



Ordinary Council Meeting

MINUTES

Tuesday 27 October 2020

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1. Official Opening

The Presiding Member opened the meeting at 6:34pm and welcomed Councillors, Staff and Members of the Public Gallery. The Presiding Member also acknowledged the Traditional Owners of the land on which we meet the Whadjuk Noongar people.

2. Attendance, Apologies and Leave of Absence Previously Approved

Councillors

South East Ward

John Giardina

Janelle Sewell

Geoff Stallard

South West Ward

Lesley Boyd

Mary Cannon

Brooke O'Donnell

North West Ward

Lisa Cooper

Dylan O'Connor

North Ward

Cameron Blair

Kathy Ritchie

Margaret Thomas JP (Mayor) Presiding Member

Members of Staff

Chief Executive Officer

Rhonda Hardy

Executive Team

Gary Ticehurst - Director Corporate Services

Brett Jackson - Director Asset Services

Peter Varelis - Director Development Services

Management Team

Doug Bartlett - Manager Asset Projects

Nicole O'Neill - Manager Customer and Public Relations

Administration Support

Darrell Forrest - Governance Advisor

Cam Jones - IT Coordinator

Donna McPherson - Executive Assistant to the CEO

Members of the Public Nil.

Members of the Press Nil.

Apologies

Cr Sue Bilich

Leave of Absence Previously Approved Nil.

3. Public Question Time

3.1. Questions Taken on Notice at Previous Meeting (22 September 2020)

3.1.1 David Downing, Forrestfield

Q In relation to Item 10.5.6 Local Planning Scheme No. 3 – Amendment 105 – Development contribution Area 1 – Forrestfield Light Industrial Area Stage 1 – Method for Calculating Contributions. Why has the City decided to initiate the scheme amendments two months after receiving advice this was not required?

A For the purposes of establishing the Cost Contribution rate, in a fair and equitable manner, as part of the annual review of the Development Contribution Plan (DCP) Report in July 2020, the amendment was not required to have been initiated. Notwithstanding this, in the interests of avoiding ambiguity and confusion and to provide clarity with regard to the City's DCP Report, the amendment has been prepared.

3.2. 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.

3.2.1 Jack McQuade, Roleystone

Q1. Does the City believe Canning Road, between Brookton Highway and Welshpool Road, would be safer for all users if under the control of Main Roads?

Q2. To date Main Roads have disregard road users other than heavy vehicles (Trucks). Is there any evidence Main Roads have had a change of heart?

Q3. What are the prospects of the road safety audit being undertaken?

A. The City is not able to comment whether the care and control of Canning Road by Main Roads would make it safer. This is not the purpose of this report.

4. Petitions/Deputations

4.1 A deputation was received from Mr Stuart Birnie in relation to Item 10.2.1 Closure of South- Eastern End of Nardine Close. Mr Birnie spoke in support of the recommendation.

4.2 A deputation was received from Mr Ray and Ms Carole Wittenbaker in relation to Item 10.5.5. Zig Zag Progress Update. Mr and Ms Wittenbaker spoke in support of the recommendation.

5. Applications for Leave of Absence

5.1 Nil.

6. Confirmation of Minutes from Previous Meeting

6.1 RESOLVED OCM 195/2020

That the Minutes of the Ordinary Council Meeting held on 22 September 2020, as published and circulated, are confirmed as a true and accurate record of the proceedings.

RESOLVED OCM 194/2020

That Cr Cameron Blair be granted leave of absence for the period 1 October to 12 October 2020.

