

Ordinary Council Meeting

Minutes for Monday 25 August 2014

UNCONFIRMED



**shire of
kalamunda**

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AGENDA

1.0 OFFICIAL OPENING

- 1.1 The Presiding Member opened the meeting at 6.40pm and welcomed Councillors, Staff and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Sue Bilich	(Presiding Member) (Shire President)	North Ward
Margaret Thomas JP		North Ward
Noreen Townsend		South West Ward
Allan Morton		South West Ward
Justin Whitten		South West Ward
John Giardina		South East Ward
Geoff Stallard		South East Ward
Frank Lindsey		South East Ward
Andrew Waddell JP		North West Ward
Bob Emery		North West Ward
Dylan O'Connor		North West Ward

Members of Staff

Rhonda Hardy	Chief Executive Officer
Warwick Carter	Director Development Services
Gary Ticehurst	Director Corporate Services
Charles Sullivan	Director Infrastructure Services
Darrell Forrest	Manager Governance
Darren Jones	Manager Community Development
Donna McPherson	Minute Secretary

Members of the Public 22

Members of the Press 2

2.2 Apologies

Councillors

Simon Di Rosso	North Ward
Noreen Townsend	South West Ward

2.3 Leave of Absence Previously Approved

3.0 PUBLIC QUESTION TIME

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

3.1 Mr N Dickinson, 12 Longfellow Road, Gooseberry Hill

Q. Is there any reason why the Amendment 57 has not been presented for Council consideration and when will the Amendment be presented to Council?

A. Amendment 57 received 300 submissions and staff are working through these and preparing responses. This Amendment cannot be compared to other Amendments in the area as the complexity of the issues associated with each amendment vary. A report on the Amendment will be presented to Council at the earliest possible date.

4.0 PETITIONS/DEPUTATIONS

4.1 Deputation – Mr Peter Webb

A request to make a Deputation received from Mr Peter Webb, Peter Webb & Associates was approved by the Shire President.

The Deputation was in relation to 10.2.2 D & I 42 Amendment No. 64 to local Planning Scheme No 3 – Lot 213 (28) Lewis Road, Wattle Grove – Additional uses (Place of Worship, Chalets – Short term accommodation and community purpose).

Mr Webb represents Mr Ross Leighton who has an amendment pending for his property at 32 Gavour Road in Wattle Grove.

4.1 Deputation – Ms Maria Daniels

A request to make a Deputation received from Mr Maria Daniels was approved by the Shire President.

The Deputation was in relation to 10.2.2 D & I 42 Amendment No. 64 to local Planning Scheme No 3 – Lot 213 (28) Lewis Road, Wattle Grove – Additional uses (Place of Worship, Chalets – Short term accommodation and community purpose).

Ms Daniels is the applicant.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 RESOLVED OCM 111/2014

That Council grant leave of absence to Cr Simon Di Rosso from 1 September to 30 September 2014 inclusive.

This period of absence will include the Development & Infrastructure Services Committee Meeting on 8 September 2014, the Corporate &

Community Services Committee Meeting on 15 September 2014, the Ordinary Council Meeting on 22 September 2014 and any Special Council Meeting that may be convened during this period.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Margaret Thomas**

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

5.2 RESOLVED OCM 112/2014

That Council grant leave of absence to Cr Noreen Townsend from 26 August to 2 September 2014 inclusive.

Moved: **Cr Allan Morton**

Seconded: **Cr Justin Whitten**

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

5.3 RESOLVED OCM 113/2014

That Council grant leave of absence to Cr Bob Emery from 6 September to 19 September 2014 inclusive.

This period of absence will include the Development & Infrastructure Services Committee Meeting on 8 September 2014, the Corporate & Community Services Committee Meeting on 15 September 2014 and any Special Council Meeting that may be convened during this period.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Justin Whitten**

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

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 RESOLVED OCM 114/2014

That the Minutes of the Ordinary Council Meeting held on 28 July 2014, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Bob Emery**

Seconded: **Cr Geoff Stallard**

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

7.0 ANNOUNCEMENTS BY THE MEMBER PRESIDING WITHOUT DISCUSSION

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 10.1.6 A&R 17 CONFIDENTIAL ITEM - Quotations for External Audit Services

Reason for Confidentiality *Local Government Act 1995 Section S23 (c)* a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

9.0 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. (Section 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 of the *Local Government Act 1995*.)

Nil.

9.2 Disclosure of Interest Affecting Impartiality

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

10.2.3 D&I 43 Amendment No.61 to Local Planning Scheme No. 3 – Additional Use (Place of Worship) Lot 36 (831) Welshpool Road East, Wattle Grove

Cr Giardina declared an interest affecting impartiality as he has relatives in the vicinity of the development.

10.2.5 D&I 45 Three Storey Mixed Use Development (Two Multiple Dwellings, Shops and Officer) – Lot 7 (20) Hayes Street, Kalamunda

Cr Giardina declared an interest affecting impartiality as he has relatives in the vicinity of the development.

10.0 REPORTS TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

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

10.1 Audit and Risk Committee Report

10.1.1 Adoption of Audit and Risk Committee Report

Voting Requirements: Simple Majority

RESOLVED OCM 115/2014

That recommendations A&R 13 to A&R 17 inclusive contained in the Audit and Risk Committee Report of 4 August 2014 be adopted by Council en bloc.

Moved:

Seconded:

Vote:

10.1.2 A&R 13 Internal Audit Report July 2014

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 115/2014

That Council:

1. Notes the following recommendations included in the Internal Audit Report for July 2014 (Attachment 1).

Purchases

- Management considers the development of computer system blocks to prevent the raising of purchase requisitions once a supplier reaches the \$100,000 threshold except for tenders and preferred suppliers.

Expenses – Payroll

- An independent review should be carried out when a person is entered into the payroll system or when changes are made to master file details to ensure the information has been entered correctly.
- A person independent from entering information in the master file for bank details, setting up of new employees and making a file inactive should review master file changes.

10.1.3 A&R 14 External Auditor – Interim Audit Report

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 115/2014

That Council:

1. Receives the findings and recommendations, together with the Shire's management responses, contained in the Interim Audit Report for the year ended 30 June 2014 ([Attachment 1](#)).

10.1.4 A&R 15 Financial Management Review

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 115/2014

That Council:

1. Receives the findings and recommendations contained in the Internal Auditor's Financial Management Review ([Attachment 1](#)).

10.1.5 A&R 16 Debtor Write Off to 30 June 2014

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 115/2014

That Council:

1. Authorises the write off of Sundry debts totalling \$910.51 (Attachment 1).

10.1.6. A&R 17 CONFIDENTIAL ITEM - Quotations for External Audit Services

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 115/2014

That Council:

1. Appoints Mr Mark Petricevic from Grant Thornton as external auditor to the Shire of Kalamunda for one financial year ending 30 June 2015.

10.2 Development & Infrastructure Services

10.2.1 Adoption of Development & Infrastructure Services Committee Report

Voting Requirements: Simple Majority

RESOLVED OCM 116/2014

That recommendations D&I 44 and D&I 46 in the Development & Infrastructure Services Committee Report of 11 August 2014 adopted en bloc. Recommendations D&I 42, D&I 43 and D&I 45 are to be considered separately.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Margaret Thomas**

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

10.2.4 D&I 44 Local Planning Scheme No. 3 Amendment – Additional Use (Consulting Rooms) – Lot 108 (18) Collins Road, Kalamunda
EN BLOC RESOLUTION OCM 116/2014

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 Council, in pursuance of Part 5 of the *Planning and Development Act 2005*, amends the above Local Planning Scheme as follows:

- (a) Amending Schedule 2 (Additional Uses) by including the following provision:

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
51.	Lot 108 (18) Collins Road, Kalamunda	Consulting Rooms	The uses are not permitted unless approval is granted by the Local Government ("A").

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*, without reference to the Western Australian Planning Commission.

10.2.6 D&I 46 Metropolitan Region Scheme Amendment – Rezone from Rural to Urban – Lot 801 (332) Kalamunda Road, Maida Vale

EN BLOC RESOLUTION OCM 116/2014

That Council:

1. Requests the Western Australian Planning Commission to initiate an amendment to the Metropolitan Region Scheme, rezoning Lot 801 (332) Kalamunda Road, Maida Vale, from Rural to Urban.

