focussed downwards. Bollard lighting and pavement inset lighting is encouraged for pedestrian pathways.

#### **4.10 Boundary Fencing**

The intent of boundary fencing for individual premises within the Forrestfield/High Wycombe Industrial Area is to provide security for businesses without compromising the visual quality and overall character of the streetscapes.

- Fences and gates shall be integrated with site planning and the design of the building(s). Fencing shall generally be visually permeable and unobtrusive.
- Forward of the front setback line, the minimum fencing standard is an 1800mm high metal tubing framed vertical pale and horizontal rail fence with powdercoat finish. Black is the preferred colour, as it tends to “disappear” into its surrounds. The fence must be predominantly “open” in appearance.





Forward of the front setback line, the minimum fencing standard is an 1800mm high metal tubing framed vertical pale and horizontal rail fence with powdercoat finish. Black is the preferred colour, as it tends to “disappear” into its surrounds. The fence must be predominantly “open” in appearance.

- Behind the front setback line, the minimum standard for side and rear boundary fencing is black PVC galvanised link mesh fencing (barbed wire on top is permitted). Palisade and welded mesh fencing may also be acceptable. No link mesh fencing is permitted forward of the front setback line.
- All fences should be durable and resistant to weather conditions and vandalism.
- Sliding front gates are preferred. Where swinging gates are being installed on boundary fencing, these shall open inwards away from the street.
- Electrified fencing will only be permitted if considered suitable and necessary by the Shire of Kalamunda.
- The style, dimensions, materials and colours of all fencing shall be provided as an integral part of the Development Application.



## 5.0 BUILT FORM GUIDELINES

### 5.1 Building Design, Character & Detailing

Buildings should demonstrate excellence in design, detailing and construction, and incorporate best practice environmental sustainability.

A diversity of building designs will be encouraged. Buildings should have a modern industrial appearance, and the use of innovative, functional and attractive designs and building materials will generally be supported.

Buildings should be of a contemporary style, with office areas having a more “human” scale and located near the street frontage.

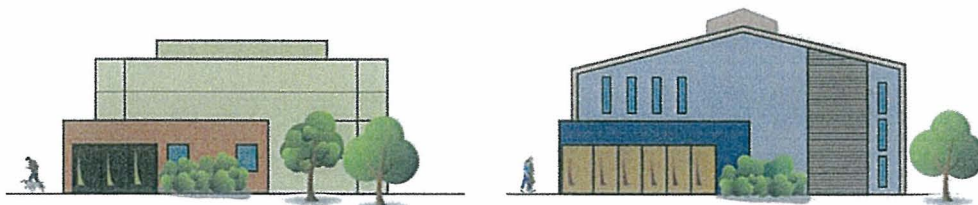




The office/administration building should be located near the street frontage, and be of a more “human” scale than its associated warehouse or factory unit.

Buildings must be designed to address the street, and significant emphasis must be placed on providing an attractive and interesting front elevation. The main entrance to the building must be clearly visible from the street, and be obvious to the arriving visitor. It should be at or near the front of the main building.

- The front elevation must display the corporate image, and have an inviting entrance, preferably with some weather protection such as an awning, canopy or verandah.
- A moderate to high level of articulation of building frontages is strongly encouraged. A high standard of architectural and building design is required.
- Building elevations on corner lots must address both street frontages. The side elevation should not be “forgotten” when the building is being designed and detailed.
- Rooftop structures such as plant and machinery should be located, as far as practical, in a position where it will be least visible from ground level.
- Monolithic buildings should be avoided. The mass of large buildings should be broken into groups of clusters or sub-parts where possible to reduce perceived scale.



- Large unrelieved expanses of blank wall or roof on one plane with uniform finishes must be avoided where they can be viewed from a street. This includes large expanses of mirrored glass.

- Where more than one building is planned for a site, they should be sited and designed to form an integrated “whole”, and present a visually harmonious image.
- Building design should be as flexible and innovative as possible to facilitate the changing needs of occupiers and their processes.

## **5.2 Materials, Finishes & Colours**

### Sustainability

Building materials should be chosen which maximise durability, minimise maintenance, ensures good performance having due regard to the climate, maximises energy efficiency, promotes recycling, and maximises the use of renewable resources.

### Design

New buildings should be designed with facades divided up into contrasting smaller areas or panels through the inclusion of different materials, the use of colour and various forms.

- A moderate to high level of articulation to provide visual interest and to “break up” building frontages is strongly encouraged. This can be achieved through one or more of the following treatments:
  - incorporating “in and out” walls;
  - including a high ratio of glass to solid wall;
  - using multiple façade materials (2-3 different appropriate materials on each street facade);
  - including bright colours on buildings as a “splash” feature or as a trim (i.e., as a limited special effect); and
  - using interesting roof shapes & roof angles (silhouettes).
- Different materials such as concrete panels, profiled metal sheet cladding and fibre cement cladding can be used for larger areas, with face brickwork, stone panels and weatherboard panels as features, either separately or in combination.
- In addition, other feature elements can be used to achieve good, attractive design. For example, louvred vents and screens, projecting sun screens over windows, and exposed steel columns and bracings
- Consideration should also be given to dividing the façade(s) into top, middle and bottom sections using different materials and/or graded colours.
- Projecting sun screens over windows and overhanging roofs can also create interesting shadows on façades.

Building colours should generally be sympathetic and complementary with the natural environment (soils and vegetation), as well as the site landscaping. Generally, the use of dark colours should be reserved for the base of buildings, with lighter colours used for the upper levels.





Strong primary colours should be used sparingly to highlight building features or trim, and to add interest and relief to building façades.

Large areas of one material should be treated with muted colours and tones, avoiding strong hues.



Large areas of one material can be visually "broken up" and made to look more attractive and interesting by the judicious use of colour.



In this example, the visual impact of the large side wall with roller doors has been reduced by the use of two different but complementary colours.

Where a development is comprised of multiple buildings, or multiple tenancies within one building, the thoughtful use of complementary colours, materials, finishes and detailing can allow each business unit to be easily distinguishable and identifiable.

### 5.3 Plant & Equipment

All plant and equipment should be screened from public areas, or located at the rear of premises.

The exception to this may be where ductwork, stacks, tanks or flues that are necessary for the building to function are designed and treated as feature elements.

- Consider using plant and equipment as design features;
- Conceal unsightly plant such as air conditioning units;
- Use passive sustainable elements (such as water tanks and ventilation louvres) as design features and express these through the use of colour or by highlighting external structural elements.

### 5.4 Outbuildings & Other Structures

Where there are numerous separate buildings on the site, the design and location of each should be considered at the time of initial site planning. This will ensure that all buildings on the site will present as one integrated development.

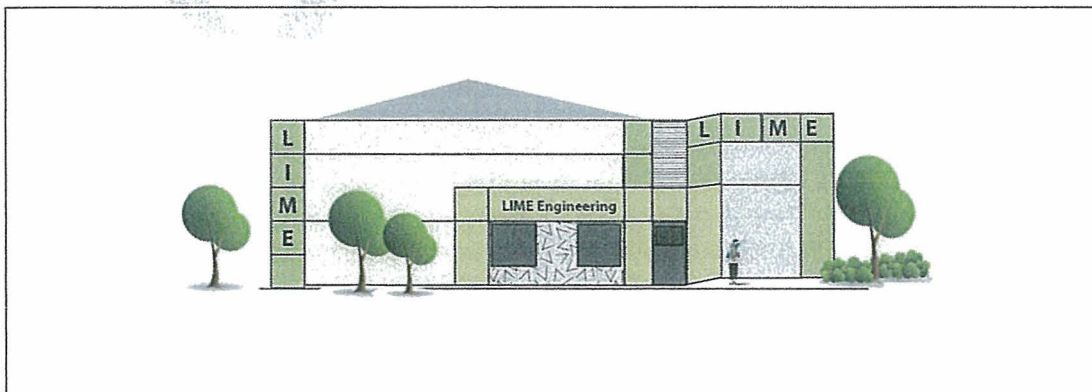
This initial planning should extend to include possible future expansion of buildings, additional buildings and staging of development. The use of building forms, materials and colours should be complementary and consistent.

### 5.5 Signage

High quality, integrated signage is an important design element. Development proponents must provide an overall signage strategy, including proposed business advertising, information signage and directional signage, as an integral part of the development application process. An unnecessary proliferation of signs shall be avoided.

#### Advertising Signs

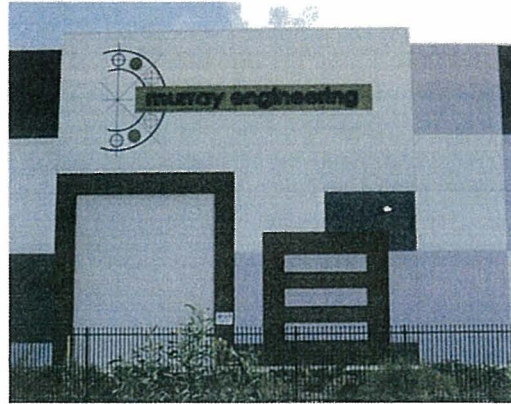
Advertising signs attached to buildings shall be designed to be an integral part of the building – i.e., recessed into the façade, fascia or awnings, and co-ordinated in scale, colour and style. Signs can be incorporated as three-dimensional elements to add quality to the overall design effect.



**Figure 6 – Appropriate Locations for Corporate Signage**



- All advertising signs shall be designed to be an integral part of the building fabric, and shall be of a standard equal to, and consistent with, the building design and detail;
- All signs located throughout the lot shall be of a consistent design character to maintain the amenity of the area;
- Only one free-standing identification sign or composite advertising sign is permitted per lot;
- Where multiple occupancy is proposed, the composite sign may have only one panel per occupancy; and
- Each premise will clearly display their street number.



Advertising signage information shall be limited to:

- The name, business logo, address, telephone number, email address and website associated with the premises;
- The name of the business or businesses contained within the premises; and
- The type of services, activities or products available within the premises.

Some signs and sign types will not be permitted. These are:

- Roof-mounted signs or signs which project above the ridge height of the building;
- Moving, flashing, pulsating, intermittent or sound-emitting signs;
- Changeable message signs;
- Sequined or glittering signs;
- Unrelated or "third party" signs;
- Signs attached to fences;
- Billboards;
- Any portable advertising sign located on the road reserve;
- Tower and monolith signs; and
- The excessive application of modern standardised corporate advertising.

#### Directional and Information Signs

Directional signage should assist visitors to the site, and include entry and exit signs, parking controls, and signs clearly indicating delivery and reception areas.

Directional signage should ideally be part of an overall signage "family" of complementary fonts, colours and other related imagery.



## 6.0 ENVIRONMENTAL MANAGEMENT

Among other things, the Shire of Kalamunda will be encouraging site and building design based on environmentally sustainable principles including correct solar aspect, appropriate materials and finishes, natural ventilation, water conservation and reuse, embodied energy and energy efficient operations, and the “greening” of sites and streetscapes.

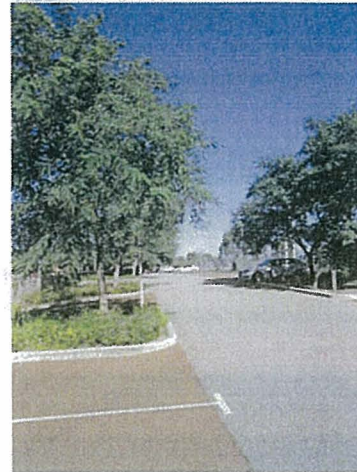
### 6.1 Landscaping

#### Intent:

The Shire of Kalamunda is determined to oversee the development of the Forrestfield/High Wycombe Industrial Area as a high quality, attractive, sustainable and functional “estate”. An integral part of this “vision” will be the development of a high standard of landscaping – principally tree and shrub planting, as well as the protection of existing high quality natural vegetation.

Considering the large scale of most industrial buildings, larger-scale trees should form a significant proportion of plantings. These can be complemented by mass plantings of water-wise low shrubs, herbs, ground covers and strappy leaf plants between the trees. The use of plants which have colourful flowers and leaves is particularly encouraged.

Car parking areas must be well planted with shade trees to visually reduce the apparent size of the hard paving, to reduce the amount of radiated heat and the “heat island” effect which can occur during summer, and to provide welcome shade for parked cars.



The Shire has responsibility for the development and ongoing maintenance of landscaping in public areas: i.e., road reserves, parks and nature reserves. The Shire will develop and adopt a strategic plan to guide this work.

The Shire will undertake the landscaping of these public areas in partnership with private land owners, who will be responsible for the landscaping of their own properties. The establishment and ongoing maintenance of landscaped areas on private land will be an integral part of the site planning and development approval process.

#### Landscape Purpose:

Private landholdings will be landscaped in a manner which achieves the following objectives:

- to provide an attractive setting, “front yard” and entry for developments;
- to provide attractive streetscapes which complement street tree planting and other landscape measures undertaken by the Shire within the road reserves;
- to screen unsightly on-site activities or areas;
- to provide shade over paved areas, especially car parking areas;



- to provide plants that are hardy and drought-tolerant, which provide habitat and food for local fauna, and require minimal herbicides and pesticides; and
- to provide a high level of amenity for workers and visitors by providing summer shade, winter sun, and wind breaks.

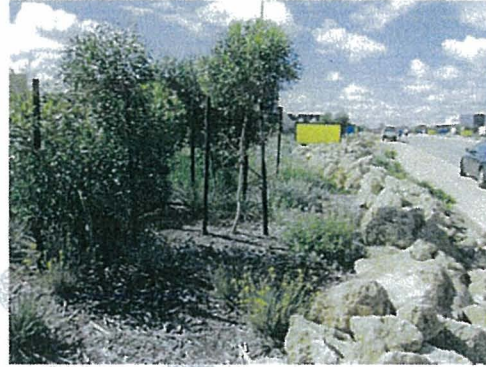
#### Landscape Requirements:

- With the exception of all lots abutting the south side of Sultana Road West east of Milner Road, the first 8m (minimum) of each street frontage of every lot within the Industrial Development Zone shall be set aside, developed and maintained as landscaped (planted) space. The landscaping of this space shall contribute positively to the character of the streetscape.
- Landscaping behind fences should not form a dense screen, except where it is required to screen outdoor storage areas or plant and equipment.
- Perimeter fences may be placed behind landscaping strips, however the landscaping outside the lot boundary should generally require only low maintenance and should not easily trap wind-blown refuse.
- Parking areas for staff, clients and visitors are to be provided with suitable species of canopy tree at a ratio of 1 tree per 6 car bays, spaced evenly throughout the parking area(s). The selected tree species must have a foliage-clear trunk, and a canopy capable of growing up to 5m in width.
- Trees that drop nuisance litter such as fruit, berries, bark, sap and branches are not suitable for planting in car parks.
- Parking areas should be designed to channel some rain water into the areas set aside for planted vegetation. Appropriate ground surfaces should be provided around the base of car park trees to maximise their access to air and water within their root zone. These surfaces could include mulch, gravel, porous paving, ground cover plants or grasses. Impervious paving around the base of trees is not permitted.