Moved: Cr Kathy Ritchie

Seconded: Cr Lisa Cooper

Vote: CARRIED UNANIMOUSLY (11/0)

7. Announcements by the Member Presiding Without Discussion

7.1 Nil.

8. Matters for Which the Meeting may be Closed

8.1 Item 10.2.6 Community Appointment to Kalamunda Environmental Advisory Committee – Confidential Attachment – Kalamunda Environmental Advisory Committee Community Member Nomination
Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person."*

- 8.2 Item 10.3.1 Proposed Membership of the City's Economic Development Advisory Committee – Confidential Attachment – 1. KEDAC Nomination & Assessments and 2. KEDAC Recommended Appointments
Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person."
- 8.3 Item 10.5.7 COVID-19 Innovation Grants – Schools – Confidential Attachment - COVID-19 Innovation Grants – Schools
Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person."
- 9. Disclosure of Interest**
- 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 5.56 of the *Local Government Act 1995*.)
- b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)
- 9.1.1 Cr Dylan O'Connor declared a Financial Interest on Item 10.5.7 COVID-19. Cr O'Connor is employed at one of the schools who is a recipient of a grant.
- 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.
- 9.2.1 Cr Janelle Sewell declared an Impartiality Interest on Item 10.5.5 Zig Zag Scenic Drive Program Update. Cr Sewell has a relative who lives close to the Zig Zag Scenic Drive.
- 9.2.2 Cr Giardina declared a Proximity Interest on Item 11.2 Chrystal Brook Concept Plan - Consideration of Submission and Proposed Modifications. Cr Giardina has a relative who lives in the Chrystal Brook area.

10. Reports to Council

10.1. Development Services Reports

10.1.1. Adoption of the City of Kalamunda - Community Safety & Crime Prevention Plan 2020 - 2025

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

Previous Items	OCM51/2013
Directorate	Development Services
Business Unit	Environmental Health & Community Safety
File Reference	CS-CCS-073
Applicant	N/A
Owner	N/A

Attachments	1. Community Safety Crime Prevention Plan 2020-2025 [10.1.1.1 - 17 pages]
	2. Safety and Crime Prevention Survey Outcomes Summary Report [10.1.1.2 - 90 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.1 - To be a community that advocates, facilitates and provides quality lifestyles choices.

Strategy 1.1.2- Empower, support and engage and with young people, families and our culturally diverse community.

Priority 1: Kalamunda Cares and Interacts

Objective 1.2 - To provide a safe and healthy environment for community to enjoy.

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.1 - Support local communities to connect, grow and shape the future of Kalamunda.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to adopt the City of Kalamunda – Community Safety & Crime Prevention Plan 2020 – 2025 (Plan) (Attachment 1) on the recommendation of the Council’s Community Safety and Crime Prevention Advisory Committee (CSCPAC).
2. The Plan will:
 - a) Provide guidance to the City of Kalamunda (City) in the development of initiatives to enhance safety and reduce crime.
 - b) Replace the City’s Community Safety & Crime Prevention Plan 2013 – 2018.
3. It is recommended Council adopt the Plan.

BACKGROUND

4. At the CSCPAC meeting on the 12 August 2020, it was resolved to endorse the draft Plan and to submit the draft Plan to Council for adoption.
5. The draft Plan was advertised for public comment from 21 February 2020 to 13 March 2020.

6. Prior to this, a community safety and crime prevention engagement project was launched which included an integrated marketing campaign and surveys that were distributed City-wide. The campaign ran from 21 July 2019 and closed on the 20 August 2019. The community engagement helped inform the initiatives and actions within the Plan (summary report, Attachment 2).

DETAILS AND ANALYSIS

7. The campaign included two online surveys. One aimed at households and the other at businesses. The City received, in total, 530 responses to the household survey and 35 to the business survey.
8. The data from the surveys informed improvements and recommendations regarding safety and crime prevention. Some examples include increased lighting, CCTV, and investigations into the possibility of security patrols.
9. The feedback provided by the community overwhelmingly requested a greater police presence. During the development of the Plan, it was acknowledged that the City has limited influence regarding Policing, except for an advocacy role. Other key themes that were common throughout the engagement were security patrols, CCTV, lighting, and road safety. All these themes have been incorporated into the plan as key actions.
10. Specifically, in relation to addressing the theme surrounding an increase in policing an action to investigate and report the possibility and financial impact surrounding a security service has been proposed.
11. A draft Plan was also advertised for public comment, which received 27 responses. The three key items raised in the responses included, early intervention youth programs, investigations into the possibility of security patrols and CCTV. These matters assisted with informing actions within the Plan.
12. The aim of the Plan is to provide guidance to the City in its development of initiatives to enhance safety and reduce crime within the City.
13. The Plan outlines a framework for implementation, which includes recommendations for the allocation of a minimum 0.5 FTE towards supporting the Plan, sources of alternative funding options and a mechanism for evaluation and review.