10.2.2 D&I 42 Amendment No. 64 to Local Planning Scheme No. 3 – Lot 213 (28) Lewis Road, Wattle Grove – Additional Uses (Place of Worship, Chalets – Short Term Accommodation and Community Purpose)

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 42/2012)

That Council:

1. 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. 64

Resolved that Council, in pursuance of Part 5 of the *Planning and Development Act 2005*, amends the above Local Planning Scheme as follows:

Modify Schedule 2 (Additional Uses) of the Scheme by including the following:

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A 50	Lot 213 (28) Lewis Road, Wattle Grove	Community Purpose Place of Worship Chalets	The uses are not permitted unless approval is granted by the Local Government ("D").

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

Moved: **Cr Frank Lindsay**

Seconded:

Vote: **LAPSED**

The Committee Recommendation failed to receive a seconder and LAPSED. Cr Emery proposed a motion to defer a decision on this matter until September 2014.

Voting Requirements: Simple Majority

RESOLVED OCM 117/2014

That Council:

1. defer adoption of Amendment 64 to Local Planning Scheme No 3 until the September 2014 Ordinary Council Meeting to enable the provision of a report on the issues raised by Peter D Webb and Associates in their correspondence of 19 August 2014 to the Chief Executive Officer.

Moved: **Cr Bob Emery**

Seconded: **Cr Margaret Thomas**

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

Cr Giardina declared an interest affecting impartiality as he has relatives in the vicinity of the development. Cr Giardina left the Chambers at 7.15pm and did not vote on this Item. Cr Giardina returned to the Chambers at 7.17pm.

10.2.3 D&I 43 Amendment No. 61 to Local Planning Scheme No. 3 – Additional Use (Place of Worship) – Lot 36 (831) Welshpool Road East, Wattle Grove

RESOLVED OCM 118/2014

That Council:

1. Notes the submissions received in response to Amendment No. 61 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.

Resolved that Council, in pursuance of Part 5 of the *Planning and Development Act 2005*, amends the above Local Planning Scheme as follows:

- (a) Amending Schedule 2 (Additional Uses) by including the following provision:

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
50.	Lot 36 (831) Welshpool Road East, Wattle Grove	Place of Worship	The uses are not permitted unless approval is granted by the Local Government ("D")

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*, without reference to the Western Australian Planning Commission.

3. Amends the Scheme Zoning Map and text accordingly.
4. Duly executes the Amendment documents and forwards them and the submissions received to the Minister for Planning requesting final approval be granted.
5. Advises the applicant that its decision to adopt the amendment is based on the assurance that the measures required by Main Roads WA will be implemented. Details of which are to be provided at the planning application stage if the amendment is approved.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Frank Lindsey**

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

Cr Giardina declared an interest affecting impartiality as he has relatives in the vicinity of the development. Cr Giardina left the Chambers at 7.15pm and did not vote on this Item. Cr Giardina returned to the Chambers at 7.17pm.

10.2.5 D&I 45 Three Storey Mixed Use Development (Two Multiple Dwellings, Shops and Offices) – Lot 7 (20) Haynes Street, Kalamunda

RESOLVED OCM 119/2014

That Council:

1. Determines that the use 'Multiple Dwellings' is consistent with the objectives of the particular zone and is therefore permitted.
2.
 - a. Approves the planning application dated 7 May 2013 for a mixed use development (two multiple dwellings, shops, tavern and offices) at Lot 7 (20) Haynes Street, Kalamunda, subject to the following conditions:
 - b. The provision and maintenance of a total of 5 car parking bays including a minimum of one (1) disabled bay.
 - 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 Shire's satisfaction.
 - d. A colours and textures schedule in accordance with the palette adopted in the Kalamunda Town Centre Improvement Plan, being submitted to and approved by the Shire prior to the building licence being issued.

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- e. The development shall be connected to reticulated sewer.
 - f. A nuisance, odour and noise assessment being submitted to and approved by the Shire prior to the issue of a certified building licence.
 - g. All septic sewer systems including all tanks, pipes and associated drainage systems (soakwells or leach drains) are to be decommissioned, removed, filled with clean sand and compacted.
 - h. A legal agreement being prepared by the Shire's Solicitors to the satisfaction of the Shire ensuring vehicular and pedestrian access in favour of Lot 7 Haynes Street over Lots 10 and 11 Stirk Street. The applicant shall be responsible to pay all costs including the preparation of (including all drafts), stamping and registration at Landgate.
 - i. A Construction Management Plan being prepared by the applicant addressing the following, but not limited to:
 - Construction workers' parking
 - Materials delivery and storage
 - Workers' toilets
 - j. To the satisfaction of the Shire prior to the issue of a Building Permit.
3. Advises the applicant that a Detailed Area Plan is to be adopted prior to the redevelopment of Lot 500 (4), 9 (12) and 8 (16) Haynes Street, and Lot 10 (1) and 11 (3) Stirk Street, Kalamunda, which will address, amongst other matters, the shared car parking and access arrangements, and how cash in lieu payments will be made for the shortfall in car parking bays.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Frank Lindsey**

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

10.3 Corporate & Community Services Committee Report

10.3.1 Adoption of Corporate & Community Services Committee Report

Voting Requirements: Simple Majority

RESOLVED OCM 120/2014

That the recommendations C&C 26 to C&C 32, but excluding C&C 31, contained in the Corporate & Community Services Committee Report of 18 August 2014 be adopted by Council en bloc.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Dylan O'Connor**

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

10.3.2 C&C 26 Creditors Payments Report for the Period Ended 31 July 2014

EN BLOC RESOLUTION OCM 120/2014

That Council:

1. Receives the list of payments made from the Municipal Accounts in July 2014 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.
2. Receives the list of payments made from the Trust Accounts in July 2014 as noted in point 11 above in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.
3. Receives the outstanding debtors (Attachment 2) and creditors (Attachment 3) reports for the month of July 2014.

10.3.3 C&C 27 Rates Debtors Report for the Period Ended 31 July 2014

EN BLOC RESOLUTION OCM 120/2014

That Council:

1. Receives the rates debtors report for the period ended 31 July 2014 (Attachment 1).

10.3.4 C&C 28 Quarterly Report – Community Care June 2014

EN BLOC RESOLUTION OCM 120/2014

That Council:

1. Receives the Community Care Quarterly Report – June 2014

10.3.5 C&C 29 Quarterly Progress Report – April – June 2014

EN BLOC RESOLUTION OCM 120/2014

That Council:

1. Receives the Quarterly Progress Report for April – June 2014.

10.3.6 C&C 30 Community Sport and Recreation Facilities Fund Small Grants 2014/2015

EN BLOC RESOLUTION OCM 120/2014

That Council:

1. Endorses the following application for the Department of Sport and Recreation's 2014/15 Community Sport and Recreation Facilities Small Grant Fund, subject to the Club completing the CSRFF Financial Agreement (Attachment 2)

Forrestfield Tennis Club

10.3.8 C&C 32 Rise – Proposal for Lease of Jack Healey Centre

EN BLOC RESOLUTION OCM 120/2014

That Council:

1. Endorses the proposal to enter into a Community Lease Agreement with Rise for a period of three years with a three year option. The Lease Agreement will provide for Rise to use the premises for the purposes of establishing a Community Kitchen.

10.3.7 C&C 31 Kalamunda Community Radio Seeking a Lease in principle for a proposed development at the 36 Collins Road, Kalamunda site

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 31/2014)

That Council:

1. Provides in principle support for a proposed development and lease of the 36 Collins Road, Kalamunda site for Kalamunda Community Radio, subject to final approval from the Minister for Lands to change the purpose to "Recreation and Community."

2. Provides a letter confirming the in principle support for the 36 Collins Road, Kalamunda site to assist Kalamunda Community Radio in its pursuit to seek funding assistance to build.

Moved:

Seconded:

Vote: **LAPSED**

The Committee Recommendation failed to receive a mover or seconder and LAPSED. Cr Waddell proposed additional wording be added to point 1 of the original recommendation to clarify the intent of the resolution.

10.3.7 C&C 31 Kalamunda Community Radio Seeking a Lease in principle for a proposed development at the 36 Collins Road, Kalamunda site
RESOLVED OCM 121/2014

That Council:

1. Provided in principle support for a proposed development and lease of the 36 Collins Road, Kalamunda site for Kalamunda Community Radio, subject to their ability to attract sufficient external funds, within an 18 month time period, and final approval from the Minister for Lands to change the purpose to "Recreation and Community.
2. Provides a letter confirming the in principle support for the 36 Collins Road, Kalamunda site to assist Kalamunda Community Radio in its pursuit to seek funding assistance to build.

Moved: **Cr Andrew Waddell**

Seconded: **Cr John Giardina**

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

10.4 CHIEF EXECUTIVE OFFICER REPORTS

Cr Thomas left the Chambers at 7.23pm and returned at 7.24pm. Cr Thomas did not vote on this Item.

