

SHIRE OF KALAMUNDA

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**Minutes of Ordinary Meeting of Council
Held in the Council Chambers
2 Railway Road, Kalamunda
Monday 20 February 2012**

1.0 OFFICIAL OPENING

- 1.1 The Shire President opened the meeting at 6.30pm and welcomed Councillors, Staff and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Donald McKechnie	(Chairman) (Shire President)	North Ward
Margaret Thomas		North Ward
Allan Morton	(Deputy Shire President)	South West Ward
Noreen Townsend		South West Ward
Geoff Stallard		South East Ward
John Giardina		South East Ward
Frank Lindsey		South East Ward
Martyn Cresswell		North West Ward
Bob Emery		North West Ward
Dylan O'Connor		North West Ward

Members of Staff

James Trail		Chief Executive Officer
Rhonda Hardy		Director Corporate and Community Services
Andrew Fowler-Tutt	A/Director	Development and Infrastructure Services
Darrell Forrest		Manager Governance
Steve McKay		Manager Property and Procurement
Peter Hayes		Manager Business and Strategy
Darren Jones		Manager Community Development
Michelle Clark	Executive Assistant to the Chief Executive Officer	
Meri Comber		Governance Officer

Members of Public 1

Members of Press 1

2.2 Apologies

Councillors

Justin Whitten		South West Ward
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Members of Staff

Clayton Higham	Director	Infrastructure and Development Services
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2.3 Leave of Absence Previously Approved

Nil.

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 this meeting.

3.1 Nil.

4.0 PETITIONS/DEPUTATIONS

4.1 Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE**5.1 Application for Leave of Absence – Cr Sue Bilich**

That Cr Sue Bilich be granted leave of absence for the period 20 February to end of March 2012. This leave will include the Ordinary Council Meeting 20 February 2012, Planning Services Committee 6 March 2012, General Services Meeting 12 March 2012 and Ordinary Council Meeting 19 March 2012.

Moved: **Cr John Giardina**

Seconded: **Cr Frank Lindsey**

Vote: **CARRIED UNANIMOUSLY (10/0)**

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**6.1 Confirmation of Ordinary Council Meeting Minutes of 19 December 2011**

RESOLVED OCM 01/2012

That the Minutes of the Ordinary Council Meeting of the Shire of Kalamunda held in the Council Chambers, 2 Railway Road, Kalamunda on 19 December 2011 are confirmed as a true and correct record of the proceedings.

Moved: **Cr Bob Emery**

Seconded: **Cr Margaret Thomas**

Vote: **CARRIED UNANIMOUSLY (10/0)**

6.2 Questions by Members without Notice recorded in Minutes 19 December 2011 – Should Public Servants Representing Local Government be Paid?

Manager Governance reported that he had now finalised his investigation following this question. He has confirmed with the Department of Local Government that for local government council meetings there is no prohibition on receiving fees by State Public Servants. This rule only applies to Public Servants who are on State Government Committees, not Local Government Committees.

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**7.1 Political Forum, Shire of Kalamunda, 17 February 2012**

On 17 February the Shire held a Political Forum at which Hon John Day, Hon Helen Morton, Hon Donna Farragher and Hon Alison Xamon were all in attendance. The Shire President has since written to Hon Mark McGowan expressing the Shire's disappointment that no Labour representatives were in attendance. The aim of the Forum was to indicate what the Shire hopes to achieve during the course of the coming year and hoping for their assistance and advice in achieving this.

7.2 Dinner, Shire of Kalamunda, 21 February 2012

The Shire is hosting a dinner for Hon Bronwyn Bishop MP and Mr Ken Wyatt MP, on 21 February 2012.

7.3 Chief Executive Officer and Shire President's Visit to Canberra June 2012

In preparation for this visit, appointments are starting to be made in order to achieve the most for the Shire of Kalamunda from this trip.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED**8.1 AC3 Forrestfield United Soccer Club Sundry Debt**

If discussion required will be dealt with at 15.0.

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."

9.0 DISCLOSURE OF INTERESTS**9.1 Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (*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)

9.1.1 Nil.

Disclosure of Interest Affecting Impartiality

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

9.2.1 Nil.

10.0 REPORTS 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****RESOLVED OCM 02/2012**

That the recommendations contained in the Planning Services Committee Report of 6 February 2012, (excluding PS 05/2012 and PS 06/2102 which will be considered separately) be adopted.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (10/0)**

10.1.2 PS01 Local Planning Scheme No. 3 Amendment No. 41 –Rezone from Residential Bushland and Special Rural to Residential, Changing the density from R2.5 to R5 and Deleting the Additional Use – Lot 51 (118) Lawnbrook Road West, Walliston**EN BLOC RESOLUTION 02/2012**

That Council:

1. Notes the submissions received in respect to Amendment No. 41 to Local Planning Scheme No. 3.
2. Adopts the amendment to Local Planning Scheme No. 3 without modification, 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. 41

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

1. Rezoning Lot 51 (118) Lawnbrook Road West, Walliston from Residential Bushland and Special Rural to Residential, and increase in density from R2.5 to R5.
2. Delete item 16 of the Scheme's Schedule 2 (Additional Uses) and renumber the remaining items accordingly.

3. Amends the Scheme Zoning Map accordingly.
4. Duly executes the Amendment documents and forwards them and submissions received to the Minister for Planning requesting final approval be granted.