14. One of the key objectives of CSCPAC is to consider issues relevant to the implementation of the Plan and to monitor and review the relevant strategies and actions.
15. It is also suggested that the localised crime statistics for the City be added to the Plan on an annual basis and discussed at CSCPAC meetings to enable a current source of comparison throughout the timeframe of the Plan.

APPLICABLE LAW

16. Nil.

APPLICABLE POLICY

17. Nil.

STAKEHOLDER ENGAGEMENT

18. In the 2020 community scorecard, safety was identified as a top priority with community recommendations to address this being increased police presence, the potential for security patrols, establishing a local police station, more CCTV, improved street lighting and more traffic calming initiatives.
19. A community safety and crime prevention campaign which included an online survey was open between 21 July 2019 to 20 August 2019 which resulted in 565 responses.
20. Following this, the Plan was advertised for public comment between 21 February 2020 to 13 March 2020 and received 27 responses.
21. The Plan has had extensive consultation with the CSCPAC and was endorsed by the Committee on 12 August 2020.

FINANCIAL CONSIDERATIONS

- 22.. Future budget reviews will consider allocation of funds in conjunction with external funding opportunities to carry out new initiatives within the life of the Plan.

SUSTAINABILITY

Social Implications

- 23.. All members of our community can enjoy a safe and secure environment in which to live, work and play.

Economic Implications

24. A safer community will allow businesses greater confidence in investing in the City of Kalamunda.

Environmental Implications

- 25.. Nil.

RISK MANAGEMENT

26.	Risk: Without a Community Safety & Crime Prevention Plan providing direction and guidance, there's an increase in risks regarding the perception of crime and safety in the community.		
	Consequence	Likelihood	Rating
	Significant	Possible	High
	Action/Strategy		
	Council adopt a Community Safety & Crime Prevention Plan to guide initiatives to enhance safety and reduce crime within the City.		

CONCLUSION

27. The purpose of this report is for Council to adopt the Community Safety and Crime Prevention Plan which was endorsed by CSCPAC on the 12 August 2020.
28. The CSCPAC will provide oversight and guide the implementation of the Plan.
29. The Plan will be subject to annual review to ensure it remains current and relevant for the community.

Voting Requirements: Simple Majority

RESOLVED OCM 196/2020

That Council ADOPTS the Community Safety & Crime Prevention Plan 2020 – 2025.

Moved: **Cr Lesley Boyd**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.1.2. City of Kalamunda - Fire Hazard Assessment Plan - Season 2020 / 2021

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

Previous Items	OCM /2019
Directorate	Development Services
Business Unit	Environmental Health & Community Safety
File Reference	RA-BFC-002
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Fire Hazard Assessment Plan 2020/2021 [10.1.2.1 - 49 pages] 2. Fire Hazard Reduction Notice 2020/2021 [10.1.2.2 - 2 pages]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.2 - To provide a safe and healthy environment for community to enjoy.

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 2: Kalamunda Clean and Green

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

Strategy 2.1.1 - Enhance our bushland, natural areas, waterways and reserves.

Strategy 2.1.2 - Support the conservation and enhancement of our biodiversity.

Strategy 2.1.3 - Community engagement and education in environmental management.

EXECUTIVE SUMMARY

1. The purpose of this report is to advise Council of the City of Kalamunda's (City) approach to fire hazard management and assessment through the implementation of the 'Fire Hazard Assessment Plan 2020-21 Season' (Attachment 1).
2. The Plan will:
 - a) Support the requirements of the City's Fire Hazard Reduction Notice 2020/2021 (Notice) (Attachment 2), gazetted on 7 July 2020.
 - b) Replace the City's Fire Hazard Assessment Plan 2019/20, providing a risk-based approach to fire hazard assessments, while increasing the City's engagement focus to build a more resilient community.
3. It is recommended Council notes the implementation of the Plan and Notice.