- Wheel stops at the front ends of car parking bays must be used to prevent cars damaging trees.
- All landscape designs should be practical and easily maintained.
- All applications for Approval to Commence Development by the Shire of Kalamunda to include a detailed landscape plan as documented in **Appendix 2** of this Policy.
- Narrow landscaped strips (i.e., less than 2m in width excluding kerbs and other barriers) are ineffective and should be avoided.
- Plantings should generally allow views into and across industrial sites rather than seeking to screen them entirely from view. However, landscaping shall be used, perhaps in conjunction with screen fencing, to hide outdoor storage areas.
- Indigenous and “water-wise” plant species are strongly preferred. Large areas of grass should be avoided.
- Significant tree planting should be a feature of every landscape plan. Trees shall be planted within the landscape strip of every street frontage at the minimum rate of one tree for every 6 metres of total lot frontage. These should preferably be planted at staggered intervals in two rows.
- The use of mature/advanced plants to create an immediate visual impact and to enhance the amenity of the area is preferred.
- The landscape design for each site shall be undertaken by a qualified landscape professional. All landscaping and planting shall be undertaken by a qualified contractor.
- Proponents of new developments must make every endeavour to retain any existing large, healthy, mature trees on site, and accommodate their retention and ongoing protection in any site and landscape plan if possible and practical.



Landscape Requirements for Lots Zoned Industrial Development Abutting the South Side of Sultana Road West and Located East of Milner Road:

These lots are planned to be developed for industrial purposes as part of Stage 1, and well before lots on the north side of Sultana Road West in Stage 3 are developed. The lots on the north side of Sultana Road West are currently being used for rural residential-type development. For this reason, an additional level of visual protection from new industrial development for existing residents is warranted.

Therefore, for lots abutting the south side of Sultana Road West and located east of Milner Road, the first 15m (minimum) of the Sultana Road West frontage of every lot shall be set aside, developed and maintained as landscaped (planted) space. The landscaping of this space shall act as a landscaped buffer and provide adequate visual screening from the road of the buildings and activities on the lot, and contribute positively to the character of the streetscape.

Apart from this requirement, all other landscaping requirements listed in the previous section shall apply to lots zoned Industrial Development abutting the south side of Sultana Road West and located east of Milner Road.

## **6.2 Landscape Reticulation**

To ensure plantings are successful, landscaped areas should be irrigated with an appropriate reticulated watering system. Land owners should:

- Install a low flow trickle irrigation system;
- Install a programmable water controller/timer system; and
- Direct rainwater runoff from buildings and hardstand areas to the landscaped areas.

Irrigation should take place at night or early morning to reduce evaporation losses.

It is also recommended that land owners install external rainwater tanks to irrigate planted areas (and/or provide water for internal domestic use such as toilet flushing).

## **6.3 Rainwater/Stormwater Disposal**

All impervious surfaces must be adequately served with appropriate stormwater inlets and on-site pervious drainage swales to ensure all stormwater is handled within the site boundary or treated appropriately prior to legal discharge.

Stormwater is not to be discharged to adjoining properties.

Parking areas should be designed to channel some stormwater into areas set aside for planted vegetation. Water-sensitive urban design measures should be incorporated into site design, including:

- Using grassed swales instead of conventional kerbing and channel drainage;
- Using filter strips such as a maintained grass or vegetated strip; and
- Using stormwater infiltration measures at the end of swales or open drains.

Stormwater runoff from roofs should be sent to rainwater tanks that are plumbed in to irrigate landscaped areas, or for showering and toilet flushing.

Surface grading of all sites must be designed to eliminate ponding or back-up of water.

## **6.4 Waste Management**

Waste storage and disposal facilities should be integrated with the site and building design.

Waste and refuse should be stored in a purpose-built facility, and screened from any adjacent street and staff amenity/recreation areas. Where possible these areas should be contained within the building. Wind-proof cages should be used to prevent scattering of waste.

All inadvertent discharge from equipment and vehicle cleaning, servicing etc., (not captured by the wastewater system) must be cleaned and filtered prior to entry into the stormwater system.

Recycling storage facilities should be provided

## 6.5 Natural Light & Ventilation

To complement the solar passive site layout and building orientation guidelines described in Section 4.0, the following building design initiatives are aimed at conserving non-renewable energy, and improving employee comfort by assisting the penetration into buildings of natural light and ventilation.

### Natural Light:

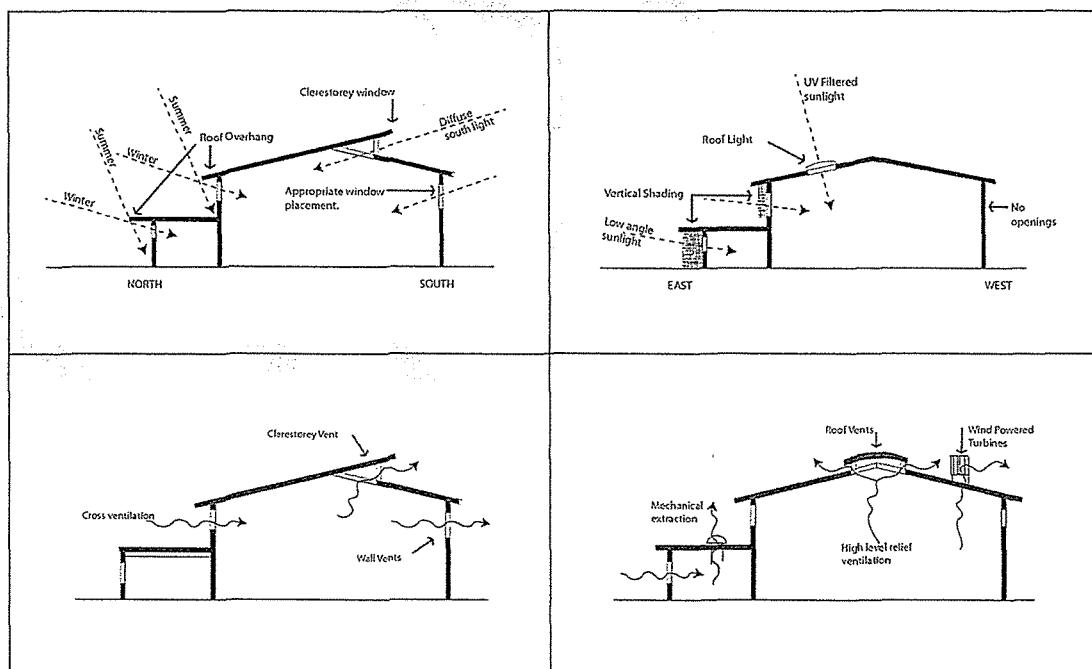
Rooflights have the ability to introduce UV filtered sunlight into the centre of a building. Translucent rooflight material is recommended.

Clerestory windows can introduce natural light (preferably diffused southern light) into the centre of a building, thereby reducing the need for artificial lighting.

### Ventilation:

Side wall ventilation openings can be used to encourage cross-ventilation through a building. Clerestory windows provide an outlet for rising warm air within a building, and also allow cross-ventilation.

Small wind-powered ventilation turbines located on a roof increase a building's air circulation by aiding the extraction of hot air from a building, which then allows cooler air to enter at a lower level. Large roof vents can also assist this process.



**FIGURE 7 – Provision of Cross Ventilation & Natural Lighting**



## **6.6 External Lighting of Buildings & Spaces**

- No glare or light spill from a property should adversely affect adjoining properties or passing motorists. Baffled or directional lighting should be used to minimise this eventuality.
- Energy-efficient lighting systems are recommended for external areas.
- Lights controlled by timer controls or motion sensors are also recommended to save energy.

## **6.7 Internal Lighting of Buildings**

It is recommended that:

- energy efficient light fittings be used; and
- lights controlled by timers, photosensitive cells or motion sensors be used where possible and appropriate.

## **6.8 Water Use & Storage**

The following recommendations are consistent with the Building Code of Australia 5 Star Plus energy and water efficiency measures:

- install solar or 5 star gas (or heat pump) hot water systems;
- install water efficient showerheads;
- install water efficient tap fittings in all kitchen sinks and bathroom basins; and
- fit water efficient dual flush toilets, and/or waterless urinals.

It is also recommended that land owners install external rainwater tanks to irrigate planted areas (and/or provide water for internal domestic use such as toilet flushing). The recycling of grey water will be encouraged.

# **7.0 SITE AMENITY**

## **7.1 Landscape Maintenance**

Conditions of consent or planning approval will require ongoing maintenance of the following items:

- All accidental damage or vandalism should be repaired promptly.
- Preventative maintenance should be undertaken as part of a regularly scheduled process to maintain the appearance, efficiency and safety of the site. A site maintenance manual and schedule should be prepared, updated and used on a recurring basis.
- All dead plants, branches, weeds and leaf litter should be removed on a regular basis. All dead plants should be replaced promptly (subject to prevailing weather conditions).
- Irrigation systems should be checked regularly for leaks and damage.

## 7.2 Building Maintenance

All buildings, car parks, signage and paved areas are to be maintained to a high level of presentation.

- All painted surfaces are to be kept in good repair with regular scheduled repainting as required.
- Preventative maintenance should be undertaken as part of a regularly scheduled process. A building maintenance manual and schedule should be prepared, updated and used on a recurring basis.
- Safety and health must be protected at all times. All accidental damage or vandalism should be repaired promptly.

## 7.3 CPTED & Safer Design

Site layout and design should conform to the principles of "Safer Design", or "Crime Prevention through Environmental Design" (CPTED) principles. These include the provision of:

- clear sightlines;
- pedestrian safety, good connections and access;
- active and passive surveillance of the public realm from private property;
- "neck to knee" clearance zones in landscaped car parks for better surveillance;
- "open" planting adjacent to public thoroughfares;
- good lighting of car parks and pedestrian routes;
- visually permeable fencing along open space edges to sites;
- clear direction signage;
- vandal-proof fittings on furniture, lights and other items; and
- robust materials.

## 8.0 DEVELOPMENT ADJACENT TO THE NORTHERN BUFFER ZONE (Poison Gully)

As part of the Indicative Development Plan for Stage 3 of the Forrestfield/High Wycombe Industrial Area, a "Vegetation Protection/Enhancement Area" is proposed for the land containing, and adjacent to, Poison Gully. This land is intended to act as a buffer zone between the industrial area and the (mostly) residential areas located immediately to the north.

For lots abutting the buffer zone, the following additional requirements apply:

- Industrial activities which generate significant noise levels may not be permitted. Noise activities may only be permitted if the noise is contained within the site, for example, within a solid masonry building. Environmental Protection Authority noise control policies should also be consulted.
- The rear setback for any proposed new building, and the activities that are intended to take place within the rear setback, will be carefully considered by the Shire of Kalamunda, with a view to minimising any potential negative impacts on nearby residents.



- A strip of land 5m in width and abutting the buffer zone shall be planted with species of local provenance, and protected and maintained.
- No new developments, nor the uses or processes carried out on-site, shall be permitted to adversely affect the amenity of the nearby urban areas due to poor building or site appearance. The transportation or storage of materials and vehicles, the nature of the goods produced, emissions of waste products, noise, smells or smoke shall not be permitted to have an undue adverse impact on the amenity and environment of nearby residents.

## 9.0 DEVELOPMENT ADJACENT TO OTHER PROTECTED PUBLIC AREAS

[Refer to the draft Indicative Development Plan (**Figure 3**, Section 2.0)]

For private land zoned "Industrial Development" and located adjacent to:

- the Regional Reserve land; or
- vegetation protection/enhancement areas; or
- informal/formal recreation spaces,

a strip of land 10m in width and abutting the said protected public land shall be planted with species of local provenance, to the satisfaction of Council, and protected and maintained.





## APPENDIX 1 – Development Application Requirements

1	Completed Schedule 6 Form signed by the property owner.
2	Prerequisite planning fee.
3	Copy of Certificate of Title.
4	<p>Detailed written statement in support of proposal, including but not limited to:</p> <ul style="list-style-type: none"> <li>▪ Type of use/development.</li> <li>▪ Hours of normal and peak operation, and number of employees.</li> <li>▪ Compliance with the Town Planning Scheme, this Local Planning Policy, and any other applicable Detailed Area Plans, Structure Plans, Outline Development Plans and other applicable Shire of Kalamunda policies.</li> <li>▪ Justification for any proposed variations.</li> <li>▪ Distance of all structures from nearest boundaries.</li> <li>▪ Existing and proposed building envelope (if applicable)</li> </ul>
5	<p>Site plan (4 copies) of a scale of no less than 1:500 showing:</p> <ul style="list-style-type: none"> <li>▪ Lot number(s), land area, boundaries, dimensions of the site and a north point (preferably to the top of the page).</li> <li>▪ Location of existing buildings and landscaping to be retained.</li> <li>▪ Existing ground features including watercourses.</li> <li>▪ Location of proposed buildings and landscaping.</li> <li>▪ Details of effluent disposal systems.</li> <li>▪ Gully and manhole locations, pipe sizes, subsoil drainage requirements, falls to paved areas, falls to landscaped areas, proposed connection of Shire system and soak wells.</li> <li>▪ Existing and proposed contours and floor levels, embankments and retaining walls.</li> <li>▪ Location and type of any easements.</li> <li>▪ Details of roads, accessways, crossovers, visitor and staff car parking, commercial vehicle parking and manoeuvring, location of loading/unloading areas, fencing location and type, and any proposed verge treatments.</li> <li>▪ Details of any open space and staff amenity areas.</li> <li>▪ Schedule of materials, colours and finishes.</li> <li>▪ Location and details of any cut and fill, and method of retaining.</li> <li>▪ Location and type of bin storage areas and recycling facilities.</li> <li>▪ Statement regarding all energy efficiency measures proposed, and how it is planned to minimise water use.</li> </ul>
6	<p>Floor plans (4 copies) of a scale of no less than 1:500 showing:</p> <ul style="list-style-type: none"> <li>▪ Internal dimensions.</li> <li>▪ The uses to take place in each part of the building(s)</li> <li>▪ Public &amp; staff facilities clearly marked.</li> <li>▪ All entrances and fire exits.</li> </ul>
7	Elevations (4 copies) of a scale of no less than 1:500 showing external dimensions, fixtures & lighting details.
8	Coloured streetscape elevation(s) (4 copies) for all developments exceeding \$1M.
9	Signage strategy. (Advertising, information and directional)
10	Landscape plan. (See Appendix 1)
11	Landscape reticulation plan. (See Appendix 1)

\*

## APPENDIX 2 – Landscape Plan & Reticulation Plan Requirements

Landscaping has the potential to improve the visual amenity and environmental sustainability of all urban areas, including light industrial areas. Landscaping should not only complement the appearance of a proposed development but also that of surrounding land uses. Consequently the Shire of Kalamunda requires that detailed landscape and reticulation plans accompany all new industrial development applications.