10.1.3 **PS02 Amendment to Local Planning Scheme No. 3 - Additional Use – Restaurant, Reception Centre and Chalets - Lot 3 (35) Merrivale Road, Pickering Brook**

EN BLOC RESOLUTION 02/2012

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:

Amending Schedule 2 – Additional Use, as follows:

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
	Lot 3 (35) Merrivale Road, Pickering Brook	Restaurant Reception Centre Chalets	(a) The uses are not permitted unless approval is granted by the Local Government ("D").

2. Subject to amendment documents and the required administration fee being submitted, the 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.

10.1.4 **PS03 Local Planning Scheme No. 3 Amendment - Rezone from Public Purpose to Residential R60 - Lot 201 (3) Salix Way, Forrestfield**

EN BLOC RESOLUTION 02/2012

That Council:

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

<p>PLANNING AND DEVELOPMENT ACT 2005</p> <p>RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME</p> <p>SHIRE OF KALAMUNDA</p> <p>LOCAL PLANNING SCHEME NO. 3</p> <p>AMENDMENT NO.</p> <p>Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:</p> <ol style="list-style-type: none"> 1. Rezoning Lot 201 (3) Salix Way, Forrestfield from Public Purpose to Residential R60.

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.

10.1.5 **PS04 The Parking of Two Commercial Vehicles – Lot 46 (69) Milner Road, High Wycombe**

EN BLOC RESOLUTION 02/2012

That Council:

1. Approves the proposal for Scott Savory and Vanessa Kraft to continue to park two commercial vehicles, a Kenworth prime mover (registration number 1DJZ 271) and a Freighter trailer (registration number 1TGT 598) at Lot 46 (69) Milner Road, High Wycombe, 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 7.00am 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.

- h. All other commercial vehicles not subject to this application must be removed from the site within 28 days of this approval.
- i. **Bundling will be required to prevent oil or grease from entering the gully.**

10.1.06 **PS07 Concept Development Plan - Old Road Board Street Block**

EN BLOC RESOLUTION 02/2012

That Council:

- 1. Approves the Concept Development Plan for Old Road Board Street Block for the purpose of public consultation.

10.1.07 **PS08 Application to Keep More Than Two Dogs - Lot 79 (23) Corella Street, Lesmurdie**

EN BLOC RESOLUTION 02/2012

That Council:

- 1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grants an exemption to the applicant of 23 Corella Street, Lesmurdie to keep three dogs on this property.

10.1.08 **PS09 Application to Keep More Than Two Dogs - Lot 400 (51) Reserve Road, Pickering Brook**

EN BLOC RESOLUTION 02/2012

That Council:

- 1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grants an exemption to the applicant of 51 Reserve Road, Pickering Brook to keep three dogs on this property.

10.1.09 **PS10 Application to Keep More Than Two Dogs - Lot 844 (400) Pickering Brook Road, Pickering Brook**

EN BLOC RESOLUTION 02/2012

That Council:

- 1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grants an exemption to the applicant of 400 Pickering Brook Road, Pickering Brook to keep four dogs on this property.

10.1.10 **PS11 Application to Keep More Than Two Dogs - Lot 88 (8) View Way, Kalamunda**

EN BLOC RESOLUTION 02/2012

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grants an exemption to the applicant of 8 View Way, Kalamunda to keep three dogs on this property.

10.1.11 **PS12 Application to Keep More Than Two Dogs - Lot 844 (400) Pickering Brook Road, Pickering Brook**

EN BLOC RESOLUTION 02/2012

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grants an exemption to the applicant of 73 The Promenade, Wattle Grove to keep three dogs on this property.

10.1.12 **PS13 Application to Keep More Than Two Dogs - Lot 108 (23) Coolinga Road, Lesmurdie**

EN BLOC RESOLUTION 02/2012

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grants an exemption to the applicant of 23 Coolinga Road, Lesmurdie to keep five dogs on this property.

10.1.13 **PS14 Application to Keep More Than Two Dogs - Lot 104 (32) Curtis Street Lesmurdie**

EN BLOC RESOLUTION 02/2012

That Council:

1. Pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976* Grants an exemption to the applicant of 32 Curtis Street, Lesmurdie to keep three dogs on this property.

For Separate Consideration

Item PS05 was put for separate consideration as staff had circulated an amendment (to include an additional clause to the conditions) and thereby change the Committee Recommendation to Council. The change was not moved and the original Committee Recommendation was voted on.

10.1.14 PS05 Shopping Centre - Lot 33 (332) Hale Road, Wattle Grove**RESOLVED OCM 03/2012**

That Council:

1. Approves the proposed Shopping Centre on Lot 33 (332) Hale Road, Wattle Grove, subject to the following conditions:
 - a. The Development shall be connected to reticulated sewer.
 - b. The provision and maintenance of a total of 137 car spaces including a minimum of two disabled car bays. All car parking and vehicle access ways being line marked, sealed and drained prior to the occupation of the building and maintained thereafter.
 - c. Vehicle parking, manoeuvring and circulation areas to be suitably constructed, sealed, kerbed, line marked and drained. The parking areas to include the provision of shade trees.
 - d. A detailed landscaping plan for the landscape area and shade trees, depicted on the approved plan shall be submitted and approved by the Shire prior to issue of a building licence.
 - e. Landscaping areas shall be planted within two months of practical completion of the proposed development and being maintained thereafter.
 - f. All existing vegetation within the proposed area of Public Open Space and road reserves to be maintained.
 - g. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site work.
 - h. A separate sign licence application pursuant to the Shire's Local Laws is required to be lodged and approved prior to the erection of any signage on the lot.