BACKGROUND

4. The Plan utilises previous non-compliance, complaints, and a comprehensive risk assessment to determine the priority of assessments throughout the City. The purpose is to reduce the overall risk profile of the City by ensuring all very high and extreme private properties are assessed before moving onto lower risk properties.
5. The Plan also utilises a combination of community engagement programs to support the assessments, which are focused on empowering residents to be fire ready before the 1 November 2020 assessment program (Engagement Programs). The focus of the Engagement Programs is to increase fire safe practices, asset preparedness and community resilience, while giving residents information on how to comply with the Notice.

DETAILS AND ANALYSIS

6. The Engagement Program has already commenced with pre-season assessments, community workshops, social media infomercials, updated City website, static displays, variable message boards, letterbox drops of information booklets and the Notice.

7. The City is using the Department of Fire and Emergency Service's (DFES) 'Bushfire Risk Management System' (BRMS), which is a digital database enabling DFES in collaboration with local government to log bushfire risks throughout Western Australia. The BRMS allows the City to capture data specific risk ratings for all assets within its district. The assets are divided into four categories, Cultural, Economic, Environmental and Human Settlement. Although most assets will be one or the other, the BRMS provides the ability to rate multiple risks against the one asset. Once all the risk data has been logged into the BRMS, the BRMS will automatically provide the rating category, which the assessment program is based around.
8. The City's Fire Control Officers (FCOs) will drive all fire breaks on the properties they assess. The purpose of driving the fire breaks is to ensure they comply with the 3m wide by 4m high clearance. This is a critical safety requirement to ensure our Volunteer Bush Fire Brigade and Fire and Rescue Services can safely drive a fire appliance along a fire break in times of an emergency.
9. The City is encouraging those residents that consider the physical characteristics of their property make it impossible to comply with the Notice, to have applied for a variation (pursuant to the mechanism for this as set out in the Notice) before 1 October 2020. Late variation applications may incur an administration fee of \$150.

APPLICABLE LAW

10. Section 33 and 39, Bush Fires Act 1954.

APPLICABLE POLICY

11. Nil.

STAKEHOLDER ENGAGEMENT

12. The Plan was presented at the 27 August 2020 Local Emergency Management Committee meeting.

FINANCIAL CONSIDERATIONS

13. Provision for the proposed Plan was costed in the 2020/21 operational budget. No additional funding is being requested as part of this report.

SUSTAINABILITY

Social Implications

14. The Plan empowers the City’s residents, recognising their autonomy, to comply with the Notice thereby building a more resilient community. The Plan achieves this by providing residents with the information they need to not only comply with the Notice before 1 November, but to ensure they are bushfire ready.

Economic Implications

15. Empowering our residents to become resilient will reduce the economic impact during times of emergency.

Environmental Implications

16. Compliance with the Notice reduces the risk of fire spreading and increases the ability to contain and control fire, thereby increasing the level of protection to the local environment.
17. The implementation of the Plan assist with the City’s response to a changing and drying climate.

RISK MANAGEMENT

- 18.
- | | | |
|--|-------------------|---------------|
| Risk: The City does not implement the Plan and there is a significant increase in fuel loads and bushfire risks throughout the City’s district. | | |
| Consequence | Likelihood | Rating |
| Critical | Almost certain | Extreme |
| Action/Strategy | | |
| Through implementation of the Notice, the Plan will reduce the risk in the most high risk areas. | | |
- 19.
- | | | |
|--|-------------------|---------------|
| Risk: There is a reputational risk, if the City is impacted by a fire event resulting in loss of property and/or life. | | |
| Consequence | Likelihood | Rating |
| Critical | Unlikely | High |
| Action/Strategy | | |
| The processes contained in the Plan, if followed correctly, will reduce the impact of incidents and will also assist with answering enquiries from external sources. | | |

20.