### Landscape Plans

A landscape plan must include the following information:

- A site plan with a scale of not less than 1:200 illustrating all the areas proposed to be landscaped.
- A legend of plants showing botanical names of the proposed vegetation types.
- Quantity of plants, their spacing, and landscape vegetation.
- Pot sizes of plants at the time of planting.
- Identification of existing vegetation types, their botanical names and their intended use.
- Details of ground treatment such as paving, grass, etc.
- Details indicating how water harvesting of impervious surfaces will be undertaken and used to irrigate landscaped beds.
- Approximate location of neighbouring buildings to fence lines.
- Location of any existing, and proposed, fences.

Landscaping is required to be installed in accordance with an approved landscape plan.

### Landscaping on Council Verges

- All landscape plans must clearly show any proposed treatments or landscaping proposed to take place within the Council verge: e.g., grass and paving.
- Any existing trees located on the Council verge must be shown.
- No street trees shall be removed unless written approval is obtained from the Manager Parks.

### Shade Tree Requirements for Car Parking Areas

The Shire requires proponents to plant a minimum of one shade tree for every 6 car bays provided on the lot, to Council's satisfaction.

### Reticulation Plans

A reticulation plan will accompany the landscape plan. It shall detail:

- Scheme and bore water requirements.
- The approved bore licence from the Department of Environment and Conservation.
- Any other proposed sources of water (e.g., rainwater tanks).
- Locations of compensating basins and sumps.
- Methods of reticulation (such as trickle or fixed systems).
- Indicate the method of operation (automatic/manual).
- The watering schedule.

## Planning of Indigenous Species

Indigenous and “water-wise” plant species are strongly preferred. Indigenous plants are adapted to the local climate, and provide habitat and food for local fauna. Large areas of grass or lawn should be avoided.

The Shire encourages all proponents of new developments to use indigenous vegetation species when preparing landscape plans.

Please contact the Shire’s Planning Services for enquiries.

\*



# Shire of Kalamunda

~ Notes ~

## Treatment of Road Reserves Within the Forrestfield/High Wycombe Industrial Area

### 1.0 PRINCIPLES:

- Because the bulk and scale of the industrial buildings within the estate is likely to be significant, it is recommended that tall Eucalypt trees be planted as verge trees. These will also complement the large number of existing tall trees that occur throughout the estate, on both public and private land, many of which are recommended for retention during the staged development process.
- Road verges should be mulched. It would be prohibitively costly to plant, reticulate and maintain landscaped verges throughout the estate.
- Simple "entry statements" should be provided at the main entry points to the estate.

### 2.0 STREET TREE SELECTION - Tall Eucalypts:

Myrtle Rust quarantine measures may mean that some species of Eucalypts are unavailable from nurseries. Therefore a number of options have been listed:

In alphabetical order:



***Corymbia (Eucalyptus) maculata***

**Spotted Gum**

Height to 20m, straight trunk, mottled smooth bark, very tough and consistent.



***Eucalyptus camaldulensis***

**Red River Gum**

Height up to 30m, smooth trunk character. Plant closely for denser canopy, may drop branches if conditions too dry.

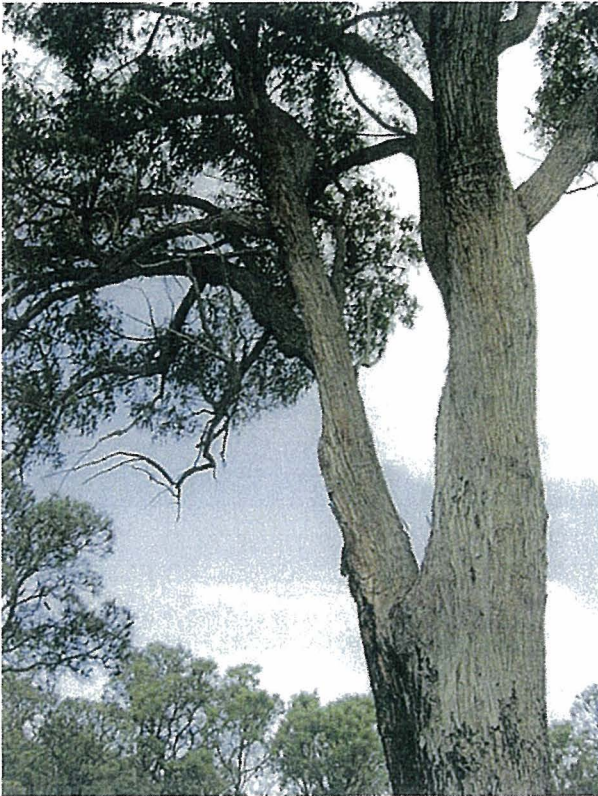


***Eucalyptus gomphocephala***

**Tuart**

Height up to 40m, local species, nice trunk character.





***Eucalyptus marginata***

**Jarrah**

Height up to 40m, local species, good habitat but vulnerable to dieback.



***Eucalyptus salmonophloia***

**Salmon Gum**

Height to 30m, beautiful coloured smooth trunk character, suitable for clay soils



*Eucalyptus sideroxylon*

**Red Ironbark**

Height up to 30m (slightly less for 'Rosea'), rough black trunk character,

### 3.0 ENTRY STATEMENT COSTING:

Entry statements may be installed on one or both sides of the road at the main entry points to the estate. The costing below is for one side only, so costs would be double if installing an entry statement on both verges.

#### Estimated costs construction per entry statement (one verge only) -

Feature bed of colourful water-wise natives (Includes retic., soil, mulch and plants)	2m x 4m x \$100m2	= \$ 800
Advanced specimen trees (Includes retic, soil, mulch and 190L trees)	3 x \$250	= \$ 750
"Rammed earth" entry wall (Block and render may be 50% less)	2Lm x 1m high	= \$1,000
Signage (Approx amount only)		= \$1,000
Contingency 5%		= \$ 180

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<b>Sub Total</b>	<b>= \$3,730</b>
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#### Estimated costs annual maintenance per entry statement (one verge only) -

5% of installation (to replace failed plants etc.)	= \$180
1hr per month @ \$40	= \$480

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<b>Total each statement annually</b>	<b>= \$660</b>
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### 4.0 ESTABLISHMENT COST FOR MULCHED VERGES:

The Shire would have accurate cost estimates available for purchasing trees and mulch, and installation of both. Consult relevant officer(s).

### 5.0 MAINTENANCE COSTS FOR MULCHED VERGES:

#### First 3 years -

Assumes new trees, mulched surface, summer watering by truck, one tree per 10 Lm in a 5m verge depth #

5% of installation (to replace failed trees)	= \$ 10
45mins x \$40ph x 26 weeks	= \$780
Water and truck (approx.)	= \$100

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Cost per 10 Lm in a 5m verge width per annum	= \$890
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<b>Assuming trees planted both sides of every street = \$890 x 2</b>	<b>= \$1,780 per 10m length of road</b>
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**NOTE #:** Means 10 linear metres with a verge depth of 5 metre. At this stage the verge widths are unknown so a 5m width has been assumed. The tree spacing has been assumed to be 10 metres.

**After establishment -**

Assumes established trees, mulched surface, occasional summer watering by truck, one tree per 10 Lm in a 5m verge depth.

5% of installation (to replace failed trees)	= \$ 10
Mulch top-up and spray weeds	= \$ 80
45mins x \$40ph x 4 weeks	= \$120
Water and truck (approx.)	= \$ 50

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Cost per 10 Lm in a 5m verge depth per annum	= \$260
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**Assuming trees planted both sides of every street = \$260 x 2 = \$520 per 10m length of road**

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

**10.4.5 Request for Expression of Interest EOI 1005 – Land Lease and Community Housing Development Lot 106 (88) Hale Road Forrestfield**

Previous Items	OCM 165/2010 OCM and OCM33/2011 OCM81/2011
Responsible Officer	Director Corporate and Community Services
Service Area	Property and Procurement
File Reference	PG-DEV-041
Applicant	N/A
Owner	N/A

**PURPOSE**

1. To provide Councillors with an update on progress of negotiations with Access Housing and a recommendation to conclude the EOI 1005 – Land Lease and Community Housing Development Lot 106 (88) Hale Road Forrestfield – process.

**BACKGROUND**

2. At the Ordinary Meeting of Council held on 15 November 2010 Council resolved (OCM 165/2010) to call for expressions of interest for the development of community housing in accordance with the Department of Housing requirements and also the land lease and development of Commercial/Office components of the Business Plan.
3. At the Ordinary meeting of Council held on 21<sup>st</sup> March 2011 Council resolved (OCM33/2011):

*That Access Housing be asked to further develop the proposal submitted taking into account and addressing the feedback provided by Councillors, with a further presentation being made to Councillors prior to the Ordinary meeting of Council to be held on Monday 18 April 2011*

4. Access Housing sort an extension of time from the 18 April 2011 and the presentation was then held on 23 May 2011.
5. At the Ordinary Meeting of Council held on 20 June 2011 Council Resolved OCM81/2011
  1. Appoint Access Housing as the preferred respondent to Expression of Interest 1005.
  2. Request Access Housing present a formal submission that addresses the following:
    - Proposed one off Payment of \$1 million for a 30 year lease with a 30 year option – in lieu of an annual ground lease fee.

- Payment of Local Government Rates each year at the current valuations provided and updated by the Valuer General and at the appropriate rate in the dollar set by Council each financial year.
- Detail on how the built form is likely to look and provide information on where similar structures exist that Councillors can visit.
- Proposed mix of tenancies.
- Commercial tenancies (if any proposed) to be located at ground level with residential units above.
- Maintenance of all buildings and facilities including but not limited to roads, paths, gardens, lawns, trees within the leased area.

## **DETAILS**

6. Access Housing made a further presentation to Councillors on 21 November 2011 and provided a very different proposal than that presented at their 23 May 2011 presentation.
7. Senior staff met with Access Housing on 30 November 2011 to further discuss the proposal and put together a draft memorandum of understanding.
8. At this meeting Access Housing advised that they would require freehold title over a portion of the Woodlupine site.

## **STATUTORY AND LEGAL IMPLICATIONS**

9. The EOI has been conducted in accordance with requirements of the *Local Government (Functions and General) Regulations 1996*.

## **POLICY IMPLICATIONS**

10. Nil

## **PUBLIC CONSULTATION/COMMUNICATION**

11. The Business Plan developed for the development and disposal of the land was advertised for Public Comment in September 2010 with no comments being received.

## **FINANCIAL IMPLICATIONS**

12. **Project Income**

The initial proposal presented by Access Housing provides Council with opportunity to invest \$1million dollars which at current rates of 6% will provide an interest income of \$60,000 per annum.

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## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

13. The Land Lease of the site will assist Council in addressing
- Goal 1; Community Development – Outcome 1.1 Enhanced quality of life for the aged and disabled.

### **Sustainability Implications**

#### Economic Implications

14. The development will address:
- Goal 2 of the Strategic Plan; Built Environment – Sustainably manage the built environment and to effectively plan for future community needs and population growth.

#### Environmental Implications

15. The development will provide rehabilitation work to some portions of Woodlupine Creek.

## **OFFICER COMMENT**

16. The latest proposal from Access Housing and the requirement for some freehold title land now varies quite markedly from the original proposal in not only built form but also financial returns to the Shire.
17. The Business Plan developed for this project included the proposal to subdivide the land and lease long term two portions of Lot 106 (88) Hale Road for development of community housing and new/office commercial units

## **RECOMMENDATION**

1. That Council:
1. Advise Access Housing that the requirement for freehold ownership of a portion of the land is a major variation from the original proposal and not within the business plan adopted for the project.
  2. Access Housing be advised that their current proposal no longer meets the requirements of the EOI and that Council no longer wishes to proceed with EOI 1005.
  3. A concept plan be developed for the whole of the land within Lot 106 (88) Hale Road, that clearly defines the area's of land to be provided for:

- 
- Community Housing
  - Library/Community Hub
  - Commercial opportunities
  - Parking
  - Re-zoning requirements
4. Make application for rezoning of the whole of the area as R40/R60.
  5. Make application for subdivision in accordance with the requirements of the concept plan.

Moved:

Seconded:

Vote:



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

**10.4.6 Metropolitan Local Government Review Panel Issues Paper – Submission from the Shire of Kalamunda**

Previous Items

Responsible Officer Chief Executive Officer

Service Area Office of CEO

File Reference

Applicant N/A

Owner N/A

Attachment 1 Draft Metropolitan Local Government Review Panel Issues Paper – Submission from the Shire of Kalamunda – December 2011

**PURPOSE**

1. To seek Council endorsement of the attached Draft Metropolitan Local Government Review Panel Issues Paper – Submission from the Shire of Kalamunda – December 2011.