- i. The provision of a colours and texture schedule prior to the issue of a building licence.
- j. A three metre portion of land abutting Hale Road along its entire frontage for the purpose of road widening being surrendered to the Shire of Kalamunda free of cost. This is to occur prior to practical completion of the building.
- k. A contribution to the Shire of Kalamunda in accordance with Schedule 11 of the Shire of Kalamunda Local Planning Scheme No. 3 shall be paid for cell infrastructure costs for Wattle Grove Cell 9. The contribution shall be paid in full prior to the issue of a Certificate of Occupancy.
- l. Drainage for the development is to be in accordance with the overall drainage strategy adopted as part of the Cell 9 Structure Plan.
- m. The provision and installation of turning pockets on Hale Road to access the crossovers to the specifications and satisfaction of the Shire of Kalamunda.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (10/0)**

Item PS06 was put for separate consideration as a Councillor had circulated an amendment to change the Committee Recommendation to Council. Some clarity was given by the Chief Executive Officer and Acting Director of Development and Infrastructure Services to the proposed change and the Council voted on the Committee Recommendation to Council.

10.1.15 **PS06 Recommendations from the Community Sustainability Advisory Committee (CSAC) Meetings**

RESOLVED OCM 04/2012

That Council:

1. Receives the unconfirmed minutes of the Community Sustainability Advisory Committee ("CSAC") meeting held on 29 September 2011 (Attachment 1).

Moved: **Cr Margaret Thomas**

Seconded: **Cr Bob Emery**

Vote: **For**

Cr Margaret Thomas
Cr Bob Emery
Cr Martyn Cresswell
Cr John Giardina
Cr Frank Lindsey
Cr Geoff Stallard
Cr Donald McKechnie
Cr Allan Morton

Against

Cr Dylan O'Connor
Cr Noreen Townsend

CARRIED (8/2)

10.2 General Services Committee Report

10.2.1 Adoption of General Services Committee Reports

RESOLVED OCM 05/2012

That the recommendations contained in the General Services Committee Report of 13 February 2012 (excluding GS 06/2012, GS 07/2012 and GS 11/2012), considered separately) be adopted.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Martin Cresswell**

Vote: **CARRIED UNANIMOUSLY (10/0)**

10.2.2 GS01 Creditors' Accounts Paid During the Period 1 December to 23 December 2011

EN BLOC RESOLUTION 05/2012

That Council:

1. Receives the list of creditors paid during the period 1 December to 23 December 2011 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

10.2.3 **GS02 Monthly Financial Statements for the Five Months to 30 November 2011**

EN BLOC RESOLUTION 05/2012

That Council:

1. Receives 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 30 November 2011.

10.2.4 **GS03 Monthly Financial Statements for the Six Months to 31 December 2011**

EN BLOC RESOLUTION 05/2012

That Council:

1. Receives 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 December 2011.

10.2.5 **GS04 Debtors and Creditors Reports for the Period ending 31 December 2011**

EN BLOC RESOLUTION 05/2012

That Council:

1. Receives the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports as at 31 December 2011.

10.2.6 **GS05 Rates Debtors Report for the Period Ending 31 December 2011**

EN BLOC RESOLUTION 05/2012

That Council:

1. Receives the rates debtors report as at 31 December 2011 (Attachment 1).

10.2.7 **GS08 Forrestfield Skate Park Petition – Proposal for the Development of a New Skate Park in Forrestfield**

EN BLOC RESOLUTION 05/2012

That Council:

1. Notes the report on the Forrestfield Skate Park petition (Attachment 1).
2. Requests a report be presented on the audit of the Shire's skate park facilities.
3. Requests that Cash-in-lieu and external funding options be further explored to assess the potential for raising funds needed to build a new skate park.

10.2.8 **GS9 Walliston Riding and Pony Club Dressage Arena**

EN BLOC RESOLUTION 05/2012

That Council:

1. Provides the Walliston Riding and Pony Club with permission to lock the Dressage Arena under the following conditions:
 - That the general public be given the opportunity to access the Dressage Arena by contacting the Walliston Riding and Pony Club to make a booking for usage without prejudice in a fair and equitable manner.
 - That a basic maintenance procedure for users, agreed to by the Shire, be developed and detailed by the Club on a visible sign at the Dressage Arena.
 - That the Walliston Riding and Pony Club develop and install signage detailing contact persons and available booking times, agreed to by the Shire, for public access to the Dressage Arena.
2. Review the decision to lock the Dressage Arena be reviewed after six months of operation at which time a decision to either maintain or amend the licence to reflect the review outcome is undertaken.

10.2.9 GS10 Lease and Licence Policy ReviewEN BLOC RESOLUTION 05/2012

That Council:

1. Adopts “in principle” Policy FAC12 – Lease and Licence Terms and Conditions of Council Owned or Controlled Properties as amended and presented in (Attachment 2) for the purpose of advertising and public consultation for a period of 30 days from the date of advertisement.