Risk: There is a Health and Safety risk if the City is impacted by a fire event resulting in loss of property and/or life.		
Consequence	Likelihood	Rating
Critical	Unlikely	High
Action/Strategy		
The Plan will increase community awareness and preparedness through a better approach to engaging with residents. This will assist to mitigate the risk by making residents fire ready and build the overall resilience of the community.		

21.

Risk: There is an environmental risk if the City is impacted by a large fire which damages the local environment and/or asbestos cement clad/roofed buildings or other like structures.		
Consequence	Likelihood	Rating
Critical	Unlikely	High
Action/Strategy		
The Notice was gazetted on 7 July 2020. The Plan will reduce this risk through increased education and a risk-based assessment program.		

CONCLUSION

22. The City is using the Notice and Plan as an opportunity to engage with the community and educate residents on how to prepare and protect their properties.
23. The City also recognises that not all residents will be at home when they arrive to undertake an assessment. The City will leave a small door hanger filled with promotional items advertising the “Are you Ready” Bushfire season message, so residents know FCOs have attended their premise.
24. The City will issue written work orders to homeowners who are assessed as non-complaint. The City will only issue infringement notices to homeowners after they have been given 14 days to complete the works identified in their respective work order.
25. Please note there has been a change to the Fire Hazard Assessment Plan (Attachment 1) between the October Public Agenda Briefing and October Ordinary Council Meeting. Specifically, the change is in regard to complaints and making clear the City’s process should property owners request a review of their work order.

Voting Requirements: Simple Majority

RESOLVED OCM 197/2020

That Council NOTES the implementation of the City of Kalamunda – Fire Hazard Assessment Plan 2020/21 and City of Kalamunda – Fire Hazard Reduction Notice 2020/21.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Cameron Blair**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.2. Asset Services Reports

10.2.1. Closure of South-Eastern End of Nardine Close

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

Previous Items	Nil
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	NR-10/GEN
Applicant	N/A
Owner	N/A

Attachments	1. Nardine Road Closure - ECHO 17 July [10.2.1.1 - 1 page]
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TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

Strategy 3.1.1 - Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval to implement a permanent closure in accordance with s3.50 of the *Local Government Act 1995* of part of Nardine Close in Forrestfield. The closure is for the south-eastern end of the road only.
2. A temporary closure using plastic barriers has been in place since May 2020 to reduce hooning and antisocial behaviour that has been occurring at the end of the road. The closure will continue to be enforced by retaining the plastic barriers. No change to the road construction is intended.
3. It is recommended Council determines to close part of Nardine Close in accordance with s3.50 of the *Local Government Act 1995* (the Act).

BACKGROUND

4. Nardine Close was extended in 2019 as part of the Forrestfield High Wycombe Industrial Area Stage 1 development contribution plan. Designated Road 2A, the road was constructed to Restricted Access Vehicle (RAV) level 4 standard. This provided a 10-metre-wide carriageway and a large 31.5 metre diameter cul-de-sac.

DETAILS AND ANALYSIS

5. It is proposed to close the south-eastern end of Nardine Close, from 1,185 metres from the start, to the end being approximately 125 metres, as indicated in this diagram:



6. The wide-open asphalt spaces required for the RAVs, being next to undeveloped land, have attracted hooning behaviour that affects the remaining residents.

7. In response to a complaint regarding the hooning behaviour, the City of Kalamunda installed plastic barriers across the northern side of the south-eastern corner.
8. Under the *Local Government Act 1995* Section 3.50, the City can close a road temporarily for up to four weeks, however must then implement a permanent closure.
9. The section of road is not currently in use. The properties at 166 and 168 Sultana Road West abutting Nardine Close, have an existing access to Sultana Road West.
10. The City must give local notice of the proposed closure and seek comments (s3.50 (4)(a)). This was undertaken in The Echo local newspaper on 17 July 2020 and the City's engagement site. Comments were invited up to 18 September 2020. Only one submission has been received.
11. The owners of numbers 166 and 168 Sultana Road West sought clarification that the closure was only intended to be temporary, and their property would be accessible to Nardine Close for development. This is confirmed, noting the terminology in the Act is prescriptive, so we must call the closure "permanent" even if there is an intention to later reopen the road.
12. The Act (s3.50 (4)(b)) also requires the City to seek comment from "prescribed persons". These include fire services, ambulance services and utility service providers that may be affected. Information was sent to these agencies on 3 September 2020 with no objections received at the time of this report.
13. The physical nature of the closure will consist of plastic water-filled construction barriers placed at the corner where Nardine Close changes direction from southeast to northeast. These barriers are already in place as mentioned previously. The position of the barriers will permit RAVs to turn, if needed. No other change to the road surface or construction is intended.
14. The driveway of number 166 Sultana Road West, being a separate block of land, adjoins the end of Nardine Close. Therefore, permission will be given for residents and visitors of number 166 Sultana Road West to cross the closed section of Nardine Close between their driveway and the connecting driveway to Sultana Road West.