**BACKGROUND**

2. An independent panel was established in June 2011 by the Minister for Local Government to review metropolitan local governments. The panel comprises:
  - Professor Alan Robson – Vice Chancellor of UWA - Chairman
  - Dr Peter Tannock former Vice Chancellor of Notre dame university
  - Dr Sue van Leeuwen CEO of Leadership WA.
3. The panel's purpose is to recommend appropriate boundaries and governance models for local governments in the Perth metropolitan area.
4. A issues paper was released by the panel on 31 October 2011 and called for submissions by the 23 December 2011
5. Panel brief is to make recommendations to the Minister of Local Government by June 2012.

**DETAILS**

6. The terms of reference of the panel are
  1. Identify current and anticipated specific regional, social, environmental and economic issues affecting, or likely to affect, the growth of metropolitan Perth in the next 50 years.
  2. Identify current and anticipated national and international factors likely to impact in the next 50 years.
  3. Research improved local government structures, and

- 
- governance models and structures for the Perth metropolitan area, drawing on national and international experience and examining key issues relating to community representation, engagement, accountability and State imperatives among other things the panel may identify during the course of the review.
4. Identify new local government boundaries and a resultant reduction in the overall number of local governments to better meet the needs of the community.
  5. Prepare options to establish the most effective local government structures and governance models that take into account matters identified through the review including, but not limited to, community engagement, patterns of demographic change, regional and State growth and international factors which are likely to impact.
  6. Present a limited list of achievable options together with a recommendation on the preferred option.
7. The Shire has developed an extensive submission that has produced a collective view for the Shire.
  8. The Shire has consulted directly with its community through a series of focus groups which as been represented within the Shire's submission and can demonstrate that its community sees no benefit to be gained from major boundary adjustments or amalgamations with existing neighbours. In fact the community and Shire agree that dilution of services will occur under an amalgamated model as well a significant loss of local identity given the hills, the foothills and the valley regions of the east metro area contain such distinct communities of interest, unlike the homogeneity of the suburbs in and around the Perth CBD.
  9. The Shire has collaborated with Local Government Managers Association, WALGA and other Local Governments in sharing ideas and information in order to ensure key Local Government wide issues are being consistently raised
  10. The Shire of Kalamunda's preferred position is to remain a sustainable, viable Local Government in its own right. In this submission the Shire will demonstrate that it has the organisational and financial capacity to meet current and future community needs and has the strategies and plans in place to close the financial gap between community needs and service delivery.
  11. The Shire can also demonstrate that it can achieve the State's priorities without major boundary adjustments. However, the Shire has outlined some minor boundary changes that it believes would tidy up the Shire in its current form and these are outlined in the submission.
-

12. The Shire and its community are firmly of the view that the State Government in its reform process should look more closely at the range of services and functions of Local Government (LG) before it makes decisions about form or structure. There is a real concern amongst the community and the Council that "mission creep" has impacted on the long term financial viability of local government.
13. There was strong concern in the community that bigger Councils were more prone to risks and corruption and recent publicity being circulated surrounding the financial difficulties being experienced in the Super councils that have been held up as models by the State Government is very concerning

#### **STATUTORY AND LEGAL IMPLICATIONS**

14. Nil.

#### **POLICY IMPLICATIONS**

15. Nil.

#### **PUBLIC CONSULTATION/COMMUNICATION**

16. Nil.

#### **FINANCIAL IMPLICATIONS**

17. Nil.

#### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

##### **Strategic Planning Implications**

18. *Shire of Kalamunda Strategic Plan 2009-2014*  
4.1.1

##### **Sustainability Implications**

###### Social implications

19. Local Government reform will likely impact on the way services are delivered to the community.

###### Economic Implications

20. The cost of Local Reform in other State's is well documented and very costly.

###### Environmental Implications

21. Nil

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**OFFICER COMMENT**

22. Whilst the submission has received input from as many stakeholders as possible the officers have had the responsibility for compiling the data.

Given the document is at draft stage should Councillors wish to make changes to the draft version then this is feasible and the officers recommendation following takes this into account.

The submission is required to be lodged on 23 December 2011.

**OFFICER RECOMMENDATION**

That Council:

1. Endorses the Draft Metropolitan Local Government Review Panel Issues Paper – Submission from the Shire of Kalamunda – December 2011 subject to any further identified changes being required.

Moved:

Seconded:

Vote:



## **Item 10.4.6 Metropolitan Local Government Review Panel Issues Paper – Submission from the Shire of Kalamunda**

**ATTACHMENT PROVIDED UNDER SEPARATE COVER**



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

**10.4.7 Proposed District Boundary Changes Between the Shire of Kalamunda and City of Swan and Shire of Kalamunda and City of Gosnells**

Previous Items:	OCM 61/2011
Responsible Officer	Director Corporate and Community Services
Service Area	Corporate Services
File Reference	EOI 1101
Applicant	N/A
Owner	N/A
Attachment 1	Plan of the proposed new boundary with the City of Gosnells
Attachment 2	Plan of the proposed new boundary with the City of Swan
Attachment 3	Plan of the proposed new boundary with the City of Swan and Shire of Mundaring

**PURPOSE**

1. For Council to approve a proposal being made to the WA Local Government Advisory Board ("the Board") seeking changes to the Shire of Kalamunda District Boundary.

**BACKGROUND**

2. The Shire of Kalamunda has previously considered a number of possible district boundary changes with neighbouring local governments, most recently as part of the 2009 Structural reform process. None of the proposals identified in the Shire's 2009 Structural Reform Submission have been pursued to date.
3. The current proposals are aimed at providing a better district boundary alignment in two specific areas.

**DETAILS**

**Proposed Boundary Change – Shire of Kalamunda and City of Swan/Shire of Mundaring**

4. New alignment – from the point where the current boundary of the City of Swan and Shire of Kalamunda intersects Roe Highway then northerly along the western side of Roe Highway until the intersection of Roe Highway and Bushmead Road/Helena Valley Road and then easterly along the southern side of Helena Valley Road until it intersects with the current district boundary of the Shire of Kalamunda and the Shire of Mundaring.

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**Proposed Boundary Change – Shire of Kalamunda and City of Swan**

5. New alignment - from the point where the current boundary of the City of Swan and Shire of Kalamunda intersects Roe Highway then northerly along the western side of Roe Highway until the intersection of Roe Highway and Bushmead Road/Helena Valley Road and then easterly along the southern side of Helena Valley Road until the current district boundary of the City of Swan and Shire of Mundaring then southerly along that boundary until the current district boundary of the Shire of Kalamunda and the City of Swan.

**Proposed Boundary Change – Shire of Kalamunda and City of Gosnells**

6. New alignment - from the point where the boundary meets Welshpool Road in the vicinity of Roe Highway, then easterly along Welshpool Road on the southern side until the intersection with Tonkin Highway, then south along the western side of Tonkin Highway until the intersection with Kelvin Road, then northerly along the northern side of Kelvin Road until the current district boundary of the Shire of Kalamunda and City of Gosnells.

**STATUTORY AND LEGAL IMPLICATIONS**

7. Schedule 2.1(2) of the *Local Government Act 1995* ("the Act") provides the opportunity for a local government to submit a proposal to the Local Government Advisory Board seeking an amendment to its district boundary.
8. Schedule 2.1(3) of the Act provides for the Board to consider any proposal made. Under these provisions the Board can decide that a proposal is one of a minor nature and recommend to the Minister for Local Government that it proceed.

**POLICY IMPLICATIONS**

9. Nil.

**PUBLIC CONSULTATION/COMMUNICATION**

10. Whilst general public consultation has not occurred on this proposal, meetings have been held with the Cities of Swan and Gosnells and Shire of Mundaring.

**FINANCIAL IMPLICATIONS**

11. There are no immediate financial implications from this proposal. However there will be increased revenue from rates and increased expenditure for various services to be provided to the new areas added to the Shire.



## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

12. Nil.

### **Sustainability Implications**

#### Social implications

13. Nil.

#### Economic Implications

14. Nil.

#### Environmental Implications

15. Nil.

## **OFFICER COMMENT**

16. Whilst these proposed changes to the district boundary are designed to improve the boundary alignment, they will nevertheless add some additional population to the Shire of Kalamunda, with potential for further growth from additional development, particularly in the Helena Valley area and on land previously in the City of Swan.
17. In discussions with the Councils concerning the proposed boundary changes, the City of Gosnells was positive with no objections being raised to the proposal, whilst the City of Swan acknowledged the proposal, they were noncommittal.
18. Although there has been no recent discussions with the Shire of Mundaring, previous discussions regarding the proposal in (Attachment 3) have not been positive. Nevertheless they have been formally advised of the Shire of Kalamunda intention to pursue this proposed boundary change with the Local Government Advisory Board.
19. To accommodate the processes of the Advisory Board it is prudent that each of the proposals is the subject of a separate submission.

## **RECOMMENDATION**

That Council:

1. Resolves to make three proposals in accordance with clause 2 of Schedule 2.1 of the Local Government Act 1995, to the WA Local Government Advisory Board seeking an amendment to the Shire of Kalamunda district boundary

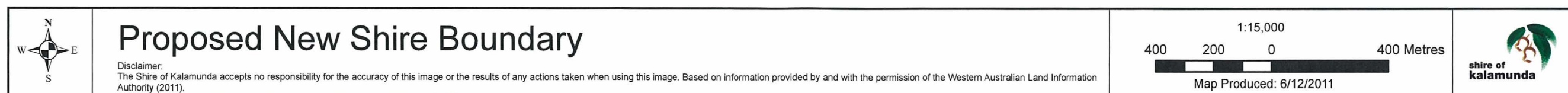
- 
- a. With the City of Gosnells as per (Attachment 1).
  - b. With the City of Swan as per (Attachment 2).
  - c. City of Swan and Shire of Mundaring as per (Attachment 3).

Moved:

Seconded:

Vote:

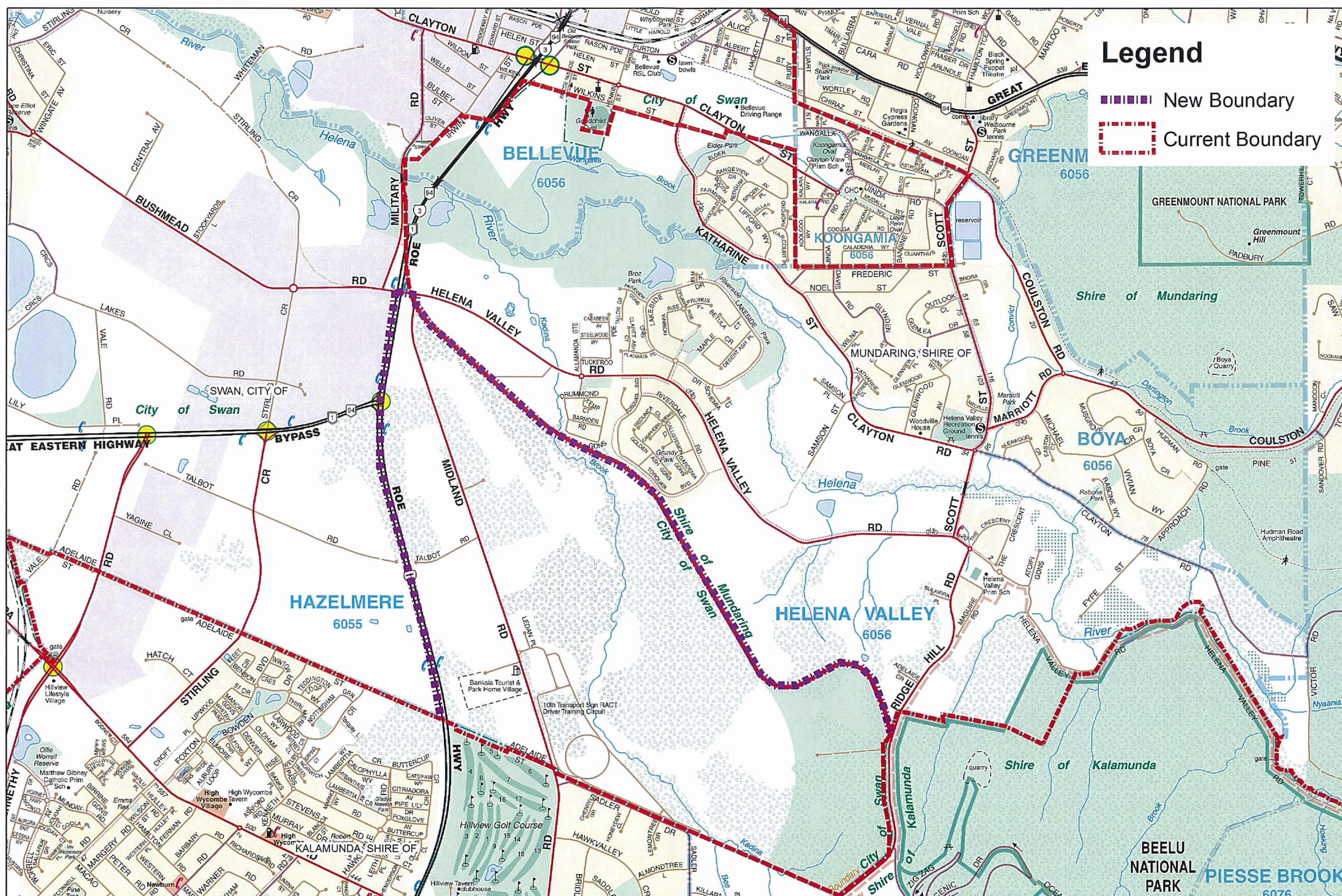












## Proposed New Shire Boundary

Disclaimer:  
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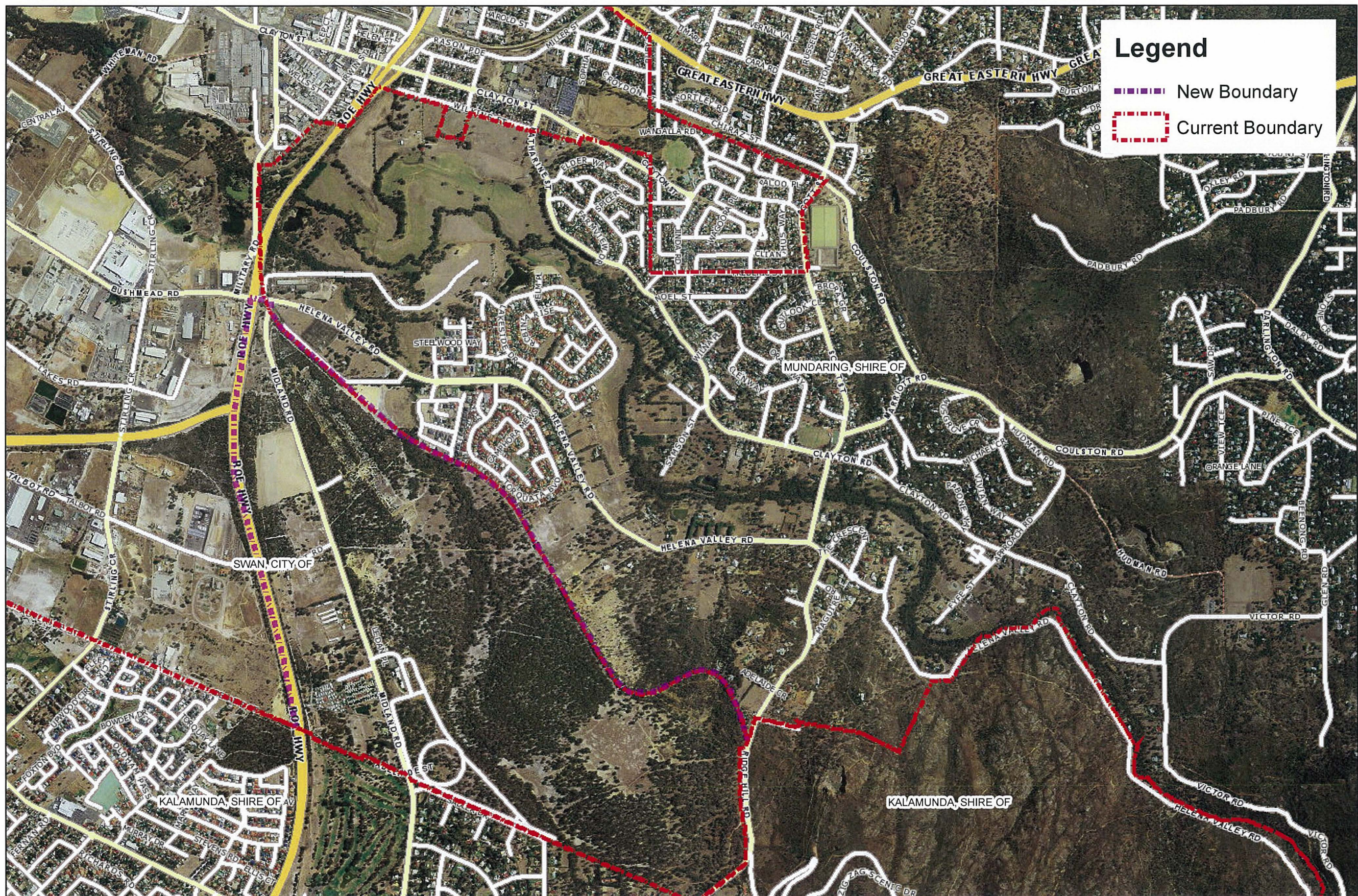
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Map Produced: 14/12/2011







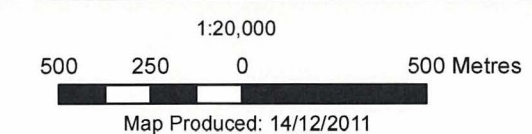
## Legend

- New Boundary
- Current Boundary

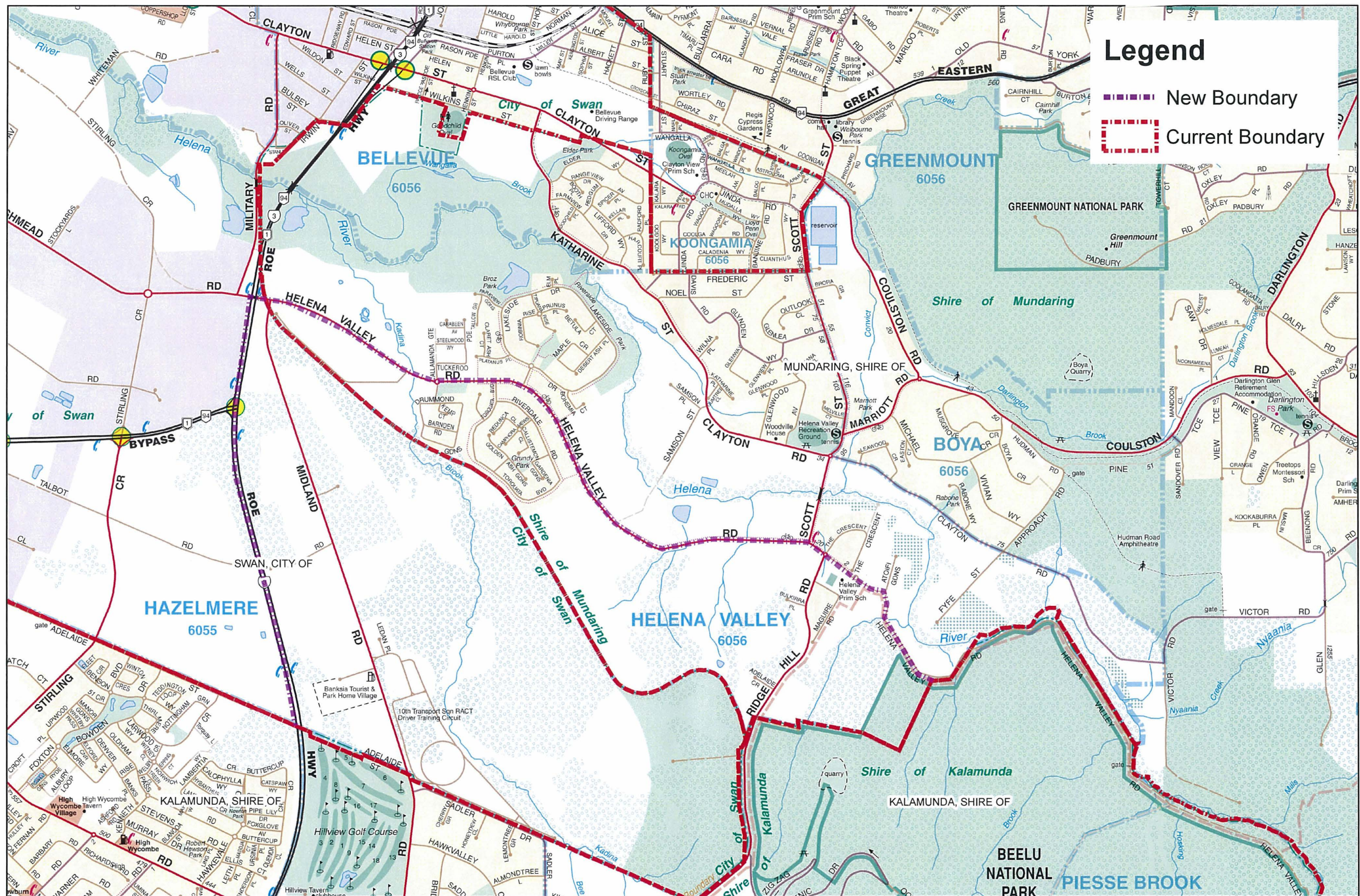


## Proposed New Shire Boundary

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## Legend

- New Boundary
- Current Boundary

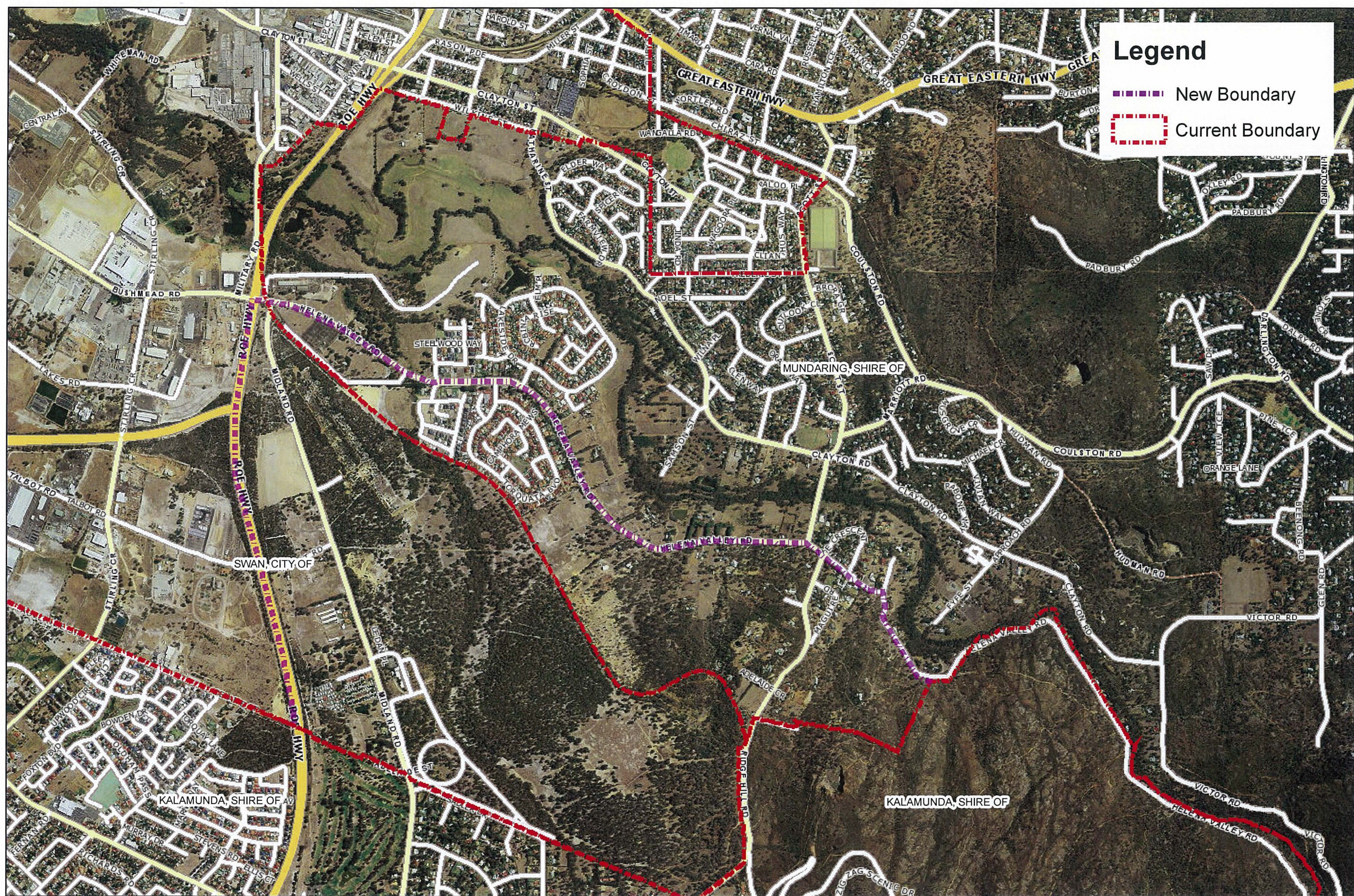
## Proposed New Shire Boundary

Disclaimer:  
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Map Produced: 6/12/2011







**Legend**

- New Boundary
- Current Boundary



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

#### **10.4.8 Circus of Joseph Ashton**

Previous Items:	N/A
Responsible Officer:	Chief Executive Officer
Service Area:	Office of the CEO
File Reference:	CO-CEV-023
Applicant:	N/A
Owner:	N/A

Attachment 1	Conditions and Requirements
--------------	-----------------------------

#### **PURPOSE**

1. To outline the process applied to determine approval for Circus Joseph Ashton to run in November 2011 at Fleming Reserve.

#### **BACKGROUND**

2. Circus Joseph Ashton applied to the Shire of Kalamunda to hold three shows in 2011 on a Shire reserve. The Circus tours Perth annually and has recently been located at a City of Belmont venue and currently at a City of Swan venue at Bullsbrook.

#### **DETAILS**

3. Upon initial application to hold the Circus on a Shire of Kalamunda reserve, Shire officers met to assess the request. Discussions were held with the applicant in relation to the necessary approvals process and the applicant was advised that feedback would be sought from local residents to the chosen location of Fleming Reserve. An official Event Application was submitted by the Circus initiating a detailed process of approval.
4. The Chief Executive Officer initially reviewed information outlining the background to the request with the instruction to Shire officers to advise local residents of the request, seeking their feedback prior to making a decision, as outlined in Policy FAC4-Circuses on Council Reserves.
5. In addition, Shire Health, Parks and Recreation Officers assessed the application and put forward a number of conditions (outlined in Attachment 1) under which the final approval would be made.

#### **STATUTORY AND LEGAL IMPLICATIONS**

6. Health Act 1911, Health (Public Buildings) Regulations 1992  
Food Act (2008)

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**POLICY IMPLICATIONS**

7. The application from the proprietor, Joseph Ashton, was conducted according to Policy FAC4-Circuses on Council Reserves reviewed in September of 2008:

*"Applications from circuses involving animals or animal acts to use any Parks or Reserves vested to the Shire of Kalamunda or under the care, control or management of the Shire of Kalamunda will be assessed on a case by case basis. Each application is to be considered by the Chief Executive Officer."*

**PUBLIC CONSULTATION/COMMUNICATION**

8. Prior to granting approval, feedback in relation to siting the Circus at Fleming Reserve was sought from local residents. Residents were given two weeks to provide their comments on the proposal. Feedback was overwhelmingly positive with every recipient being in favor of holding the event on the reserve.
9. All recipients made comment on provision for parking. This factor was of concern to officers at the time of application. Officers therefore formulated a strategy to prevent visitors from parking on verges adjoining the Reserve. Resident feedback was received by phone. They were informed of the planned strategy during the course telephone discussions. It was arranged for one respondent to have "No Parking" signage located at the rear of her property in order to keep disruption to a minimum for the duration of the event.
10. One email was received after the event had taken place, objecting to all animals being permitted on Shire Reserves for the purpose of entertainment.