10.2.10 GS12 Quarterly Progress Report – October to December 2011EN BLOC RESOLUTION 05/2012

That Council:

1. Receives the Quarterly Interplan Progress Report for October – December 2011.

**10.2.11 GS13 CONFIDENTIAL REPORT – provided under separate cover
Update on Shire of Kalamunda Property Projects**Reason for confidentiality

Local Government Act s 5.23(2)(c). A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

EN BLOC RESOLUTION 05/2012

That Council

1. Receives the Update on Shire of Kalamunda Property Projects Report (Confidential Attachment 1).

For Separate Consideration

In regards to Item GS06, the Chief Executive Officer suggested Councillors may wish a change to the Committee Recommendation in the light of recently received information regarding power to the site. As this Recommendation stands the Chief Executive Officer will have the authorisation to sign the lease whatever the cost of power upgrade is. No change was received and Council voted on the Committee Recommendation as it stood.

10.2.12 **GS06 Dome Coffees Australia Pty Ltd – 31 (Lot 56) Canning Road Kalamunda (Kalamunda Police Station)**

RESOLVED OCM 06/2012

That Council:

1. Agrees to provide public parking bays to the area shown highlighted in green in Attachment 2, at an estimated cost of \$10,000.
2. Agrees to provide a further 31 public parking bays to the area shown highlighted in pink on Attachment 2, at an estimated cost of \$40,000.00 to be provided for in the 2012/2013 budget process with the required works commencing after the demolition of the existing Men's Shed.
3. Agrees to provide Dome Coffees Australia Pty Ltd access to the premises to commence redevelopment in accordance with the Development Approval.
4. Approves the erection of banner across the façade of the building announcing that Dome is Opening Soon (or words to that effect).
5. Re-confirms the authorisation for the Chief Executive Officer to sign the lease once title documents have been issued.

Moved: **Cr John Giardina**

Seconded: **Cr Margaret Thomas**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (10/0)**

10.2.13 **GS07 Nominations for Membership – Hartfield Park Advisory Committee and Ray Owen Management Committee**

RESOLVED OCM 07/2012

That Council:

1. Appoints Daryle Martin representing Forreestfield and Districts Tee-ball Association and Jim Berry representing Kalamunda and Districts Rugby Club, to the Hartfield Park Advisory Committee:
2. Appoints Tracey Clemsha representing Kalamunda and Districts Netball Association, to the Ray Owen Management Committee.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY
(10/0)**

Item GS11 was requested to be withdrawn by a Councillor in order to make an addition to the Committee Recommendation. This was detailed to Council and accepted. Only the new Motion was voted on.

10.2.14 **GS11 Shopping Centre - Lot 34 (338) Hale Road, Wattle Grove**

COMMITTEE RECOMMENDATION TO COUNCIL (GS1/2012)

That Council:

1. Approves the proposed Shopping Centre on Lot 34 (338) Hale Road, Wattle Grove, subject to the following conditions:
 - a. The provision and maintenance of a total of 194 car spaces including a minimum of two disabled car bays. All car parking and vehicle access ways being line marked, sealed and drained prior to the occupation of the building and maintained thereafter.
 - b. Vehicle parking, manoeuvring and circulation areas to be suitably constructed, sealed, kerbed, line marked and drained. The parking areas to include the provision of shade trees.
 - c. A detailed landscaping plan for the landscape area and shade trees, depicted on the approved plan shall be submitted and approved by the Shire prior to issue of a building licence.
 - d. Landscaping areas shall be planted within two months of practical completion of the proposed development and being maintained thereafter.
 - e. All existing vegetation within the proposed area of Public Open Space and road reserves to be maintained by the applicant to the Shire's satisfaction.
 - f. Measures being taken to ensure the identification and protection of any vegetation on Lot 0 and Lot 34 Hale Road, Wattle Grove worthy of retention prior to commencement of site work.
 - g. A contribution to the Shire of Kalamunda in accordance with Schedule 11 of the Shire of Kalamunda Local

Planning Scheme No. 3 shall be paid for cell infrastructure costs for Wattle Grove Cell 9. The contribution shall be paid in full prior to the issue of a Certificate of Occupancy.

- h. Prior to issuing the building licence for the proposed development on Lot 34 (338) Hale Road, Wattle Grove, the owner of the Land shall enter into a deed of agreement with the Shire of Kalamunda for the use of a portion of the road reserve abutting the western boundary of the Land (road reserve) for the purpose of providing additional car parking for the proposed development on the Land. The agreement shall require the owner as terms and conditions of the proposed use of the road reserve to, amongst other things, (but not limited to the following):
- (i) indemnify the Shire against any loss or damage caused to the road reserve or other property of the Shire or to any person or property of any person arising out of the construction of car parking forming part of the development on the road reserve and/or the use of the road reserve for parking in connection with the development;
 - (ii) take out and maintain a policy of public liability insurance with a reputable insurer in an amount satisfactory to the Shire to insure the Shire and the owner against all claims for loss or damage or injury occurring to the road reserve or property of the Shire or any person or property of any person as a result of the construction of car parking on the road reserve and/or in respect of the use of the road reserve for parking in connection with the development;
 - (iii) maintain the car parking constructed on the road reserve at the owner's cost to the satisfaction of the Shire;
 - (iv) acknowledge that a shortfall in car parking exists in respect of the development on the Land and the road reserve is required to provide car parking to accommodate the shortfall in car parking for the development on the Land and in the event the road reserve is not available to provide car parking for the development on the Land for any reason whatsoever or the road reserve is required to be used as a road by the Shire or some other statutory authority, the owner shall be required to provide alternate car parking to make up any shortfall in car parking for the development on the Land to the satisfaction of the Shire; and

- (v) charge the owner's interest in the Land in favour of the Shire with the owner's obligations under the agreement and permitting the Shire to lodge an absolute caveat over the title to the Land to ensure that any subsequent owner of the Land and/or transferee of the Land enters into a deed of agreement with the Shire in respect of the use of the road reserve for car parking to ensure that the road reserve is available to provide car parking for the development.