15. It is anticipated within the next 12 months the owners of number 166 or 168 Sultana Road West will submit a development application and seek to have the road re-opened. A subsequent Council report will be provided to seek this re-opening.

APPLICABLE LAW

16. S3.50 of the *Local Government Act 1995* covers the closing of certain thoroughfares to vehicles. This is supported by section 4 of the *Local Government (Functions and General) Regulations 1996*.

APPLICABLE POLICY

17. Nil.

STAKEHOLDER ENGAGEMENT

18. The matter has been referred to the community and agencies as set out above.

FINANCIAL CONSIDERATIONS

19. A small amount of operating funds are required to place and monitor the plastic water-filled barriers. This expenditure is being covered under the City's operating budget.

SUSTAINABILITY

Social Implications

20. This proposal will mitigate against concerns regarding hooning behaviour in the road.

Economic Implications

21. No notable implications.

Environmental Implications

22. No notable implications.

RISK MANAGEMENT

23.

Risk: That hooning behaviour continues to occur in the road leading to risks of injury to the public.		
Consequence	Likelihood	Rating
Critical	Rare	Medium
Action/Strategy		
Monitor the barriers and seek assistance from the WA Police.		

CONCLUSION

24.

A closure is proposed at the end of Nardine Close to resolve a local hooning concern. The closure has already been implemented with plastic barriers and this is a low-cost solution with medium risk. Relevant agencies have been notified and the closure can proceed in accordance with the Act.

Voting Requirements: Simple Majority

RESOLVED OCM 198/2020

That Council MAKE an order in accordance with s3.50 of the *Local Government Act 1995* to close Nardine Close starting at 1,185 metres and terminating at the end of the road, to all classes of vehicles and pedestrians except where authorised by the City of Kalamunda.

Moved: Cr Dylan O'Connor

Seconded: Cr Lisa Cooper

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.2.2. Kalamunda Waste Plan: Food Organics and Garden Organics Processing

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

Previous Items	OCM 67/2011; OCM 20/2013; OCM 146/2019; OCM 294/2019; OCM 95/2020
Directorate	Asset Services
Business Unit	Asset Waste & Operations
File Reference	EG-RLW-006
Applicant	N/A
Owner	N/A
Attachments	Nil

TYPE OF REPORT

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- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 2: Kalamunda Clean and Green

Objective 2.3 - To reduce the amount of waste produced and increase the amount of reuse and recycling of waste.

Strategy 2.3.1 - Identify and implement strategies to reduce waste.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council commitment that the City of Kalamunda ('City') will supply its Food Organic / Garden Organic ('FOGO') waste to a suitable facility provided by the Eastern Metropolitan Regional Council ('EMRC') proposed to be tendered by EMRC.
2. Along with the five other member Councils of EMRC, this determination will provide sufficient certainty to potential bidders of a FOGO processing facility that there is a viable supply of FOGO material for a plant to be constructed.
3. It is recommended that the City determines that EMRC will provide the FOGO processing facility for its FOGO waste subject to acceptable outcomes of the EMRC FOGO tender.