**FINANCIAL IMPLICATIONS**

11. All fees and charges incurred by officers relating to this event were paid in full. The bond funds (\$1000) are to be returned as Parks Services are satisfied that Circus Joseph Ashton did not damage the reserve.

**Recreation:**

Based on the Fees and Charges for Casual Use Non Sporting, a charge of \$1,020 was implemented. This charge included the cost of power and water consumption.

**Health:**

Based on the Fees and Charges for the assessment of the application for two hours at \$70 per hour = \$140

**Parks:**

Venue Bond returnable at the end of the hire period = \$1000

Total fees: \$2,160 were paid upon approval of the application.

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## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

12. Nil.

### **Sustainability Implications**

#### Social Implications

13. Residents welcomed the opportunity to have a circus close at hand in terms of family entertainment.
14. An email was sent to councillors by a Kalamunda resident after the event objecting to all animals being permitted on Shire Reserves for the purpose of entertainment.
15. The resident received a comprehensive reply from councillors. It stated that whilst the question of animals in circuses was an emotive one, Circus Joseph Ashton complied to the recommended National Circus Standards as established in 2005 by the National Consultative Committee on Animal Welfare through the Department of Agriculture, Fisheries and Forestry. Under these regulations, the animals are regularly inspected by the RSPCA. With these checks in place, the Circus would continue to be supported by the Shire of Kalamunda.

#### Economic Implications

16. Nil.

#### Environmental Implications

17. Nil.

### **OFFICER COMMENT**

18. Circus Joseph Ashton complied with all conditions of approval set out by Health Services, Recreation Services and Parks and Reserves. No negative feedback was received from either residents or audience members throughout the three day event.

### **RECOMMENDATION**

That Council:

1. Receives this report regarding the Circus Joseph Ashton event held in the Shire of Kalamunda in November 2011.



- 
2. Accepts that applications from circuses will continue to be assessed on a case by case basis, as set out in Policy FAC4-Circuses on Council Reserves.

Moved:

Seconded:

Vote:

	Conditions and Requirements	Staff Notes
<b>Emergency Lighting and Exits</b>	Total exit width required (events over 50 people must have at least 2 exits) = 4.0	
	Venue must have emergency lighting that will operate if the main source fails.	
	Stairs, ramps and exit paths in areas where lighting will be dim or extinguished must have safety lighting on a separate circuit to the main and emergency lighting.	
	All indoor exits must have exit signs compliant with AS2293. <del>Outdoor exit signs must be illuminated by 2 light sources and be of the dimensions as shown in Table 1 – Exit Sign Signage</del>	Not Applicable
	A Temporary Food Stall Application must be lodged by each food stall operator a minimum of 14 days prior to the event, a \$52 fee is applicable for each food stall. Application form is enclosed.	
<b>Food Stalls</b>	A licensed electrical contractor must complete a "Form 1, Certificate of Electrical Compliance" and "Certificate of Testing for Portable Electrical Equipment", certificates enclosed. All flexible cords, portable outlet devices and residual current devices must be tested and tagged within 6 months of the event.	
<b>Electrical Installations</b>	Electrical cables must not be accessible to the public. Where this is unavoidable they must be either buried or suspended to be out of reach.	
	A noise notification letter for all residents with 100m of the reserve, must be delivered to those residents at least 7 days prior to the event and include the nature and times of the event and a contact telephone number that will be manned at all times during the event. A copy of the letter must be provided for our records.	
<b>Noise</b>	<del>An application for a noise exemption must be made to the Chief Executive Officer of the Shire at least 60 days prior to the event and accompanied by a \$500 application fee in accordance with regulation 18 of the Environmental Protection (Noise) Regulations 1997.</del>	Discussions between the shire and circus proprietor identified the conditions was not applicable.
	All indoor enclosed venues/marquees and egress paths must be adequately illuminated (to at least 40 lux). This lighting circuit must be separate from any other event production lighting, controlled from a central position and able to be illuminated within 3 sec of being turned on and supplied from mains or an approved generator.	
<b>Lighting</b>	All indoor enclosed venues/marquees and egress paths must be adequately illuminated (to at least 40 lux). This lighting circuit must be separate from any other event production lighting, controlled from a central position and able to be illuminated within 3 sec of being turned on and supplied from mains or an approved generator. Outdoor areas accessible to the public at night must be illuminated (to at least 10 lux). <del>Areas licensed for alcohol or crowded areas (eg: concerts), must also have an</del>	Not Applicable

	<p><del>instantaneous floodlighting system in case of emergencies.</del></p> <p><del>An application to erect a spectator stand must be made to the Shire and accompanied by full structural details, seating and aisle layout, location on site plan and Structural Engineer certification. Spectator stands must meet the following requirements: footing to be on substantial hardwood base (300mm x 200mm x 40mm thick) unless otherwise authorised by a structural engineer; stairs shall have treads 280-355mm deep of non-slip solid construction (no mesh or perforations) with uniform risers of 115-180mm and full aisle width; balustrades must be installed to prevent fall from all areas more than 1000mm above surrounding floor or ground; aisles shall be at least 1000mm wide and on both sides of seat rows that exceed 9 seats; there must be 500mm between seat rows that exceed 9 seats or 300mm otherwise; all seats shall be securely fixed; kick boards and infills are required for stair risers and between levels of plats. Area beneath the seating stands must be left completely clear, not used for storage of any kind and fenced or otherwise barricaded to prevent public access.</del></p>	
<b>Spectator Stands</b>	<p>All structures must be erected in accordance with the submitted engineering design and all documentation. A "Certificate of Structural Integrity" (copy enclosed) must be completed for each stage, spectator stand, marquee or tent, and affixed to each structure being certified. Copies of all certificates must be provided to the Shire's Health Service prior to the event.</p>	
<b>Other Structures</b>	<p>The marquee must be dismantled whenever there is a forecast for winds in excess of 120km/h. Should there be insufficient warning to enable the dismantling of the marquee it must be evacuated and sealed.</p> <p><del>Engineers Certification is required for any stages, tents and marquees over 55sqm (the hire company should be able to provide this).</del></p> <p>On site camping from 14 November 2011 to 20 November 2011 is approved subject to no waste water being disposed of on-site except into the main sewer system.</p>	
<b>Other Requirements, Approvals and Permits</b>	<p>A "Form 1, Application to Construct, Extend or Alter a Public Building" must be completed and submitted to the Shire's Health Service along with the prescribe fee of \$140. Once all installations are complete a "Form 2, Application for Certificate of Approval" must be completed and submitted to the Shire's Health Service prior to an inspection being undertaken by an Environmental Health Officer. Upon the completion of a satisfactory inspection the Shire shall issue a "Certificate of Approval" prior to the first show, which must be</p>	<p>The Shire has already received structural details and Engineers Cert.</p> <p>The Shire has already received Engineers Cert.</p>



Attachment 1

	displayed near the main entrance. (Applications enclosed)	
	The applicant must provide a plan showing the proposed layout of the event noting all Exits, Toilets, Stages, Tents, Marquees and location of Food Stalls and the like at least 2 weeks prior to the event.	The Shire has already received this
	Total Number W/C s to be provided (1 disabled WC per 1000 patrons is required) =	3
<b>Sanitary Facilities</b>	Total Number hand basins to be Provided =	2
	One 4.5kg BE dry chemical powder fire extinguisher must be located adjacent to: any electrical generator or switchboard, any flammable liquid or gas containers, and any food preparation or cooking areas.	
<b>Fire Fighting Requirements</b>	One pressured water type extinguishers or 4.5kg BE Extinguisher must be provided within 10 meters of each exit unless suitable fire hose reels are already available on site.	
	All extinguishers must be hung a maximum of 1.2m from the ground, with the base at least 100mm from the ground. The last service date for the extinguisher must be clearly displayed on the extinguisher.	
	6m minimum separation distance is required between any large structure or group of smaller structures to reduce the risk of fire spreading between structures.	



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

#### **10.4.9 Memorandum of Understanding with Shire of Brookton and Shire of Pingelly**

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Office of CEO
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Attachment 1 – Memorandum of Understanding with Shire of Brookton
Attachment 2	Attachment 2 – Memorandum of Understanding with Shire of Pingelly
Attachment 3	

#### **PURPOSE**

1. To inform council of the agreement reached with the Shire of Brookton and Shire of Pingelly for the provisions of specialist professional key services such as Human Resources, Building Services, Ranger Services and Environmental Health Services.

#### **BACKGROUND**

2. Shire of Kalamunda is to provide support services and address gaps in capacity for both Shire of Brookton and Shire of Pingelly, which in return will assist delivering service levels needed to sustain and service their respective communities.

Services will be delivered with respect by appropriately qualified people who will be orientated to the environment and service needs of the rural Shire. Wherever possible and practical, they will mentor and support the staff of those Shires to build their skills and knowledge in appropriate areas. In return the Shire of Brookton and the Shire of Pingelly will offer diversity in the rural experience and broadening of specialist knowledge to participating SoK staff that will enhance their professional development.

#### **DETAILS**

3. Manager Human Resources and Organisational Development initially met with both the Shire of Brookton and Shire of Pingelly's Chief Executive Officers to discuss the arrangements. Further to this, relevant employees from the Shire of Kalamunda made visits to both the Shire of Brookton and the Shire of Pingelly to discuss what support and capacity building is needed and to further build on the positive relationship with the respective councils.



The Shire visited both Shire of Brookton and Shire of Pingelly for a day to ensure the travelling conditions and working conditions are suitable for Shire of Kalamunda employees.

#### **STATUTORY AND LEGAL IMPLICATIONS**

4. N/A

#### **POLICY IMPLICATIONS**

5. NIL

#### **PUBLIC CONSULTATION/COMMUNICATION**

6. Memorandum of Understanding agreement has been discussed at staff meetings and the relevant Shire of Kalamunda business units providing the services were given the opportunity to go to Shire of Brookton and Shire of Pingelly and meet with the Chief Executive Officers and staff to discuss the services needed and further build on the relationship.

#### **FINANCIAL IMPLICATIONS**

7. In anticipation of the Memorandum of Understanding commencing as soon as possible, estimated hours of the first year are listed below; these will be reviewed each year. The cost structure is based on a user pay system whereby the councils will be charged for the hours worked. The hourly rates are inclusive of GST and also include all administration costs and overheads. Additional hours, outside of what is stated below, will be costed at the same hourly rates.

The approximate costs to the Shire of Brookton and the Shire of Pingelly are:

Human Resource Services Hourly Rates:

Hourly rate of \$65.00 per hour estimated to equate to approximately 150 hours of service. Approximate return of \$9750

Building Surveyor Services:

Hourly rate of \$60.00 per hour estimated to equate to approximately 100 hours of service. Approximate return of \$6000

Environmental Health Services:

Hourly rate of \$60.00 per hour estimated to equate to approximately 195 hours of service. Approximate return of \$11,700

Ranger Services:

Hourly rate of \$58.00 per hour estimated to equate to approximately 96 hours of service. Approximate return of \$5,568

Vehicle costs for travelling will be at the rate of \$0.81 per KM travelled (incl of GST)

If overtime or weekend work is needed, Shire of Kalamunda will charge at time and a half for the first two hours and double time thereafter. Travel time to and from Pingelly will be charged as per the hourly rate above.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

8. NIL

### **Sustainability Implications**

#### Social Implications

9. NIL

#### Economic Implications

10. NIL

#### Environmental Implications

11. NIL

## **OFFICER COMMENT**

12. The Memorandum of Understanding agreement will remain in good faith and infinitum, reviewed on a three year timeframe with an initial review after three months of the agreement being in place.

Services will be delivered with respect by appropriately qualified people who will be orientated to the environment and service needs of the rural Shire. Wherever possible and practical, they will mentor and support the staff of those Shires to build their skills and knowledge in appropriate areas. In return the Shire of Brookton and the Shire of Pingelly will offer diversity in the rural experience and broadening of specialist knowledge to participating Shire of Kalamunda staff that will enhance their professional development.

## **RECOMMENDATION**

1. For Council to receive and note the Memorandum of Understanding for the provision of professional services by the Shire of Kalamunda to both Shire of Brookton and Shire of Pingelly as per Attachment 1 and 2.

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Moved:

Seconded:

Vote:



## Memorandum of Understanding and Shared Services Agreement



This Shared Services Agreement (*The Agreement*)

### BETWEEN:

#### The Shire of Kalamunda:

2 Railway Road, Kalamunda WA 6076

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

### AND:

#### The Shire of Brookton

14 White St Brookton 6306

Website [www.brookton.wa.gov.au](http://www.brookton.wa.gov.au)

The parties hereby agree to the following service requirements and delivery methodology:

### 1. Engagement

Upon the terms and subject to the conditions hereof, The Shire of Brookton (SoB) engage the Shire of Kalamunda (SoK) to provide them with the services as outlined in the Services Addendum and (SoK) hereby agrees to provide the Shire of Brookton with the services.

### 2. Specialist Professional or Key Resource Services

The Shire of Kalamunda will provide to Shire of Brookton, specialist professional services, or key services and any other reasonably requested agreed to by all parties, (hereafter called 'the Services') This agreement will be provided for a minimum of three years, unless terminated by either party in mutual agreement. It is agreed that fees and charges and service levels will be reviewed after a pilot period of one year and adjustments be made at that point and an agreed fee review and fee increase protocol be set.

Subject to provisions in Section 3, the Shire of Kalamunda agrees to provide the services in good faith and in a timely, professional and workmanlike manner and in accordance with reasonable instructions of Shire of Brookton.

### 3. Philosophy and Critical Success Factors

#### Philosophy:

- This agreement is based on a philosophy of support and capacity building that incorporates an efficient and effective way for the SoB to address gaps in capacity or capability to deliver service levels needed to sustain and service their respective communities.

Services will be delivered with respect by appropriately qualified people who will be orientated to the environment and service needs of the rural Shire. Wherever possible and practical, they

will mentor and support the staff of the Shire to build their skills and knowledge in appropriate areas. In return the Shire of Brookton will offer diversity in the rural experience and broadening of specialist knowledge to participating SoK staff that will enhance their professional development.