The agreement shall be prepared by the Shire's solicitors to the satisfaction of the Shire and the owner shall be responsible to pay all costs associated with the Shire's solicitor's costs of and incidental to the preparation of (including all drafts) and stamping of the agreement and the lodgement of the absolute caveat at Landgate.

- i. All stormwater to be managed in accordance with the adopted Drainage Strategy for the Wattle Grove Cell 9 Structure Plan.
- j. The land being graded and stabilized at the subdividers cost to the specifications and satisfaction of the Shire of Kalamunda.
- k. A geotechnical report being submitted detailing site conditions, particularly in respect to soil and groundwater and stormwater disposal by soakage (clearance, quantity, soil permeability and location and size of soakwells).
- l. Stormwater being detained on site and the subject lots being connected to the existing comprehensive drainage system at the sub-dividers cost to the satisfaction of the Shire of Kalamunda.
- m. Pedestrian footpaths being provided to the specification and satisfaction of the Shire of Kalamunda.
- n. Vehicle access ways being suitably constructed, sealed and drained to the specifications and satisfaction of Shire's Director of Development and Infrastructure Services.
- o. Cleared land being developed to a minimum standard of hydromulch containing couch seed and turf rye grass.

- p. The provision and installation of turning pockets on Hale road to access the crossovers to the specifications and satisfaction of the Shire of Kalamunda.
- q. Prior to issuing the building licence, the owner of Lot 34 (338) Hale Road, Wattle Grove, shall grant to the Shire of Kalamunda and the public at large an easement in gross pursuant to sections 195 and 196 of the Land Administration Act 1997 over the Land for the purposes of vehicular and pedestrian access (Easement). The Easement shall be prepared by the Shire's solicitors and shall be in accordance with the specifications of and to the satisfaction of the Shire. The owner of the Land shall be responsible to pay all costs associated with the Shire's solicitor's costs of and incidental to the preparation of (including all drafts), stamping and registration of the Easement at Landgate.

GS11 Shopping Centre - Lot 34 (338) Hale Road, Wattle Grove

RESOLVED OCM 08/2012

That Council:

1. Approves the proposed Shopping Centre on Lot 34 (338) Hale Road, Wattle Grove, subject to the following conditions:
 - a. The provision and maintenance of a total of 194 car spaces including a minimum of two disabled car bays. All car parking and vehicle access ways being line marked, sealed and drained prior to the occupation of the building and maintained thereafter.
 - b. Vehicle parking, manoeuvring and circulation areas to be suitably constructed, sealed, kerbed, line marked and drained. The parking areas to include the provision of shade trees.
 - c. A detailed landscaping plan for the landscape area and shade trees, depicted on the approved plan shall be submitted and approved by the Shire prior to issue of a building licence.
 - d. Landscaping areas shall be planted within two months of practical completion of the proposed development and being maintained thereafter.
 - e. All existing vegetation within the proposed area of Public Open Space and road reserves to be maintained by the applicant to the Shire's satisfaction.

- f. Measures being taken to ensure the identification and protection of any vegetation on Lot 0 and Lot 34 Hale Road, Wattle Grove worthy of retention prior to commencement of site work.
- g. A contribution to the Shire of Kalamunda in accordance with Schedule 11 of the Shire of Kalamunda Local Planning Scheme No. 3 shall be paid for cell infrastructure costs for Wattle Grove Cell 9. The contribution shall be paid in full prior to the issue of a Certificate of Occupancy.
- h. Prior to issuing the building licence for the proposed development on Lot 34 (338) Hale Road, Wattle Grove, the owner of the Land shall enter into a deed of agreement with the Shire of Kalamunda **for a period of not less than 25 years** for the use of a portion of the road reserve abutting the western boundary of the Land (road reserve) for the purpose of providing additional car parking for the proposed development on the Land. The agreement shall require the owner as terms and conditions of the proposed use of the road reserve to, amongst other things, (but not limited to the following):
 - (i) indemnify the Shire against any loss or damage caused to the road reserve or other property of the Shire or to any person or property of any person arising out of the construction of car parking forming part of the development on the road reserve and/or the use of the road reserve for parking in connection with the development;
 - (ii) take out and maintain a policy of public liability insurance with a reputable insurer in an amount satisfactory to the Shire to insure the Shire and the owner against all claims for loss or damage or injury occurring to the road reserve or property of the Shire or any person or property of any person as a result of the construction of car parking on the road reserve and/or in respect of the use of the road reserve for parking in connection with the development;
 - (iii) maintain the car parking constructed on the road reserve at the owner's cost to the satisfaction of the Shire;
 - (iv) acknowledge that a shortfall in car parking exists in respect of the development on the Land and the road reserve is required to provide car parking to accommodate the shortfall in car parking for the development on the Land and in the event the road reserve is not available to

provide car parking for the development on the Land for any reason whatsoever or the road reserve is required to be used as a road by the Shire or some other statutory authority, the owner shall be required to:

1. **provide alternative car parking to make up any shortfall in car parking for the development on the Land to the satisfaction of the Shire, either through the provision of on-site car parking or by means of legal agreement with another landowner for the provision of car parking; or alternatively;**
 2. **address the shortfall in car parking for the development through the provision of cash-in-lieu in accordance with the requirements of the Shire's Local Planning Scheme No. 3.**
- (v) charge the owner's interest in the Land in favour of the Shire with the owner's obligations under the agreement and permitting the Shire to lodge an absolute caveat over the title to the Land to ensure that any subsequent owner of the Land and/or transferee of the Land enters into a deed of agreement with the Shire in respect of the use of the road reserve for car parking to ensure that the road reserve is available to provide car parking for the development.