10.4.1 Draft Monthly Financial Statements to 31 July 2014

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Finance
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A

Attachment 1 Draft Statements of Financial Activity for the months to 31 July 2014 incorporating the following:

- Statement of Comprehensive Income by Nature and Type
- Statement of Comprehensive Income by Program
- Statement of Cash Flow
- Statement of Financial Position
- Statement of Financial Activity (Nature or Type)
- Statement of Financial Activity (Statutory Reporting Program)
- Net Current Funding Position, note to financial statement
- Statement of Changes in Equity
- Reserves – Cash / Investment Backed – note to financial statement
- Investment Schedule – note to financial statement

PURPOSE

1. To provide Council with financial reports on the activity of the Shire of Kalamunda with comparison of year to date performance against adopted budget. This Statement compares the actual year to date with the budget year to date.

BACKGROUND

2. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirement of the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* (Regulation 34).
3. As the 2013/2014 financial position is not yet audited, the opening funding position in the Statement of Financial Activity statement reflects the un-audited position. The position could be affected by final year end journals or agreed audit adjustments.

4. The budget column reflected matches to the budget approved by Council at its meeting on 23 June 2014.

DETAILS

5. The *Local Government Act 1995* requires Council to adopt a percentage or value to be used in reporting variances against Budget. Council has adopted the reportable variances of 10% or \$50,000 whichever is greater.

Financial Commentary

Draft Statement of Comprehensive Income by Nature and Type for the month to 31 July 2014

6. This Statement reveals a net result surplus of \$37,104,930 against budget for the same period of \$35,599,785. The principal reason for the variance is that employment costs and materials and contracts are under-spend. Being the first month, this is as a result of timing issues as projects get underway for the new year.

Revenue

7. Total Revenue is under budget by \$92,681. This is made up as follows:
 - Rates are under budget by \$100,175. The variance is due to the rates section waiting for the first instalment date, which is on 14 August 2014, to elapse before resuming interim rating which has been put on halt since May 2014.
 - Operating Grants, Subsidies and Contributions are over budget by \$55,763. The principal reason for the significant variance is the advance payment that normally comes in from the State Government related to the HACC programme.
 - Fees and Charges variance are slightly over budget by \$22,473 but remain with the reporting threshold.
 - Interest earnings are under budget by \$42,508 principally resulting from lower surplus cashflow available for investments.
 - Other Revenue is slightly under budget by \$834, which mainly relates to infringements based on successful prosecutions for dog attacks. Most "Other Revenues" comprise of various fines and penalties which are difficult to predict.

Expenditure

8. Total expenses are under budget with a variance of \$1,625,055. The significant variances within the individual categories are as follows:
- Employment Costs are under budget by \$605,689 due to some vacant positions in various business units and back pay yet to be paid as a result of the enactment of new Enterprise Bargaining Agreement (EBA).
 - Materials and Contracts is under budget by \$740,366 largely due to:
 - Contractor Waste and Verge Collection is under budget by \$186,950 emanating principally from two operational areas of transfer station and house refuse.
 - Programme expenditure for Community Care services is under budget by approximately \$40,818.
 - The Building Maintenance area is running below budget by \$129,977. This is partially due to a timing issue with most funds to be expended by the end of the financial year.
 - Consultancy costs across various business units resulted in an underspend of \$115,004. This can be put down to timing differences as projects are started up for the year.
 - Utilities were under budget by \$66,251. The variance is primarily due to timing differences.
 - Insurance expense is over budget by \$1,639 but within the reporting threshold.
 - Other expenditure is under budget by \$22,119, with the bulk of the variance made up of various project related activities which haven't yet commence.
 - The interest expense is slightly under budget by \$1,637, which is the result of a timing difference between amounts accrued and the budget which is based on the debenture payment schedule.
 - Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$190,632. The reason for the variance can be attributed to the buildings depreciation which has significantly reduced valuation exercise undertaken at the end of the 2013/14 financial year. The expense posted is preliminary and is subject to change once the 2013/14 year end building reconciliations are completed.

Non-Operating Grants

9. No Non-Operating Grants were due in the month. The Commonwealth Federal Assistance Grants (FAGS) due in August, will be a welcome sight for all Councils.

Profit / (Loss) on Asset Disposals

10. The variance of \$29,629 relates mainly to property sales. There was no movement in this area with delays on the sale of the Lewis Road property. A new buyer has made an offer to purchase, subject to change in use, which is currently holding up the sale process. The change in use application has been lodged with the Department of Planning and awaiting their ascent.

Draft Statement of Comprehensive Income by Program for the month to 31 July 2014

11. The overall result comments are as above and generally each Program is within accepted budget except for Recreation and Culture and Community Amenities. Major variances have been reported by Nature and Type under points 7 to 10 above.

Draft Statement of Financial Activity for the month to 31 July 2014

12. The results to 31 July 2014 discloses a closing surplus of \$41,494,942 made up of:
- Overall income, excluding rates, is under budget by \$22,135 which is within the reporting threshold.
 - Expenditure is \$1,627,455 under budget forecast with the main variance in Employment Costs and Materials and Contracts. These have been commented on in Point 8 of this report.
 - Infrastructure projects made up of roads, drainage, footpaths, car parks and parks and ovals has incurred \$112,741 against the budget of \$ 955,978. This variance is due to a timing difference mainly as several projects are currently commencing start on ground works. Significant work in areas of design have been done.
 - \$160,659 unspent on land and building renewal budget. This is due to the same as the point above.
 - Rates generation is under budget and the variance of \$100,175 relates to the recognition of prepaid rates as explained previously in Point 7.
13. The closing current position of \$41,494,942 is above year to date budget of \$38,093,211. This is due to a reduced spend on staff costs and project based activities reflected in the report above.

Draft Investments Schedule as at 31 July 2014

14. A total of \$27.6 million is in term deposits or online savings accounts which is comparable to previous month's balance of \$23.65 million. The increase in the cash holdings is attributed to the issuance of the 2014/15 rates notices for which monies have started coming in. The first instalment date was 14 August 2014.

15. The above is made of:

Municipal Funds	Reserve Funds	Trust Monies
\$10,875,597	\$2,616,283	\$14,112,204 (includes amounts for Public Open Space of \$2,261,232)

16. Average interest rates on term deposits have dropped significantly as indicated previously with current investment rates dropping to between 3.0% and 3.50%. Reserve Bank of Australia (RBA) cash rate is at 2.5% with an increasing probability of further rate cuts expected around September 2014 as business confidence and retail spend continues to lag. Some key economic indicators are:

- The Australian Bureau of Statistics reported the worst un-employment figures since 2002, reporting a national figure of 6.4% mainly attributed to lower rates of job creation as compared to increases in number of people looking for jobs;
- The Australian dollar remains stubbornly above 90 US cents impacting greatly on exporters;
- The big four banks dropping 80 basis points over long term fixed lending rates, example, Commonwealth Bank Australia advertising 4.99%. This indicates that their view is that rates are going to remain low for the long term.

17. All deposits complied with the Investment Policy requirements and are no longer than 120 days.

Draft Statement of Financial Position as at 31 July 2014

18. The commentary on the Financial Position is based on comparison of the draft July 2014 year to date actuals with July 2013 year to date actuals.

19. Net Current Assets (Current Assets less Current Liabilities) show a positive result of \$41.9 million. The un-restricted cash position has a positive position of \$10.9 million which is comparable to the previous year's balance of \$11.6 million. The slight reduction is attributed to the delay in receipt of the FAGS grant monies, estimated at a \$1million.

-
20. Trade and other receivables comprise of rates and sundry debtors totalling \$33.4 million outstanding including deferred rates of \$463,579.
- The rates balance has increased to \$26 million in the month due to the issuance of the 2014/15 rates notices. This represents a collection rate of 13.7% to date. The collection rate will increase significantly with the passing of the first instalment date being 14 August 2014.
21. Sundry debtors have reduced slightly to \$1.29 million outstanding. Of the outstanding, \$0.55 million relates to developer contributions for the Forrestfield/High Wycombe Industrial Area. The other main overdue sundry debtors are:
- Lesmurdie Tennis Club \$24,000 being an overdue contribution for the clubhouse re-fit and extension. This matter will be considered by Council at the next Corporate and Community Meeting scheduled for 15 September 2014.
 - Discovery Parks \$81,920, this amount relates to waste charges for 2013/14. A reminder notice has been sent out.
22. Fixed Assets additions are above last year's actuals to date by \$2.36 million in the asset category of infrastructure projects. Strategies are being put in place to improve the delivery of infrastructure projects.
- The Property, Plant and Equipment balance has not yet been adjusted for the Land and Buildings valuation which is currently in its final stages. However, we have reduced the depreciation charge on the building in line with the draft valuation results.
23. Provisions for annual and long service leave have come down slightly from last month and remain stable at \$2.2 million. It is expected this will reduce further in the coming months as the Shire aggressively pursues a leave management plan, this will not adversely affect service delivery. The long term goal is to bring this liability down to a more manageable level.
24. Long term borrowings are at \$6.9million. The Shire has no plans to extend its loan portfolio in 2014/2015.