BACKGROUND

4. At the June 2020 Ordinary Council Meeting, it was resolved (OCM 95/2020) that (in part) that Council:
 1. *ADOPT the City of Kalamunda Waste Plan (Attachment 2) and forward to Department of Water and Environmental Regulation for approval.*
 2. *ADOPT a three-bin residential waste service subject to acceptable FOGO processing costs.*
 3. *RECEIVE a subsequent report confirming the costs of the FOGO waste management process once these are known.*
5. Subsequent to this decision, investigations have progressed in regard to the FOGO processing matter.
6. EMRC at their Ordinary Council Meeting of 17 September 2020 considered a report from the Waste Advisory Committee of EMRC and determined that (in part):

"Council request its member Councils to confirm their commitment to supply their FOGO waste, at an indicative cost in the range as referred to in the confidential attachment to this report, to the Permanent FOGO Processing Facility for a 20-year period from the commencement of operations."

DETAILS AND ANALYSIS

7. Currently there isn't sufficient FOGO processing plant capacity in the Perth & Peel region that will cater for the anticipated tonnage of FOGO waste generated from each Council. This leads to the conclusion that new processing capacity needs to be developed.

8. The City, as a member of EMRC, has endorsed the EMRC FOGO strategy in that EMRC will provide a FOGO processing facility for its member councils. The City, of course, would only commit to any contract to provide FOGO waste to EMRC once the terms and costs are acceptable.
9. The EMRC have progressed an Expression of Interest with the market to determine potential suppliers of FOGO from which a short list of five suppliers have been identified for tender.
10. As requested by member Councils, EMRC also have conducted a feasibility study to determine the most optimal FOGO processing technology and delivery contract model for FOGO processing. This study concluded that it would be best to seek tenders from the five suppliers on a small list of selected technologies and two primary contract models along with a simple waste supply agreement model, allowing EMRC and member Councils then to ascertain which is the 'best fit' solutions.
11. The three main construction models within this tender (setting aside maintenance) will be:

Type of Contract	Who takes risk that sufficient volume of FOGO will be produced for the plant	Assurance needed in tender document
Contractor to Design, Build, (Operate and Maintain for defined period) (DBOM)	EMRC	Nil – although EMRC would need assurances that Councils are participating
Contractor to Design, Build, Own, Operate and Transfer (DBOOT)	Contractor	Would need assurance in tender that Councils are providing FOGO
Contractor to build their own facility at Red Hill under a site lease	Contractor	Nil – although provision of commitment to supply would aid in the contractor's risk analysis

12. Whilst the City may be agnostic to the technologies on offer, the predominant issue to be resolved in this report, is providing EMRC with advice of the City's intent to provide its FOGO waste to EMRC for processing.

13. The modelling by EMRC at this stage suggests that the six member Councils will provide 55,000 Tonnes pa of FOGO material, with Kalamunda making up 10,700 pa Tonnes pa of this.
14. It is concluded that the City in providing this commitment to EMRC can do so certain that if the proposed gate fee is not acceptable, there is no binding agreement between the City and EMRC.
15. It is also worthy to note that there is not at present many facilities that can process FOGO and that as each Council in Perth & Peel make their decisions to proceed down the FOGO path, the market will need to provide sufficient facilities at acceptable costs. The State has recognised this issue; whilst EMRC is well placed to undertake FOGO processing for member councils and grow their capacity for other Councils (at new revenue for EMRC and its members).

APPLICABLE LAW

16. *Local Government Act 1995* in relation to entering into agreements for goods or services with Regional Councils.

APPLICABLE POLICY

17. CEO Instruction CEO-17 Purchasing.

STAKEHOLDER ENGAGEMENT

18. N/A.

FINANCIAL CONSIDERATIONS

19. Nil, until such time that FOGO costs are known and recommended for adoption.

SUSTAINABILITY

Environmental Implications

20. FOGO has environmental benefits in reducing waste to landfill and converting waste to useable by-products (including compost, mulch or gas).

RISK MANAGEMENT

21.

Risk: That the proposed gate fee for FOGO is too high to be acceptable to the City delaying the ability to implement a three-bin system until a more acceptable outcome can be sourced.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
City officers (along with other member council officers) will be participating in assessing EMRC FOGO tenders and will be seeking a gate fee that is within expectations.		