The agreement shall be prepared by the Shire's solicitors to the satisfaction of the Shire and the owner shall be responsible to pay all costs associated with the Shire's solicitor's costs of and incidental to the preparation of (including all drafts) and stamping of the agreement and the lodgement of the absolute caveat at Landgate.

- i. All stormwater to be managed in accordance with the adopted Drainage Strategy for the Wattle Grove Cell 9 Structure Plan.
- j. The land being graded and stabilized at the subdividers cost to the specifications and satisfaction of the Shire of Kalamunda.
- k. A geotechnical report being submitted detailing site conditions, particularly in respect to soil and

groundwater and stormwater disposal by soakage (clearance, quantity, soil permeability and location and size of soakwells).

- l. Stormwater being detained on site and the subject lots being connected to the existing comprehensive drainage system at the sub-dividers cost to the satisfaction of the Shire of Kalamunda.
- m. Pedestrian footpaths being provided to the specification and satisfaction of the Shire of Kalamunda.
- n. Vehicle access ways being suitably constructed, sealed and drained to the specifications and satisfaction of Shire's Director of Development and Infrastructure Services.
- o. Cleared land being developed to a minimum standard of hydromulch containing couch seed and turf rye grass.
- p. The provision and installation of turning pockets on Hale road to access the crossovers to the specifications and satisfaction of the Shire of Kalamunda.
- q. Prior to issuing the building licence, the owner of Lot 34 (338) Hale Road, Wattle Grove, shall grant to the Shire of Kalamunda and the public at large an easement in gross pursuant to sections 195 and 196 of the Land Administration Act 1997 over the Land for the purposes of vehicular and pedestrian access (Easement). The Easement shall be prepared by the Shire's solicitors and shall be in accordance with the specifications of and to the satisfaction of the Shire. The owner of the Land shall be responsible to pay all costs associated with the Shire's solicitor's costs of and incidental to the preparation of (including all drafts), stamping and registration of the Easement at Landgate.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Margaret Thomas**

Vote: **CARRIED UNANIMOUSLY (10/0)**

10.3.1 Adoption of Audit Committee ReportRESOLVED OCM 09/2012

That the recommendations contained in the Audit Committee Report of 13 February 2012, excluding AC02/2012 and AC03/2012 to be considered separately, be adopted.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (10/0)**

10.3.2 AC01 2011 Compliance Audit ReturnsEN BLOC RESOLUTION OCM 09/2012

That Council:

1. Adopts the Compliance Audit Return for the year ending 31 December 2011.

For Separate Consideration**10.3.3 AC02 Appointment for the Provision of External Audit Services**RESOLVED OCM 10/2012

That Council:

1. Appoints Mr David Tomasi from UHY Haines Norton as external auditor to the Shire of Kalamunda for a period of three years commencing 1 July 2011.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (10/0)**

Confidential Item Discussion was required regarding this report as Ward Councillors had met with the club since the Audit Committee, the item was discussed and vote taken at 15.0 behind closed doors.

10.3.4 **AC 03 Forrestfield United Soccer Club Sundry Debt – Confidential**

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.”

RESOLVED OCM 14/2012

1. If there is no positive response from the Forrestfield United Soccer Club **by the end of March 2012** that Council requests the Shire of Kalamunda's commercial debt collection agency, Dun and Bradstreet, be engaged to initiate formal debt collection processes against the Forrestfield United Soccer Club to recover the outstanding debt in full.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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 Realignment and Renaming of Standing Committees

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Governance
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Standing Committees revised Terms of Reference

PURPOSE

1. To approve the realignment and renaming of Council's two Standing Committees.

BACKGROUND

2. With the new two Directorate structure now in place it is considered appropriate to align the two current Standing Committees to this structure and change the names and Terms of Reference of these Committees.
3. Section 5.8 of the *Local government Act 1995* provides for the establishment of committees to assist the council in its role.

DETAILS

4. It is proposed to change the name of the Planning Services Committee to the Development and Infrastructure Services Committee and the General Services Committee to the Corporate and Community Services Committee.

STATUTORY AND LEGAL IMPLICATIONS

5. Section 5.8 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

6. Policy CTEE5 Standing Committee Terms of Reference has been revised in line with this proposal.

PUBLIC CONSULTATION/COMMUNICATION

7. Public consultation is not considered necessary for this issue.

FINANCIAL IMPLICATIONS

8. There are no financial implications arising from this issue.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

9. Nil.

Sustainability ImplicationsSocial Implications

10. Nil.

Economic Implications

11. Nil.

Environmental Implications

12. Nil.

OFFICER COMMENT

13. The realignment and renaming of the two Standing Committees will provide a more defined alignment with the new Directorate Structure and provide a better workflow balance for each of the committees.
14. It is not proposed to change the meeting days.