STATUTORY AND LEGAL CONSIDERATIONS

25. The *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* require presentation of a monthly financial activity statement.

POLICY CONSIDERATIONS

26. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

27. Nil.

FINANCIAL CONSIDERATIONS

28. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

29. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 6.8 – To ensure financial sustainability through the implementation of effective financial management, systems and plans.

Strategy 6.8.4 Provide effective financial services to support the Shire's Operations and to meet sustainability planning, reporting and accountability requirements.

SUSTAINABILITY

Social Implications

30. Nil.

Economic Implications

31. Nil.

Environmental Implications

32. Nil.

RISK MANAGEMENT CONSIDERATIONS

33. The following risks have been considered:

Risk	Likelihood	Consequence	Rating	Action / Strategy
Over-spending the budget	Possible	Major	High	<ul style="list-style-type: none"> Monthly management reports are reviewed by the Shire. Weekly engineering reports on major projects and maintenance. Reviewed by the Shire.
Non-compliance with Financial Regulations	Unlikely	Major	Medium	<ul style="list-style-type: none"> The financial report is scrutinized by the Shire to ensure that all statutory requirements are met.

OFFICER COMMENT

34. The Shire's draft financial statements as at 31 July 2014 demonstrate the Shire has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RESOLVED OCM 122/2014

That Council:

1. Receives the draft monthly financial statements for the month to 31 July 2014, which comprises:
 - Statement of Comprehensive Income by Nature and Type.
 - Statement of Comprehensive Income by Program.
 - Statement of Cash Flow.
 - Statement of Financial Position.
 - Statement of Financial Activity (Nature or Type).
 - Statement of Financial Activity (Statutory Reporting Program).
 - Net Current Funding Position, note to financial statement.
 - Statement of Changes in Equity.
 - Reserves – Cash / Investment Backed - note to financial statement.
 - Investment Schedule – note to financial statement.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Bob Emery**

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

[Attachment 1](#)

Draft Statements of Financial Activity for the eleven months to 31 July 2014 incorporating the following:

- Statement of Comprehensive Income by Nature and Type
- Statement of Comprehensive Income by Program
- Statement of Cash Flow
- Statement of Financial Position
- Statement of Financial Activity (Nature or Type)
- Statement of Financial Activity (Statutory Reporting Program)
- Net Current Funding Position, note to financial statement
- Statement of Changes in Equity
- Reserves – Cash / Investment Backed – note to financial statement
- Investment Schedule – note to financial statement

[Click HERE to go directly to the document](#)

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

10.4.2 Perth Airport Preliminary Draft Master Plan 2014

Previous Items Responsible Officer	Nil Director Development Services
Service Area	Development Services
File Reference	TR-AIR-015
Applicant	N/A
Owner	N/A
Attachment 1	Perth Airport Locality Plan
Attachment 2	Perth Airport Precincts Plan
Attachment 3	Existing ANEF Contours (A3)
Attachment 4	Proposed ANEF Contours (A3)

PURPOSE

1. To consider the Perth Airport Preliminary Draft Master Plan 2014 (“Draft Master Plan”). Refer to Attachment 1.

BACKGROUND

2. In June 2014, Perth Airport Pty Ltd, the operator of Perth Airport, released the Draft Master Plan for public comment, detailing the proposed future development of the airport. It sets the scene for a significant investment in airport infrastructure over the next two decades.
3. The advertising period of the Master Plan concludes on 15 September 2014.

DETAILS

Planning Context

4. The Draft Master Plan is a high level planning document with a planning period of 20 years. Perth Airport are required to produce a Master Plan every 5 years. For the first time, the draft Master Plan also incorporates:
 - An Environmental Strategy that covers the period 2014 to 2019; and
 - A five year Ground Transport Plan.
5. The draft Master Plan provides much of the information that other local authorities need to enable them to assess and plan for the interaction of the airport with other public infrastructure.
6. Once the draft Master Plan is approved by the Commonwealth Minister for Infrastructure and Regional Development this does not provide automatic approval for development to occur. Development for non-aviation use, such as transport and logistics, are referred to the Shire for comment, but do not need formal planning consent as the land is a Regional Reserve under the Metropolitan Region Scheme.

7. The purpose of the draft Master Plan is to:
- Strengthen and enhance the aviation capacity of the airfield, including the planning and construction of a new runway;
 - Progress terminal consolidation with the construction of new terminals within the airport central precinct;
 - Further redevelopment of land not currently required for aviation purposes for productive commercial development;
 - Support major Commonwealth and State government projects to improve road and rail access to meet the needs of the people in the Perth eastern metropolitan region; and
 - Ensure development meets environmental obligations and that the airport's development and operations respect the strong bonds that exist between the Noongar people and the land comprising the Perth Airport estate.

Land Use Planning

8. The Draft Master Plan divides the airport's land into five precincts (refer Attachment 2). The use of precincts in the Perth Airport Land Use Plan represents the high level division of the airport estate for airport planning, development and identification purposes.

Within each precinct there are up to four land use zones. The land uses are generally based on definitions contained in the Model Scheme Text, with additional land uses that are specific to Perth Airport.

Airport North Precinct

- To develop an integrated mix of industrial, commercial, warehouse, showroom, storage and logistics land uses while integrating the environmental values of the land.

Airfield Precinct

- To provide for and protect the ultimate aviation capacity of the airport, including the development of all runways, taxiways and associated aviation infrastructure, while managing the environmental and cultural values of the area.

Airport South Precinct

- To provide for a range of aviation and non-aviation uses, with a focus towards accommodating logistics and distribution facilities while managing the environmental values of the land.

Airport Central Precinct

- To provide integrated passenger terminal and associated ground transport and commercial facilities that meet the changing needs of airlines and other companies providing services in the precinct, and of the travelling public.

Airport West Precinct

- To provide a range of aviation support facilities and associated ground transport as well as complimentary non-aviation commercial developments. Over time, limited office, retail and bulky goods may be provided.

Aviation Development

9. The Aviation Development Plan includes runways, taxiways, and aircraft parking areas, navigation infrastructure and terminal facilities and ensures the long term capacity of the airport is safeguarded and the demand is met.
10. A major component of the efficiency improvements to maximise system performance particularly in peak demand periods is the construction of the new runway. Analysis by the National Air Traffic Services has shown the need to proceed to construct a new runway during the current decade. The timing of the new runway has therefore been brought forward in the draft Master Plan. It is anticipated that the new runway will be operational by the end of the decade.
11. The consolidation of all commercial air services into new facilities around the site of the existing international terminal represents a major component of the Aviation Development Plan. The draft Master Plan projects that the final stages of the terminal consolidation will occur in early 2020.

Ground Transport Plan

12. Ground transport planning is critical component for the efficient operation of Perth Airport. The journey to and from the airport is often the first and last impression for people visiting Western Australia.
13. Each of the five airport precincts identifies strategies to minimise impacts on surrounding residential land uses whilst ensuring continued and coordinated access is provided to Perth Airport.
14. Perth Airport is already surrounded by a number of highways that provide major transport links within Perth and to Western Australia's regional areas. Some of the key factors informing the Ground Transport Plan include the modes of transport and how they will change over time, the growth in traffic on surrounding roads, and the growth of commercial development on airport land.
15. The Gateway WA Project represents a Federal/State government response to upgrade the regional road network around Perth Airport. The project will address the increasing volumes of traffic and resulting congestion at key intersections around the airport. Work has commenced on the project, and the major interchanges which access Perth Airport are expected to be completed by early 2017. These works include the Tonkin Highway and Leach Highway interchange, the Tonkin Highway, Horrie Miller and Kewdale Road interchange, the Leach Highway and Abernethy Road interchange, and the Tonkin Highway and Roe Highway interchange.

16. The Perth Airport –Forrestfield rail link represents another major transport initiative to improve transport access for people in Perth's eastern metropolitan region. The proposal incorporates three stations on the proposed route connecting the Bayswater station with a new station in Forrestfield. The State government has advised that it plans to have the rail service operational in 2020.