#### **Critical Success factors**

- An ongoing commitment by the Shire of Kalamunda to provide these services that will transcend any senior staff turnover or other critical changes.
- Services are delivered by the team at Kalamunda within agreed timelines ensuring consistency and quality of services to SoB and their Communities.
- All service personnel are introduced to the CEO or relevant key staff of SoB in a timely fashion and orientated to the systems and processes used in the Shire.
- Early notice is given of any issues that may give rise to service interruption or changes.

#### **4. Mutual Support and Cooperation**

- A. Each of the parties to this agreement agree that they will take all reasonable steps necessary, at its own expense, to:
  - a. Designate key individuals to perform its obligations hereunder
  - b. To conduct periodic meetings of all such key individuals and others as necessary
  - c. To fully cooperate with reasonable requests for assistance
  - d. To take further steps and execute such further documents as may be reasonable necessary
- B. The parties will make diligent efforts through their respective key individuals to identify the cause of any problems in the services and make appropriate adjustments in an equitable fashion in order to address and resolve such problems including the substitution or modification of the Services and the corresponding compensation therefore.

#### **5. Fees**

The Shire of Kalamunda will invoice individually the Shire of Brookton for the services on a quarterly basis at the mutually agreed rate. The underlying principal in this area is a user pays system, with acknowledgement and inclusion of the overheads and travel costs incurred by SoK in delivery of services. This will be reviewed and determined each year in consultation and as part of the annual budget process.

The quarterly invoice will provide a description of the services rendered and subject to their being no areas of discrepancy or further explanation to be discussed, settlement of the account will be made within 30 days. Each party will be responsible for paying all taxes, if any applicable by law, in relation to this Agreement.



## **6. Term and Termination**

This agreement will remain in good faith ad infinitum, reviewed on a three year timeframe with an initial review after three months of the agreement being in place; unless terminated by either party in full consultation and mutual agreement. Should either party seek to terminate the agreement, notification will need to be in writing with a notice period of three months’.

Each party agrees to consult in advance with the other party and bring to the attention of the other party any problems, differences of opinion, disagreements or other matters that may lead such party terminate or seek to terminate this agreement.

The purpose and intent of including this provision is to ensure that both parties are made aware of any issues or problems arising so that they may in good faith and in a timely manner consult with each other and resolve any issues arising to mutual satisfaction. This will preserve the contractual relationship, goodwill and mutual respect between the parties to this Agreement.

Shire of Kalamunda recognises that the Shire of Brookton is currently undergoing structural reform research as a part of a Regional Transition Group. Should the process result in any changes to each of the parties, adjustments will be made to the agreement when the outcome is known.

## **7. Force Majeure**

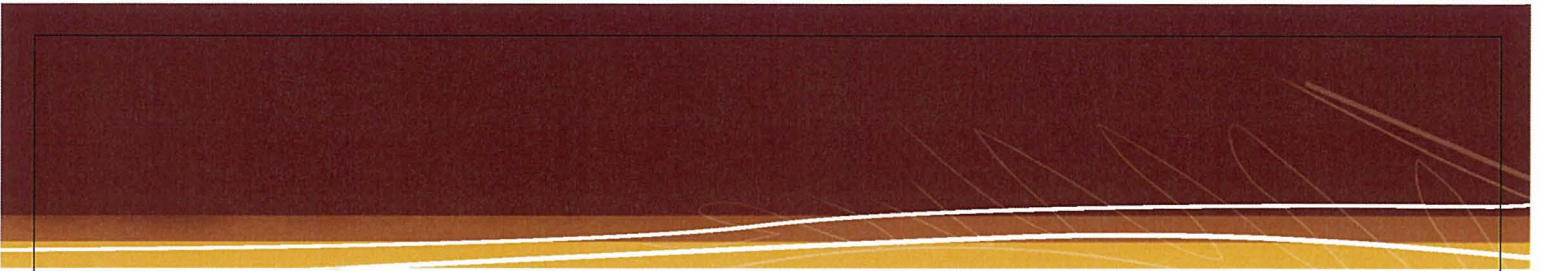
Any failure or delay in the performance of the Shire in carrying out their services arises out of results primarily from fire, storm, flood earthquake or other natural occurrences, industrial relations issues, equipment failure or issues that are beyond the control of the Shire will be deemed an event of Force Majeure.

## **8. Confidentiality**

It is stipulated and agreed that the Shire of Kalamunda and the Shire of Brookton will become acquainted with each other’s confidential, privileged and proprietary information in this service provision relationship; and that this Confidential Information is an essential and key part of the assets of the entities and as such must be treated with respect and the un-authorised use of or disclosure of such information may seriously damage the owners in carrying out their business.

- a. The Shire of Kalamunda and the Shire of Brookton agree that during the period of this agreement and thereafter they will not:
  - i. directly or indirectly use any part of the other’s confidential information,
  - ii. Divulge disclose or make any part of the information available to a third party without the expressed and written permission of the owner except as may be reasonably necessary to perform the required functions, or as required by law or pursuant to a court order.



- 
- b. The Shire of Kalamunda, and the Shire of Brookton will each refrain from any action or conduct that may reasonably or foreseeably be expected to compromise the confidentiality or proprietary nature of the others' Confidential Information.

### **9. Assignment/ Successors**

Neither party may assign this agreement or any rights thereunder to any other person without the prior written consent of the other party.

### **10. Relationship of the Parties**

The Shire of Kalamunda and Shire of Brookton are acting solely as independent contractors under this Service Agreement. It is expressly understood and agreed by the parties that nothing in this agreement , its provisions, transactions or relationships shall constitute either party as an agent, employee, partner or legal representative of the other for any purpose whatsoever; nor shall either party hold itself out as such.

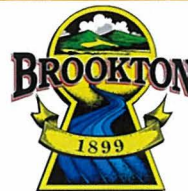
Neither party shall have the authority to bind or commit the other party in any manner or for any purpose whatsoever except for as may be expressly provided for in this Agreement. This Agreement creates no relationship of joint venture, partners, associates, or principal and agent between the parties.

### **11. Construction of Agreement**

This agreement reflects the complete understanding of the parties as of the date hereof and constitutes their entire agreement regarding the Services as negotiated and mutually agreed. This Agreement can only be amended by full consultation and written amendment between the parties.

## 12. Signatories to Formal Agreement

### Shire of Brookton



Signed by

*for and on behalf of the Shire of Brookton*

Position

Date    /    /

Witness

Name

Address

Signed

Date    /    /

### Shire of Kalamunda

Signed by

*for and on behalf of the Shire of Kalamunda*

Position

Date    /    /

Witness

Name

Address

Signed

Date    /    /



## **Services Addendum**

The following services have been identified as part of this inaugural service agreement, but may be altered in relation to identified needs by consultation and mutual agreement as required. Additions or changes will require this addendum to be updated along with dates and persons authorising changes being recorded.

## **Service Provision in 2011 / 12**

### **Building Surveyor Services**

- Process applications for Building Licenses
- Prepare building license for issue
- Undertake required site inspections
- Advise on appropriate action following site inspection
- Assess against RD codes and local laws / planning conditions
- Demolition Licenses
- Blasting Permits
- Prepare Council Report Items in relation to any applications for Planning or Building dispensations
- Undertake inspections of the Shire's public buildings in relation to building maintenance matters
- Provide reports pertaining to building maintenance matters

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- Provide random patrols one day per week within an eight hour working shift, with hours inclusive of travel time; allowing for some sunset shifts, with overnight accommodation if desired.
- Undertake Patrols in relation to education, management and enforcement of dogs in line with Dog Act 1976 and Dog Local laws for Brookton
- Investigate alleged breaches of Dog Act 1976, Litter Act 1979 and Local Laws related to Ranger Services
- Undertake follow up registration checks of properties which have failed to renew dog registration after expiry of Dog Registration Renewal period.
- Investigate complaints regarding wandering Stock, and ensure cost recovery for Rangers time and resources committed to the wandering stock



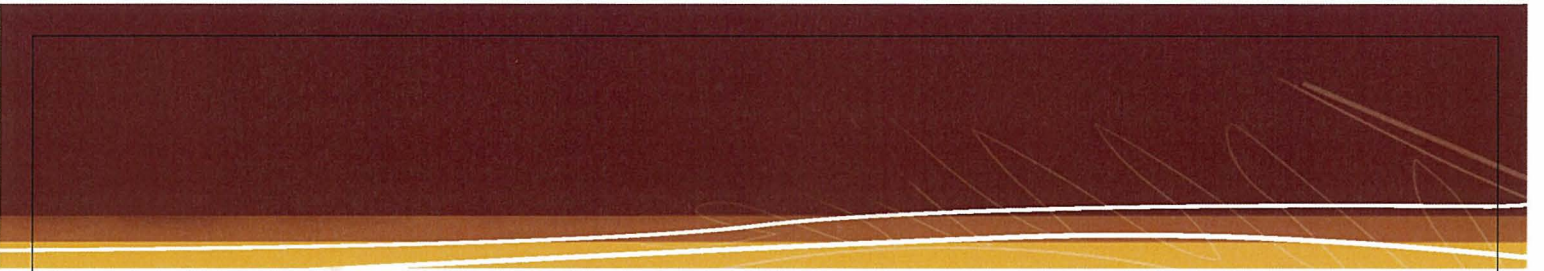
- Provide advice and support with regard legislation relating to Ranger Services and ensuring compliance with relevant legislation
- Provide a monthly report of activities and actions taken by Rangers to Brookton
- Phone support for incident management if required between visits.

### **Environmental Health Services**

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- Waste water disposal – application approvals, inspections and approvals
- Public buildings – approvals and inspections
- Public swimming pools – inspections and monitoring (sampling)
- Health nuisances – investigate and action
- Public accommodation – inspections and approvals
- Public temporary events – approvals and inspections if warranted and as negotiated case by case.
- Other health premise inspections – offensive trades, catteries, kennels, hairdressers...
- Health promotions and education
- Infectious disease investigations
- Health assessment of planning and building applications – including development and subdivisions
- Waste services advice

### **Human Resource Services**

- Support for recruitment and retention strategies including exit interviews and interviewing support.
- Seeking identified training and development needs providers, and assistance with scheduling. This can include access for staff to attend training activities at the Shire of Kalamunda.
- Support for the development of systems and training of managers to support performance appraisal and people management.
- Support for development of policies, procedures and position descriptions as required.
- Support for and / or facilitation of issue related or performance management interviews, conflict resolution or other forms of problem solving
- Assistance with workforce data collection and analysis to support workforce planning.
- Support for organisational and safety inductions.
- Mentoring and support to key staff members
- Injury management advice
- Payroll system advice
- General HR enquiries or advice.
- Support for EBA development in 2013

- 
- Opportunities for staff of either Shire to do site visits for sharing expertise and enhancement of skills development for managing metro and rural human resources.
  - Support for development of workforce plan to meet integrated planning legislative requirements.

## Cost Structure

### Hourly Rates

Estimated hours of the first year are listed below; these will be reviewed each year. The cost structure is based on a user pay system whereby you will be charged for the hours worked. The hourly rates are inclusive of GST and also include all administration costs and overheads. Additional hours, outside of what is stated below, will be costed at the same hourly rates.

#### Human Resource Services Hourly Rates:

Hourly rate of \$65.00 per hour estimated to equate to approximately 150 hours of service.

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Hourly rate of \$60.00 per hour estimated to equate to approximately 100 hours of service.

#### Environmental Health Services:

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### PLUS

#### Vehicle costs for travelling:

\$0.81 per KM travelled (incl of GST)

*\*If overtime or weekend work is needed, Shire of Kalamunda will charge at time and a half for the first two hours and double time thereafter.*

*\*\*Travel time to and from Brookton will be charged as per the hourly rate above.*







## Memorandum of Understanding and Shared Services Agreement

This Shared Services Agreement (*The Agreement*)

### BETWEEN:

**The Shire of Kalamunda:**

2 Railway Road, Kalamunda WA 6076

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

### AND:

**The Shire of Pingelly**

17 Queen St, Pingelly WA 6308

Website [www.pingelly.wa.gov.au](http://www.pingelly.wa.gov.au)

The parties hereby agree to the following service requirements and delivery methodology:

### 1. Engagement

Upon the terms and subject to the conditions hereof, The Shire of Pingelly (SoP) engage the Shire of Kalamunda (SoK) to provide them with the services as outlined in the Services Addendum and (SoK) hereby agrees to provide the Shire of Pingelly with the services.

### 2. Specialist Professional or Key Resource Services

The Shire of Kalamunda will provide to Shire of Pingelly, specialist professional services, or key services and any other reasonably requested agreed to by all parties, (hereafter called 'the Services') This agreement will be provided for a minimum of three years, unless terminated by either party in mutual agreement. It is agreed that fees and charges and service levels will be reviewed after a pilot period of one year and adjustments be made at that point and an agreed fee review and fee increase protocol be set.

Subject to provisions in Section 3, the Shire of Kalamunda agrees to provide the services in good faith and in a timely, professional and workmanlike manner and in accordance with reasonable instructions of Shire of Pingelly.

### 3. Philosophy and Critical Success Factors

#### Philosophy:

- This agreement is based on a philosophy of support and capacity building that incorporates an efficient and effective way for the SoP to address gaps in capacity or capability to deliver service levels needed to sustain and service their respective communities.

Services will be delivered with respect by appropriately qualified people who will be orientated to the environment and service needs of the rural Shire. Wherever possible and practical, they

will mentor and support the staff of the Shire to build their skills and knowledge in appropriate areas. In return the Shire of Pingelly will offer diversity in the rural experience and broadening of specialist knowledge to participating SoK staff that will enhance their professional development.

#### **Critical Success factors**

- An ongoing commitment by the Shire of Kalamunda to provide these services that will transcend any senior staff turnover or other critical changes.
- Services are delivered by the team at Kalamunda within agreed timelines ensuring consistency and quality of services to SoP and their Communities.
- All service personnel are introduced to the CEO or relevant key staff of SoP in a timely fashion and orientated to the systems and processes used in the Shire.
- Early notice is given of any issues that may give rise to service interruption or changes.