RESOLVED OCM 11/2012

That Council:

1. Approves the renaming of the Planning Services Committee to the Development and Infrastructure Services Committee and the General Services Committee to the Corporate and Community Services Committee.
2. Approves the revised Terms of Reference for the Committees as per (Attachment 1).

Moved: **Cr John Giardina**

Seconded: **Cr Margaret Thomas**

Vote: **CARRIED UNANIMOUSLY (10/0)**

Declaration of financial / conflict of interests to be recorded prior to dealing with each item**10.4.2 Awarding of Tender - Provision of Verge Vegetation Management Services (T1123)**

Previous Items	N/A
Responsible Officer	Director of Development and Infrastructure Services
Service Area	Engineering Services
File Reference	AD-TEN-004
Applicant	N/A
Owner	N/A
Confidential Attachment 1	Summary of Tender Prices for Pruning and Removal of Pruning Waste (T1123) – Under Separate Cover <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 S5.23(2)(c)</i> – “ a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”
Confidential Attachment 2	Summary of Tender Prices for Pruning and Stacking of Pruning Waste (T1123) – Under Separate Cover <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 S5.23(2)(c)</i> – “ a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”
Confidential Attachment 3	Evaluation of Tender Submissions for Compliance Criteria and Qualitative Criteria – Under Separate Cover <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 S5.23(2)(c)</i> – “ a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

PURPOSE

1. To consider awarding the tender - Provision of Verge Vegetation Management Services (T1123).

BACKGROUND

2. The Tender for the Provision of Verge Vegetation Management Services (T1123) was advertised in the West Australian on Saturday 5 November 2011, and closed at 2.00pm on 21 November 2011.

DETAILS

3. The scope for this tender is the pruning of:
 - Cultivated (not naturally occurring) trees affected by Western Power facilities.

- Vegetation overhanging roadways to ensure safe vehicle movement.
 - Vegetation overhanging pathways to provide safe pedestrian access.
 - Vegetation obscuring directional and compliance signage.
 - Vegetation obscuring vehicle entry and exit onto roadways.
4. Contractors were asked to provide a price per tree to prune and remove as well as prune and stack only. As the Shire is commencing shortly an in-house green waste verge service there is the potential to provide savings by fully utilising Shire trucks to remove pruning waste
 5. Three tender submissions were received from:
 - A1 Walliston Complete Tree Services
 - Geoff's Tree Services
 - Beaver Tree Services, along with an alternative option
 6. A Summary of Tender Prices for the Provision of Verge Vegetation Management Services is shown in (Confidential Attachment 1 and 2).
 7. An Evaluation of Tender Submissions for Compliance Criteria and Qualitative Criteria is shown in (Confidential Attachment 3).

STATUTORY AND LEGAL IMPLIMENTIONS

8. The Tender is undertaken in accordance with the statutory requirements of Section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*.

POLICY IMPLICATIONS

9. Nil.

PUBLIC CONSULTATION/COMMUNICATION

10. The Tender was advertised in accordance with statutory requirements.

FINANCIAL IMPLICATIONS

11. There is approximately \$770,000 allocated under Parks Maintenance Building Environments, Road Verge and Reserve maintenance.
12. The Tender price is within the budget allocation for Tree Pruning Maintenance.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

Engineering Works Maintenance

13. *Shire of Kalamunda Strategic Plan 2009 – 2014*
- Goal 2 – BUILT ENVIRONMENT – An integrated built environment
- Outcome 2.1 Meeting community needs today and into the future.
- Outcome 2.3 Long term viability of infrastructure and facilities
- Strategy 2.3.4 Maintain and improve local road and verge networks and implement traffic management initiatives where required.

Sustainability Implications

Social implications

14. The Shire has a regulatory obligation to prune cultivated verge trees away from overhead power lines.

Economic Implications

15. Nil.

Environmental Implications

16. Nil.

OFFICER COMMENT

17. This tender permits the Shire to award a single contractor or a panel of contractors to manage the verge vegetation.
18. A1 Walliston is the current and local contractor.
19. Beaver Tree Services, although not a local contractor has also carried out works for the Shire.
20. Geoff's Tree Services offers a 5% discount if accounts are settled within seven days.
21. Geoff's Tree Services have stated they reserve the right to negotiate new rates within the Tender to reflect future changes to the specifications/requirements.

22. An evaluation panel, made up of staff and an independent consultant, assessed tender submissions for Compliance Criteria and Qualitative Criteria.
23. While all contractors scored well, Beaver Tree Services was the highest based on their resources, methodology and available personal. Reference checks found them to have an excellent reputation in the industry and have the ability to operate as a single operator.
24. Beaver scored highest in the selection criteria with a submission that demonstrated:
- a. A comprehensive experience and understanding of local government having worked for other local authorities.
 - b. Skilled and experienced permanent staff.
 - c. Resources – well equipped with a large range of plant to carry out all forms of pruning requirements.
 - d. Methodology – The submission demonstrates a clear understanding of the requirements of the Shire with quality systems and traffic management.

Geoff Tree Services demonstrates:

- a. A comprehensive experience and understanding of local government having worked for other local authorities.
- b. Skilled and experienced permanent staff.
- c. Resources – well equipped with a large range of plant to carry out all forms of pruning requirements.
- d. Methodology – The submission demonstrates a clear understanding of the requirements of the Shire.