Airport Safeguarding

17. Safeguarding Perth Airport is a shared responsibility of Perth Airport and all levels of government. Safeguarding measures include:
- Aircraft noise management including implementation of land use protection in relation to the Australian Noise Exposure Forecast (ANEF).
 - Protecting airspace from obstacles.
 - Managing wildlife hazards.
18. The draft Master Plan includes a revised ANEF for Perth Airport. Refer to the Existing ANEF Contours (Attachment 3) and the Proposed ANEF Contours (Attachment 4). The requirement of an ANEF has been in place since the first Master Plan in 1985, and every five years since then a revised ANEF has been incorporated into the plans.
19. The ANEF is a land use planning tool and does not explicitly convey the impact or exposure of aircraft noise to the community. The State Government has therefore acted to restrict inappropriate development, mostly residential development, in the vicinity of Perth Airport by adopting the Perth Airport ANEF into its State Planning Policy 5.1 - Land Use Planning in the Vicinity of Perth Airport.
20. Perth Airport will continue to object to new or increased density residential development close to the airport.

Environment Strategy

21. The draft Master Plan includes a new Environmental Strategy which outlines a strategic approach to Perth Airport's environment and incorporates various sustainability practises. The Environmental Strategy addresses a number of areas that have the potential to be affected by the operation of the airport. These include soil, water, flora and fauna, wetlands, air quality and Aboriginal Heritage.
22. Tenants and companies conducting activities on the Perth Airport estate are required to take all reasonable and practicable measures to prevent pollution and must comply with the relevant legislation and parts of the *Airports (Environmental Protection) Regulations 1997*.

23. Over the next 5 years, key environmental activities will include:
- Continuing to adopt sustainable development principles in built form design,
 - Using Commonwealth Governments Environmental Offset Policy to ensure equivalent outcomes when land is cleared for development;
 - Development of waste reduction strategies; and
 - Continuing engagement with the Noongar people to achieve cultural and heritage objectives.
24. Perth Airport will undertake further comprehensive analysis of each of the land use planning precincts taking into account:
- Aviation related protection zones and restrictions;
 - Environmental value;
 - Aboriginal heritage;
 - Drainage and flooding impact; and
 - Environmental offset (either onsite or offsite) costs; and potential development costs.

STATUTORY AND LEGAL CONSIDERATIONS

25. The *Airports Act 1996* (Act) is the legislation regulating the ownership, management and operation of Federally leased airports in Australia.
26. The Act requires Perth Airport Pty Ltd to develop a Master Plan every five years covering a planning period of 20 years.

POLICY CONSIDERATIONS

State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport

27. State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport (“SPP 5.1”) applies to land located in the vicinity of Perth Airport which is, or may be, affected by aircraft noise. The objectives of the Policy are to protect Perth Airport from unreasonable encroachment by incompatible development, and to minimise the impact of aircraft noise operations on existing and future residential areas located in close proximity to Perth Airport.
28. SPP 5.1 identifies measures for areas below 20 ANEF, between 20 and 25 ANEF, and areas above 25 ANEF. Areas below 20 ANEF are not subject to building or zoning restrictions. Areas located in the 20 to 25 ANEF are restricted to a residential density of R20 except where it can be demonstrated there is a strategic need for more consolidated development. In areas above 25 ANEF there is a general presumption against zoning for residential use.

COMMUNITY ENGAGEMENT REQUIREMENTS

29. Perth Airport Pty Ltd is currently advertising the Draft Master Plan to the public and applicable local governments and agencies for comment, this has included numerous workshops being held by it for the public's benefit.

30. The Draft Master Plan has been made available to the public at the Shire's Administration Building and on its website throughout the advertising period.

FINANCIAL CONSIDERATIONS

31. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

32. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.1 - To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.

Strategy 4.1.6 Continue to work collaboratively with State government and agencies to deliver strategic land use plans, policies and initiatives.

SUSTAINABILITY

Social Implications

33. Due to proposed change in the ANEF contour, some areas of High Wycombe will not be able to have increases in residential density as originally envisaged by the Local Housing Strategy.
34. The development of the parallel runway will potentially have noise implications for residents in the eastern suburbs of High Wycombe, Wattle Grove, Maida Vale and Forrestfield.

Economic Implications

35. Proposals in the Draft Master Plan will create more job opportunities for local residents.
36. The Forrestfield – Airport Link will encourage more commercial investment into the Shire and give opportunity to higher density residential development.

Environmental Implications

37. Perth Airport will undertake further comprehensive analysis of each precinct taking into account:
- Aviation related protection zones and restrictions;
 - Environmental value;
 - Aboriginal heritage;
 - Drainage and flooding impact;
 - Environmental offset (either onsite or offsite) costs; and potential development costs.

RISK MANAGEMENT CONSIDERATIONS

Risk	Likelihood	Consequence	Rating	Action/Strategy
Aircraft noise mitigation measures.	Possible	Major	High	Make sure Council is aware of the consequences if density codings are increased within the 20 to 25 ANEF contour which falls within High Wycombe.

OFFICER COMMENT

39. Perth Airport delivers many benefits for the Shire of Kalamunda, these include:
- Employment opportunities;
 - Increased housing demand in Forrestfield and High Wycombe;
 - Supporting environmental initiatives;
 - Supporting State and Federal transport initiatives; and
 - Encourage light and freight related industries into the District (i.e. the Forrestfield/High Wycombe Industrial Area).
40. The draft Master Plan identifies a number of planning and transport related issues pertinent to the Shire of Kalamunda. These are described below:

Land Use Planning

41. The Airport North Precinct provides for a range of industrial and commercial land uses. The Precinct abuts a portion of the Shire of Kalamunda bounded by Kalamunda Road, Stirling Crescent and Adelaide Street. The land is presently zoned urban under the Metropolitan Region Scheme and Urban Development under the Shire's Local Planning Scheme No.3. Given the level of industrial activity within the Precinct and with the proposal to extend the ANEF contour further east through this land, consideration should be given as to what is the most appropriate land use for this area.

Proposed Relocation of the 20 to 25 ANEF contour within High Wycombe

42. The High Wycombe and Maida Vale Precinct identified under the Strategy is affected by a 20 to 25 ANEF contour, which under the Draft Master Plan is proposed to be relocated eastward.
43. Under the Local Housing Strategy, the Shire has identified High Wycombe for infill development through changes to the density coding's. The revised ANEF contour will mean that some of the properties previously identified under the housing strategy will not have their density coding's increased in order to comply with SPP 5.1.
44. If the proposed changes in density coding's are not consistent with SPP 5.1 then it is unlikely that they will be supported by the Minister for Planning when amendments to the Scheme Zoning Maps are considered.

45. Perth Airport Pty Ltd will be advised that any proposed amendments to the Scheme Zoning Maps which are within close proximity to the ANEF contours will be referred to it for comment as part of the advertising process in future.

Ground Transport Implementation Plan

46. In the eastern portion of the Airport South Precinct, freight access to the airport estate via Grogan Road, Hudswell Road and Dubbs Close is critical to the development of industrial land in Forrestfield. The Shire of Kalamunda acknowledges the role of Perth Airport in working with the Shire and the State Government towards an agreement for an Abernethy Road access strategy, to ensure that continued and coordinated access is provided to the airport estate. The development of the new runway and associated changes to the internal road layout, including Grogan Road, will have to take into consideration the need for the continual connection from Abernethy Road into the airport during and after the construction phase.
47. In the Airport North Precinct, the Shire of Kalamunda supports the work Perth Airport has undertaken to establish a road layout that minimises the impacts of through traffic to Perth Airport on the residential community of High Wycombe. The role of Adelaide Street connecting through to Abernethy Road will be critical in ensuring that the residential area east of Stirling Crescent is not exposed to freight movements associated with industrial development in the precinct.
48. The draft Master Plan seeks to achieve a balanced approach to development and the environment. The Shire would welcome an opportunity discuss with Perth Airport any environmental offsets in relation to improving the environmental values of Poison Gully Creek.

Voting Requirements: Simple Majority

RESOLVED OCM 123/2014

That Council:

Advises Perth Airport Pty Ltd that:

1. It is supportive of the Preliminary Draft Master Plan 2014.
2. Any proposed amendments to the Scheme Zoning Maps as a consequence of the Local Housing Strategy, which are within close proximity to the ANEF contours, will be referred to it for comment as part of the advertising process in future.
3. It considers that access to the airport from Abernethy Road via Grogan Road, Hudswell Place critical to the development of the industrial land in Forrestfield. The Shire recommends that the airport notes in the masterplan the need to ensure ongoing connection during and after the construction of the parallel runway.