#### **4. Mutual Support and Cooperation**

- A. Each of the parties to this agreement agree that they will take all reasonable steps necessary, at its own expense, to:
  - a. Designate key individuals to perform its obligations hereunder
  - b. To conduct periodic meetings of all such key individuals and others as necessary
  - c. To fully cooperate with reasonable requests for assistance
  - d. To take further steps and execute such further documents as may be reasonable necessary
- B. The parties will make diligent efforts through their respective key individuals to identify the cause of any problems in the services and make appropriate adjustments in an equitable fashion in order to address and resolve such problems including the substitution or modification of the Services and the corresponding compensation therefore.

#### **5. Fees**

The Shire of Kalamunda will invoice individually the Shire of Pingelly for the services on a quarterly basis at the mutually agreed rate. The underlying principal in this area is a user pays system, with acknowledgement and inclusion of the overheads and travel costs incurred by SoK in delivery of services. This will be reviewed and determined each year in consultation and as part of the annual budget process.

The quarterly invoice will provide a description of the services rendered and subject to their being no areas of discrepancy or further explanation to be discussed, settlement of the account will be made within 30 days. Each party will be responsible for paying all taxes, if any applicable by law, in relation to this Agreement.



## **6. Term and Termination**

This agreement will remain in good faith and infinitum, reviewed on a three year timeframe with an initial review after three months of the agreement being in place; unless terminated by either party in full consultation and mutual agreement. Should either party seek to terminate the agreement, notification will need to be in writing with a notice period of three months’.

Each party agrees to consult in advance with the other party and bring to the attention of the other party any problems, differences of opinion, disagreements or other matters that may lead such party terminate or seek to terminate this agreement.

The purpose and intent of including this provision is to ensure that both parties are made aware of any issues or problems arising so that they may in good faith and in a timely manner consult with each other and resolve any issues arising to mutual satisfaction. This will preserve the contractual relationship, goodwill and mutual respect between the parties to this Agreement.

Shire of Kalamunda recognises that the Shire of Pingelly is currently undergoing structural reform research as a part of a Regional Transition Group. Should the process result in any changes to each of the parties, adjustments will be made to the agreement when the outcome is known.

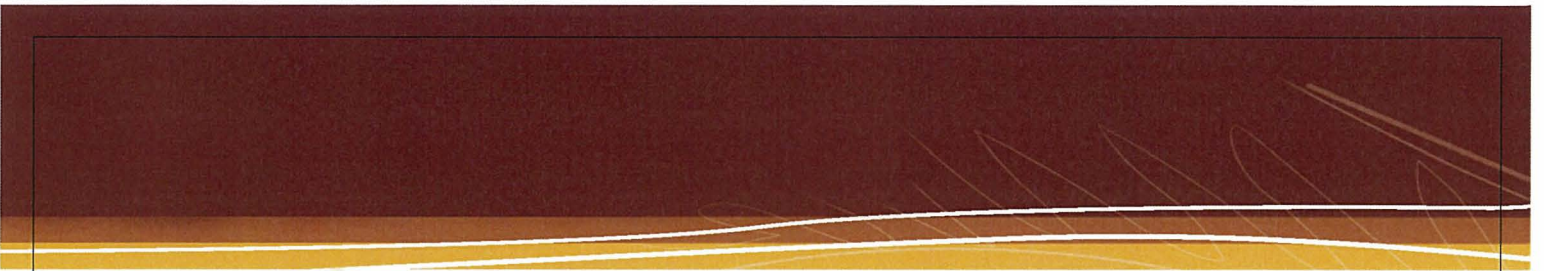
## **7. Force Majeure**

Any failure or delay in the performance of the Shire in carrying out their services arises out of results primarily from fire, storm, flood earthquake or other natural occurrences, industrial relations issues, equipment failure or issues that are beyond the control of the Shire will be deemed an event of Force Majeure.

## **8. Confidentiality**

It is stipulated and agreed that the Shire of Kalamunda and the Shire of Pingelly will become acquainted with each other’s confidential, privileged and proprietary information in this service provision relationship; and that this Confidential Information is an essential and key part of the assets of the entities and as such must be treated with respect and the un-authorised use of or disclosure of such information may seriously damage the owners in carrying out their business.

- a. The Shire of Kalamunda and the Shire of Pingelly agree that during the period of this agreement and thereafter they will not:
  - i. directly or indirectly use any part of the other’s confidential information,
  - ii. Divulge disclose or make any part of the information available to a third party without the expressed and written permission of the owner except as may be reasonably necessary to perform the required functions, or as required by law or pursuant to a court order.

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- b. The Shire of Kalamunda, and the Shire of Pingelly will each refrain from any action or conduct that may reasonably or foreseeably be expected to compromise the confidentiality or proprietary nature of the others' Confidential Information.

### **9. Assignment/ Successors**

Neither party may assign this agreement or any rights thereunder to any other person without the prior written consent of the other party.

### **10. Relationship of the Parties**

The Shire of Kalamunda and Shire of Pingelly are acting solely as independent contractors under this Service Agreement. It is expressly understood and agreed by the parties that nothing in this agreement , its provisions, transactions or relationships shall constitute either party as an agent, employee, partner or legal representative of the other for any purpose whatsoever; nor shall either party hold itself out as such.

Neither party shall have the authority to bind or commit the other party in any manner or for any purpose whatsoever except for as may be expressly provided for in this Agreement. This Agreement creates no relationship of joint venture, partners, associates, or principal and agent between the parties.

### **11. Construction of Agreement**

This agreement reflects the complete understanding of the parties as of the date hereof and constitutes their entire agreement regarding the Services as negotiated and mutually agreed. This Agreement can only be amended by full consultation and written amendment between the parties.

## 12. Signatories to Formal Agreement

### Shire of Pingelly



Signed by

*for and on behalf of the Shire of Pingelly*

Position

Date   /   /

Witness

Name

Address

Signed

Date   /   /

### Shire of Kalamunda

Signed by

*for and on behalf of the Shire of Kalamunda*

Position

Date   /   /

Witness

Name

Address

Signed

Date   /   /





## **Services Addendum**

The following services have been identified as part of this inaugural service agreement, but may be altered in relation to identified needs by consultation and mutual agreement as required. Additions or changes will require this addendum to be updated along with dates and persons authorising changes being recorded.

## **Service Provision in 2011 / 12**

### **Building Surveyor Services**

- Process applications for Building Licenses
- Prepare building license for issue
- Undertake required site inspections
- Advise on appropriate action following site inspection
- Assess against RD codes and local laws / planning conditions
- Demolition Licenses
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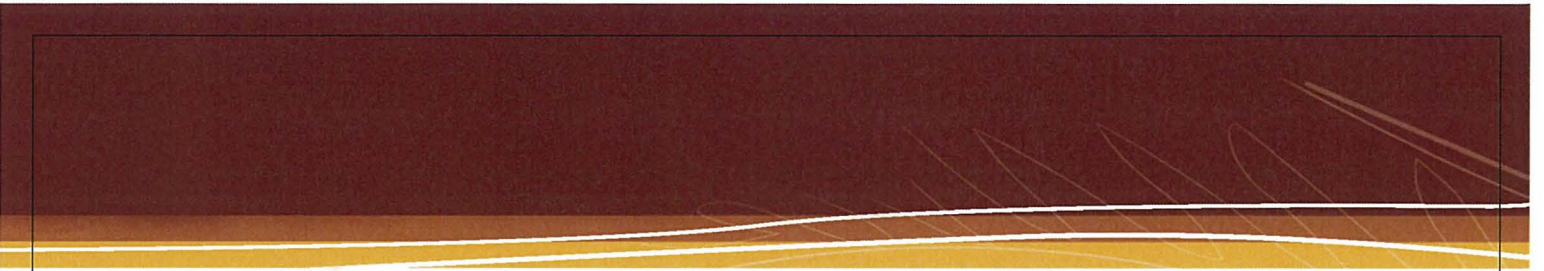
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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

**CONFIDENTIAL ITEM**

**10.4.10 Director Redundancy Payment**

Reason for Confidentiality: In accordance with Section 5.23(2) (a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal: "*a matter affecting an employee or employees*"

**To Be Provided Under Separate Cover**





**11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE****13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN****13.1 Audit Committee – 24 October 2011** (various questions asked by Cr Margaret Thomas)

Q1. May we have a breakup of the Governance amount of \$2,608,458 on page 7?

A1. The Actual revealed \$2.608 million. The accounts reveal \$1.742 for the previous year which is a difference of \$800,000. More investigation is to be undertaken. A breakdown will be provided by the Acting Manager of Finance.

The amount of \$2,608,458 comprised the following expenditure areas:

- 120 Members of Council
- 150 Chief Executive's Office
- 160 Public relations
- 170 Functions
- 180 Business and Strategy
- 210 Compliance
- 230 Human Resources & Organisational Development

A portion of the Governance expenditure for employee time in Governance such as Chief Executive Officer, Business and Strategy, and Compliance areas should be charged and capitalised to land development projects to reflect the true cost of the work undertaken in-house.

Q2. We understand the reason for the amended budget but why is this amount different from the adopted budget by \$1,565,041?

A2. The Rate Setting Statement reveals a deficit for the year ended 30 June 2011 of \$1,481,865. The original deficit used to formulate the 2011/2012 Annual Budget was \$628,678. The cause of the deficit was mainly due to the following:

- \$350,000 for Nematode infestation at Scott Reserve.
- \$230,000 Lottery Grant spent but not received until the following year with no income accrued.

The increase in the deficit brought forward between the adopted budget for 2011/2012 and the Rate Setting Statement in the Actual Financial Report for 30 June 2011 of \$749,000 was primarily due to:

- \$400,000 of electricity invoice not brought to account due to disputed bills.

- \$200,000 in Parks and Gardens for the pruning near electrical power lines.
- \$200,000 for electricity charge increases.

The increase in the budget deficit will need to be accounted for in the budget review for 2011/2012.

Q3. Why wasn't the income from the Lottery Grant accrued in the correct year and why wasn't the electricity invoices not brought to account in the correct year as an accrual?

A3. Australian Accounting Standard (AASB 1004 ) on contributions requires a local government to recognise income when it obtains control or the right to receive the income, it is probable that the economic benefit will flow to the entity and the amount of the contribution can be measured reliably. The Shire had not obtained control of the Lotteries Grant or the right to receive the funds and this is why the income was not accrued at year end.

The electricity accounts were initially not brought to account in the correct financial years as these accounts were in dispute with the service provider over more than a year. From the 31 December 2009 the Shire had not received accurate invoicing for a period of approximately 18 months. The issue was due to overlapping charges over different periods and a lack of detail. During the 2010/2011 financial year the matter was resolved and the accounts paid. Invoices received in July for prior periods were subsequently accrued at the 30 June 2011.

Under the Financial regulations that a Local Government operates it is not allowed to accrue grant income. All grant income must be recorded in the books at the time it was receipted.

Q4. Why didn't the auditor bring this to the Councillor's attention when it brings an incorrect perception of our position by not using accruals?

A5. It is difficult to comment on this as we are not privy to the rationale behind the auditors not drawing this to the attention of the Shire however, it is believed they may not have been aware of the extent of the non-accrual situations.

Q5. Employee costs are \$4,742,627 more than the budget. Why is this and are employee costs being allocated correctly to capital works or are they all being allocated to operational activities?

A5. Distribution of Budget comparison by Nature or Type is meaningless because of distributed of costs. Has been corrected through the Community Development area. Labour cost should be allocated to projects. This will be rectified in the future.

Q6. Financials are supposed to give the best picture possible so "fair value" is important. Have the auditors agreed to this and if not, why not?



- 
- A6. The council has the option to used either cost or fair value under Australian Accounting Standards (AASB 116) . Cost is a more conservative valuation method. Fair Value requires valuations to be undertaken on a regular or at the very least semi regular basis for each class of asset. Valuation are to be undertaken to a standard that requires comprehensive work to be undertaken. The auditors advised that valuing assets at cost does not necessarily provide a true picture of their value in the financial statements. It was also advised that infrastructure valuations are required to be done professionally and must always be up to date prior to audit. This would require them to be undertaken on an annual basis.
- Q7. Can we be assured that capital profits are allocated to capital works and not chewed up in operational costs? Can the accounts better reflect this?
- A7. The intention is to use profits from land sales to build up reserves and utilise these reserves for the sustainability of the Shires non-current assets reflected in the 10 Year Plan.
- Q8. The current ratio is concerning even though it includes liabilities that are unlikely to be called on (eg long service leave). How are we going to improve this so as not to be in this situation again? I note the explanation in pt 40 on page 10 but you may wish to add to this to give us some comfort.
- A8. Monitor cash flow and expenditure through quarterly budget reviews and reducing operating expenditure.
- Q9. Can we be assured that reserves will be built up by 30 June 2012 at the very latest for that unusual situation such as the RCDs. How will you do this?
- A9. The intent of land sales is to build up reserves. The 10 Year Long Term Financial Plan makes provision for the transfer to reserves of profits on sale of land. Bearing in mind that 2% of all profits on sale of land are to be transferred to the Environmental Reserve. After the budget review it may be required to source other funding sources for increase funds or alternatively reduce operating expenditure. This could include:
1. Identifying and reducing operating expenditure on underutilised non-current assets.
  2. Recommendations from Community Development.
- Q10. Is there an opportunity to reduce operational costs - say a percentage by each division?
- A10. Can do percentage cuts by each division at service level review and how services can be rationalised, provided it does not affect the

level of service delivery to the community.

Q11. Are there some projects we can delay until we have built up reserves to an acceptable level and can these be identified? eg amenities building at the depot.

A11. This is one of the options which is being considered. Some projects will need to be undertaken as they are funded by government grants and these would not be able to be postponed.

Q12. Are we expecting our profit/loss figure to at least break even by June 2012? Can we be assured of a reversal of the current trend and a balanced budget by June 2012?

A12. The adopted budget shows a surplus of \$2.3 million.

Q13. Can we have a simple explanation as to why our Net assets have gone down by \$2,613,140 in the year to 30/6/11? I believe some of this may be due to the way we account for reserves etc. What can we expect to happen in the June 2012 figures re total equity?

A13. This can be directly attributed to operating losses.

Q14. Can the Audit Committee have quarterly reviews until further notice to assess our position?

A14. Quarterly budget reviews have been implemented and the first review will be delivered to Council at its December 2011 meeting which will address the deficit issue.

#### **14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

#### **15.0 MEETING CLOSED TO THE PUBLIC**

#### **16.0 CLOSURE**