A1 Walliston Complete Tree Service demonstrates:

- a. Experience is limited to one local government authority.
- b. Skilled and experienced casual staff which has raised concern with staff turnover.
- c. Resources are adequate to carry out specified works
- d. Methodology - The submission is limited in its demonstration of the Shire's requirements and traffic management.

25. Beaver Services have submitted an alternative tender offering a discount to be a single operator with the commitment to assist the Shire develop its tree register and provide a standby team 24x7 to attend to emergency works.
26. Geoff's Tree Services and Beaver Services have offered substantial saving in the contract if the Shire removes tree pruned waste. As the Shire is commencing shortly an in house kerb side green waste collection there can be opportunities to coordinate both services utilising spare capacity of council resources.

27. Approximately 9000 trees are pruned within the Shire each year from under the power lines as part of the vegetation management contract.

A Councillor asked what provisions are written into the Shire's Tender Documents if the Tenderer fails to provide the service in accordance with the Specification. Following a response by staff the Chief Executive Officer had concerns that the appropriate level of scrutiny had not been placed on clauses regarding non-performance which should be specific to each contract and relevant to the service being provided. The Chief Executive Officer suggested the item be deferred to the March Ordinary Council Meeting to allow the relevant Director time to deal with this appropriately.

The Chairman gained the Mover and Seconder's permission to move a Motion to defer this item to the March Ordinary Council Meeting

RECOMMENDATION

That Council:

1. Awards the Tender for the Provision of Verge Vegetation Management Services (T1123) to Beaver Tree Services for the period of three years from the date of signing documentation with an option to extend a further two 12 month periods, in accordance with the details for the discounted option outlined in (Confidential Attachments 1 and 2).

Moved: **Cr Margaret Thomas**

Seconded: **Cr Noreen Townsend**

Vote: **NO VOTE TAKEN DUE TO ADVICE TO DEFER THE ITEM**

RESOLVED OCM 12/2012

That Council:

1. Defers the item Awarding of Tender - Provision of Verge Vegetation Management Services (T1123) to the March Ordinary Council Meeting.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (10/0)**

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 MOTION – Cr John Giardina**

RESOLVED OCM 15/2012

That Council:

1. Supports in principle to establish a Bush Fire Brigade to provide fire services within the Pickering Brook and Carmel areas. The support would be to enable Council Officers to undertake the Risk to Resource Assessment for establishing a new Bush Fire Brigade in this area and based on this report the progression of an application to the Fire and Emergency Services Authority for support, funding and resources for a new Bush Fire Brigade.

Moved: **Cr John Giardina**

Seconded: **Cr Frank Lindsey**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The Chief Executive Officer noted that he had spoken on 20 February 2012 with the Chief Fire Officer and would like the opportunity to discuss this matter with Council behind closed doors. The Chairman confirmed with Cr Giardina and Cr Lindsey that they were in agreement with this, the vote took place behind closed doors.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**12.1 Cr Geoff Stallard – Road Works**

- Q. On the first day back at school there were road works outside St Brigid's College, could this be avoided in future? Cr Stallard noted he had asked this question at the Planning Meeting on 6 February 2012, the question had been taken on notice.
- A. Cr Geoff Stallard wished to report that he had been informed that the work had not been carried out by the Shire of Kalamunda and it was no fault of the Shire's that this took place.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC**15.1 Meeting to Go Behind Closed Doors**RESOLVED OCM 13/2012

That the meeting be closed to the public for consideration of the Confidential Audit Committee Report AC 03/2012 and Cr John Giardina's Motion.

Moved: **Cr John Giardina**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The meeting closed to the public at 7.25pm. All Members of the Public Gallery and Press left the meeting before the consideration of the Confidential Audit Committee Report AC 03/2012 and Cr John Giardina's Motion.

15.2 AC 03 Forrestfield United Soccer Club Sundry Debt – Confidential

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."

RESOLVED OCM 14/2012

1. If there is no positive response from the Forrestfield United Soccer Club by the **end of March 2012** that Council requests the Shire of Kalamunda's commercial debt collection agency, Dun and Bradstreet, be engaged to initiate formal debt collection processes against the Forrestfield United Soccer Club to recover the outstanding debt in full.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (10/0)**

11.1 Motion – Cr John Giardina RESOLVED OCM 15/2012

That Council:

1. Supports in principle to establish a Bush Fire Brigade to provide fire services within the Pickering Brook and Carmel areas. The support would be to enable Council Officers to undertake the Risk to Resource Assessment for establishing a new Bush Fire Brigade in this area and based on this report the progression of an application to the Fire and Emergency

Services Authority for support, funding and resources for a new Bush Fire Brigade.

Moved: **Cr John Giardina**

Seconded: **Cr Frank Lindsey**

Vote: **CARRIED UNANIMOUSLY (10/0)**

15.3 Meeting to Reopen to the Public

RESOLVED OCM 16/2012

That the meeting be reopened to the public after consideration of the Confidential Audit Committee Report AC 03/2012 and Cr John Giardina's Motion.

Moved: **Cr Bob Emery**

Seconded: **Cr Martyn Cresswell**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The meeting reopened to the public at 7.45pm after the consideration of the Confidential Items. The Chairman read the Resolution.

16.0 CLOSURE

16.1 There being no further business the Chairman declared the meeting closed at 7.46pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed.....Chairman

Dated thisday of2012