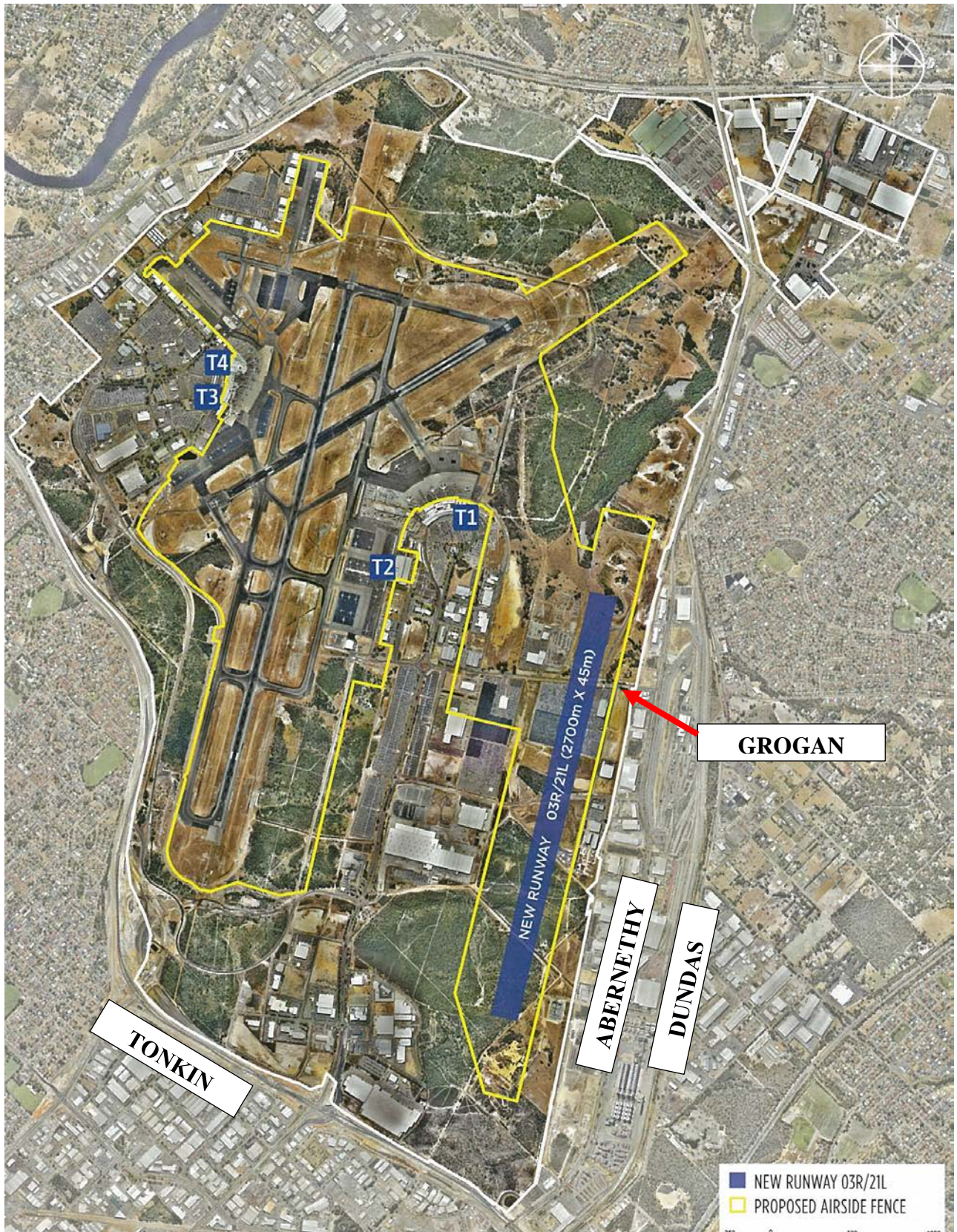
4. It supports the work Perth Airport has undertaken to establish a road layout that minimises the impacts of through traffic to the airport on the residential community of High Wycombe.
5. It would welcome an opportunity to discuss environmental offsets in relation to improving the environmental values of Poison Gully Creek.

Moved: **Cr Dylan O'Connor**

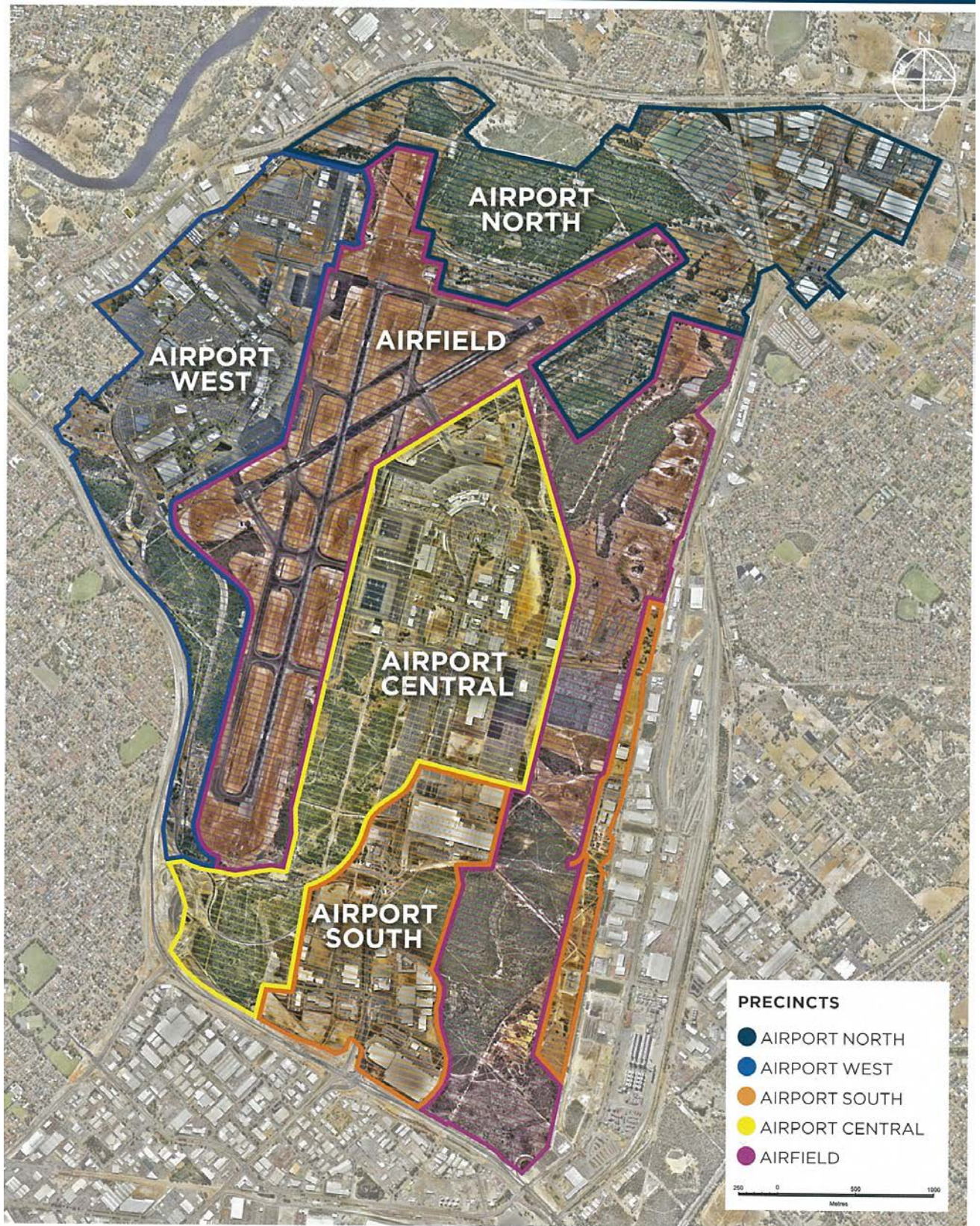
Seconded: **Cr Justin Whitten**

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

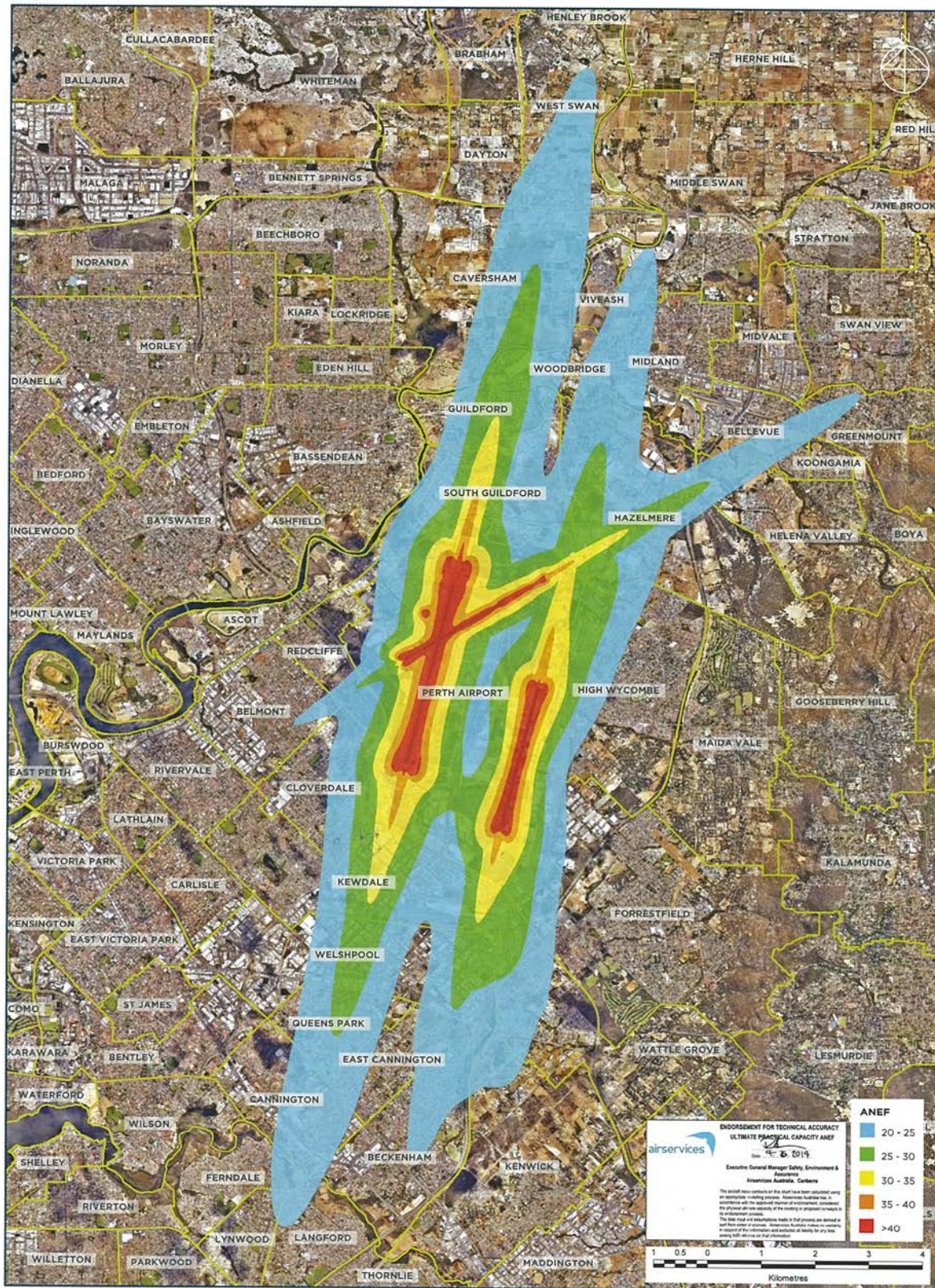
Attachment 1
Perth Airport Preliminary Draft Master Plan 2014
Perth Airport Locality Plan



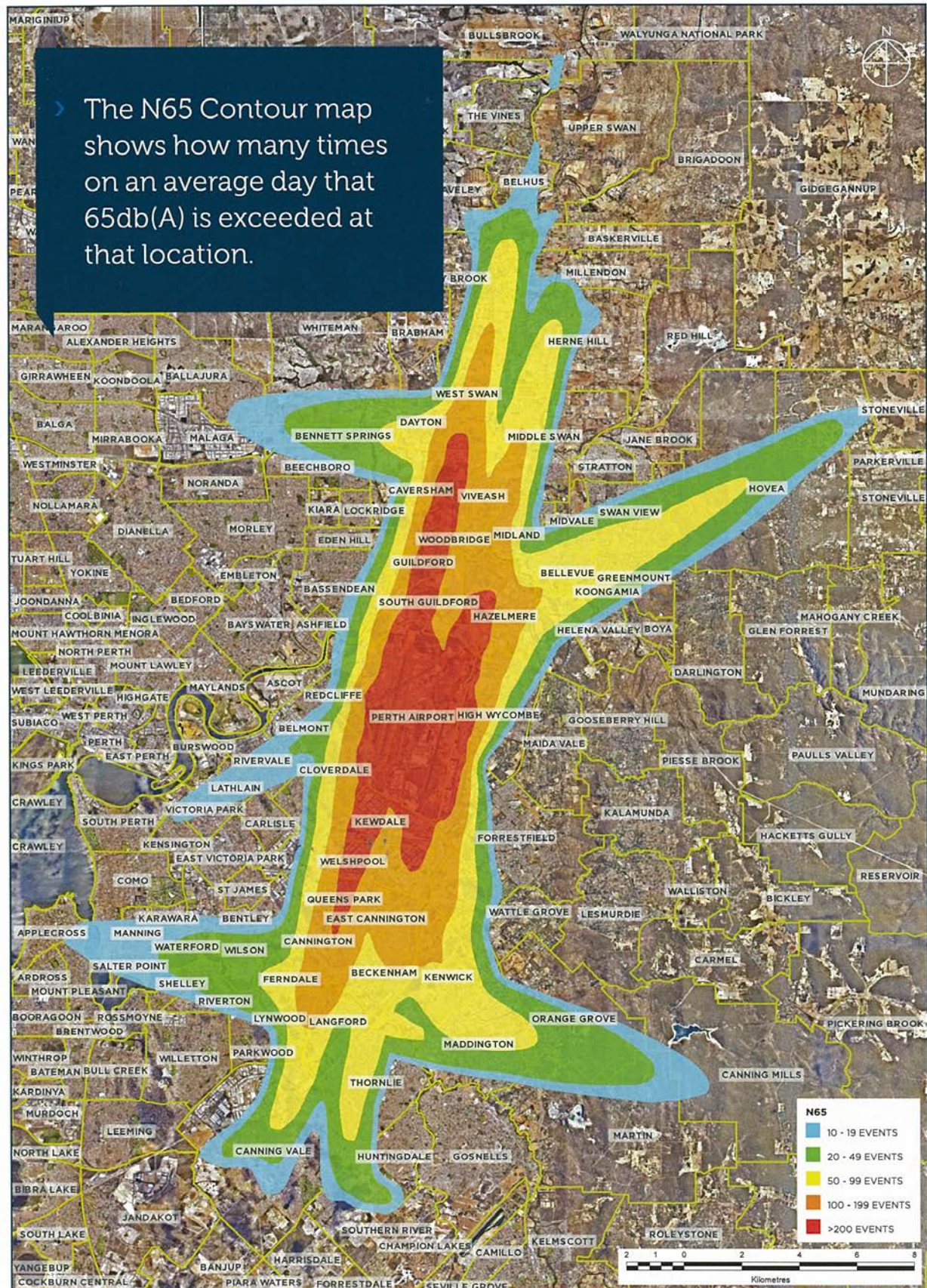
Attachment 2
Perth Airport Preliminary Draft Master Plan 2014
Perth Airport Precincts Plan



Attachment 3
Perth Airport Preliminary Draft Master Plan 2014
Existing ANEF Contours



Attachment 4 Perth Airport Preliminary Draft Master Plan 2014 Proposed ANEF Contours



11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 National Reconciliation Action Plan (Cr O'Connor)

Voting Requirements: Simple Majority

RESOLVED OCM 124/2014

That Council:

1. Request the CEO to prepare a report that outlines the implications of the Shire of Kalamunda joining the National Reconciliation Action Plan program and developing a Reconciliation Action plan.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Geoff Stallard**

Vote: **For**
Cr Frank Lindsey
Cr Geoff Stallard
Cr Allan Morton
Cr Andrew Waddell
Cr Bob Emery
Cr Dylan O'Connor
Cr Sue Bilich

Against
Cr John Giardina
Cr Justin Whitten
Cr Margaret Thomas

CARRIED (7/3)

Rationale

In light of the success that the Shire has had with its inaugural NAIDOC week celebration and in order to ensure the goodwill that was generated between the local aboriginal community and Kalamunda Community is sustained, I propose that the CEO provide a report to Council on the benefits of the Shire joining the National Reconciliation Action Plan program by preparing a Reconciliation Action plan.

What is a Reconciliation Action Plan (RAP)?

On 25 July 2006 Reconciliation Australia launched their Reconciliation Action Plan (RAP) program. Its main aim is to help organisations close the life expectancy gap between Aboriginal and non-Aboriginal Australians with measurable and accountable actions.

Reconciliation Action Plans (RAPs) provide a framework to directly improve relationships and respect between Aboriginal and Torres Strait Islander peoples and other Australians.

RAPs must be developed in consultation with Aboriginal stakeholders and be measurable, action-oriented and publicly accountable. They may include small initial steps or decisions for major changes.

Some ideas for what can be included in a RAP:

- Provide cultural awareness training. Encourage all staff to take a keen interest in learning about and celebrating Aboriginal traditional and modern culture. You can have Aboriginal elders speak, distribute fact sheets among staff, or spread the good news about Aboriginal Australia (media already covers the bad news).
- Acknowledge traditional owners. Acknowledge the traditional owners and of Aboriginal people as the custodians of the land at major meetings and events. Let Aboriginal children raise the Aboriginal and Torres Strait Islander flags. Permanently show the flags in your publications, websites, etc.
- Form partnerships. Create positive and productive working partnerships with Aboriginal organisations. Strong relationships bring different skills and perspectives to the table and encourage innovation, success and excellence. Contact the [Australian Indigenous Minority Supplier Council](#) for certified Aboriginal-owned suppliers of goods and services.
- Sponsor events. Sponsor events in remote Aboriginal communities. Consult with local Aboriginal elders to find out what the community needs, then work with them to help provide these goods or services.

Between 2006 and 2011 more than 300 organisations have implemented RAPs, including some of Australia's largest companies, not-for-profits, government departments, schools and universities [6].

More than 20,000 people of RAP organisations have completed formal cultural awareness training. Organisations have committed to employing more than 21,000 Aboriginal people, and by May 2012 over 13,000 positions were filled [6]. 1,000 Aboriginal youth were in apprenticeships and traineeships. \$26 million were spent purchasing goods and services from certified Aboriginal businesses.

Given that Kalamunda has its name derived from the aboriginal culture and is recognised as a special area for the aboriginal people I believe it is time for the Shire of Kalamunda to formalise its connection with its aboriginal past, traditions and culture.

11.2 Forresterfield/High Wycombe Industrial Area (Cr O'Connor)

In order to enact this decision, Council must initiate the amendment to Local Planning Scheme No.3 below:

Voting Requirements: Simple Majority

RESOLVED OCM 125/2014

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:

- a) Modifying clause 6.5.14.2 (Payment of Cost Contribution) to the following:

“6.5.14.2 The Owner, with the agreement of the local government, may pay the Owner’s Cost Contribution in a lump sum, by instalments or in such other manner acceptable to the local government. The exception being for development within the Forrestfield/High Wycombe Industrial Area, where the Owner’s Cost Contribution is required to be paid in a lump sum.”

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.

Moved: **Cr Dylan O’Connor**

Seconded: **Cr Justin Whitten**

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

Rationale

In July 2014, Council resolved (Resolution OCM 110/2014) that Local Planning Scheme No. 3 (Scheme) be amended to disallow staged payments for development within the Forrestfield/High Wycombe Industrial Area, and to ensure that all contributions are paid in full as a condition of any planning approval.

11.3 Closure of the Pedestrian Access Way 9PAW) abutting Lot 174 (5) and 175 (3) Parrot Court and Lot 154 (7) and 155 (5) Sparrow court, High Wycombe (Cr Waddell)

Voting Requirements: Simple Majority

RESOLVED OCM 126/2014

That Council:

1. notes the factual errors in the document provided by the Department of Planning (DOP) in relation to the closure of this PAW, and now requests the Chief Executive Officer contact DOP to correct these errors; notably that
 - the PAW is in High Wycombe not Lesmurdie.
 - the Council's report had quoted earlier DPI findings and that those findings were not the view of the Council in 2014.
 - that multiple reports of antisocial behaviour have in fact been reported by residents.
2. requests that the Chief Executive Officer seek a re-examination of the original request to close the PAW by the Department of Planning. In the event that the DOP denies such a request then the Chief Executive Officer is authorised to initiate appeal proceedings.
3. authorises a freedom of information request be filed to obtain any information pertaining to complaints in and around the PAW, if requests for information from the local police are not successful in the next 2 weeks.

Moved: **Cr Andrew Waddell**

Seconded: **Cr Bob Emery**

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

Rational

The Department of Planning has refused our request to close this PAW and attempts to obtain supporting information from local Police have not been successful.

The department's letter contained a number of errors, incorrectly identifying the suburb of the PAW and incorrectly attributing a quote from the DPI in 2006 to the Shire. It is clear that proper consideration has not been given to the request for the closure.

The Presiding Member requested that the meeting be adjourned to enable the Special Council Meeting to be opened.

Adjournment of Meeting

Voting Requirements: Simple Majority

RESOLVED OCM 127/2014

That Ordinary Council Meeting of the 25 August 2014 be adjourned as prescribed by the Presiding Member.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Allan Morton**

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

The meeting adjourned at 7.42pm.

Recommence Meeting

Voting Requirements: Simple Majority

RESOLVED OCM 129/2014

That Ordinary Council Meeting of the 25 August 2014 be reconvened as prescribed by the Presiding Member.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Justin Whitten**

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

The meeting reconvened at 7.44pm. All members of Council, staff and one member of the press were present. Before presenting the motion the Presiding Member read an email received from the WALGA President to the meeting.

11.4 Membership Fees - Western Australian Local Government Association (Cr Bilich)

Voting Requirements: Simple Majority

RESOLVED OCM 130/2014

That Council:

1. authorise the CEO to withhold payments on all WALGA accounts, except LGIS accounts and subject to confirmation that non-payment of subscriptions does not invalidate Councils insurance policies, pending WALGA State Council accepting in full the City of Canning motion passed at the WALGA AGM or WALGA State Council rescinding its Item 5.1.2 as passed on 2 July 2014.

Moved: **Cr Sue Bilich**

Seconded: **Cr Frank Lindsey**

Vote: **For**
Cr John Giardina
Cr Frank Lindsey
Cr Geoff Stallard
Cr Allan Morton
Cr Dylan O'Connor
Cr Margaret Thomas
Cr Sue Bilich

Against
Cr Justin Whitten
Cr Andrew Waddell
Cr Bob Emery

CARRIED (7/3)

Rational

The WALGA State Council Agenda 2nd July 2014 containing Item 5.1.2 Local Government Poll provisions was duly adopted by State Council and is now incongruent with the view of the sector in light of the City of Canning motion supported at the AGM held on 6th August 2014 in such a way as it defeats the intention of the AGM's motion.

In the State council agenda for September 2014 in relation to the Item 5.1 .4.7B 2014 AGM Minutes that the WALGA Secretariat comments again tend to indicate that WALGA is not fully committed to the motion put and carried 197 to 32 by the members at the AGM.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Footpath – Wundo Road
Q1.

12.2 Waste Service Disruption (Cr Waddell)
Q Was there any disruption to the Shire's waste collection service during the recent truck recall by Cleanaway.

- A The CEO advised the Shire's contractor for waste collection is Perth Waste and the Shire was not affected.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Cr Dylan O'Connor – City of Gosnells – "Gosnells Wedge"

- Q1. The City of Gosnells have moved to rezone and develop a section of land that you may know as the "Gosnells Wedge". Can I have an update on how the Shire of Kalamunda is doing to progress that?

- A1. At the last meeting held with the Director of Planning Services at City of Gosnells (CoG) the Shire was advised the CoG would soon be lodging their MRS Amendment for stages 2 and 3 of the MKSEA to the WAPC. The technical studies undertaken by the CoG, to support the MRS amendment, were nearing finalisation.

The Director also advised the CoG MRS Amendment would not relate to any of the MKSEA within the Shire, however, some of the technical studies undertaken may have included the Shire's land. The Shire will be meeting with the Coordinator, City Growth to determine which of these technical studies could be re-used by the Shire.

Once this information is obtained, the Shire will be able to meet with the Department of Planning to establish the extent of the technical studies the Department would expect the Shire to undertake to support an MRS amendment.

The City of Gosnells has been requested to send all relevant information to the Shire for review.

14.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

- 14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC

- 15.1 Nil.

16.0 CLOSURE

- 16.1 There being no further business, the Presiding Member declared the meeting closed at 8.10pm.

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

Signed: _____

Presiding Member

Dated this _____ day of _____ 2014