CONCLUSION

22.

Providing this commitment with the rider of an acceptable gate fee allows the EMRC Tender to provide bidders with some certainty and reduce their risks which may be built into the tender outcome.

Voting Requirements: Simple Majority

RESOLVED OCM 199/2020

That Council CONFIRM that the City of Kalamunda will provide its Food Organic / Garden Organic waste to the Eastern Metropolitan Regional Council for processing subject to an acceptable outcome to the City of Kalamunda of the Eastern Metropolitan Regional Council Food Organic / Garden Organic Tender process.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Brooke O'Donnell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.2.3. Solar Farm Feasibility Study Outcomes

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

Previous Items	OCM 262/2019
Directorate	Asset Services
Business Unit	Asset Services
File Reference	3.009592; DW-02/120
Applicant	City of Kalamunda
Owner	City of Kalamunda

Attachments	1. Feasibility Study - Pioneer Park Solar Farm [10.2.3.1 - 60 pages]
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TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 2: Kalamunda Clean and Green

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

Strategy 2.2.1 - Facilitate the appropriate use of water and energy supplies for the City.

Strategy 2.2.2 - Use technology to produce innovative solutions to reduce power and water usage.

Priority 2: Kalamunda Clean and Green

Objective 2.4 - To ensure contaminated sites are safe and managed to ultimate use.

Strategy 2.4.1 - Identify, examine and manage risk associated with contaminated sites.

Priority 3: Kalamunda Develops

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

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

Priority 4: Kalamunda Leads

Objective 4.2 - To proactively engage and partner for the benefit of community.

Strategy 4.2.2 - Increase advocacy activities and develop partnerships to support growth and reputation.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the outcomes of a study into the potential of a solar farm to be located within the City of Kalamunda (City) stemming from a pre-feasibility study undertaken in 2019.
2. It is concluded the old tip site at Pioneer Park is the most feasible location for a solar farm and has outlined a staged approach the City may undertake to develop this facility.
3. It is recommended Council endorse the next steps detailed in this report.

BACKGROUND

4. At the November 2019 Ordinary Council Meeting, a report was provided regarding a pre-feasibility investigation into a solar farm with aims of reducing the City's carbon footprint for its owned buildings and street lighting as well as potentially developing a future revenue source. It was resolved (OCM 262/2019) that (in part) That Council:
 1. *ACCEPT the Solar Farm Pre-feasibility Assessment report (Confidential Attachment 1) as a reference document for the potential development of a solar farm.*
 2. *PROCEED to a feasibility phase, undertaking community engagement to determine community support.*

5. Consultants were appointed in April 2020 to undertake this feasibility phase works at a cost of \$20,000.

DETAILS AND ANALYSIS

6. The feasibility study is provided as Attachment 1 to this report. The study quickly concluded the most viable location for a solar farm on land owned or controlled by the City (avoiding land procurement costs) was Pioneer Park in Forrestfield. The study report reflects this in its title.
7. The study reviewed the initial financial analysis in regard to current and projected value of solar energy identified key risks if a large scale solar farm in excess of City internal electricity needs was developed.
8. The study concluded Pioneer Park is well suited to a ballasted, non penetrating solar array farm. It concluded a smaller scale (~ 800 kW size) as the initial build seemed to offer the possibility of lowest cost and risk, which matches the current contestable load of the City.
9. The recommended business model is the City engages a private developer via Power Purchase agreement. The developer could lease the site, build and operate the Solar Farm and sell 'green energy' to the City.
10. The report identified several key issues would require further investigations before the City made any commitment to the necessary funding to get a solar farm project 'off the ground'. These are discussed below.
11. The conclusion drawn is the northern part of Pioneer Park is well suited for a solar farm from a technical perspective. The key concern raised is that ground conditions need to be verified via geotechnical analysis to validate the suitability of the intended 'non-penetrating' solar panel array system.
12. The report also noted a connection to the Western Power system would require costs to be paid to Western Power. The City initiated an initial feasibility assessment request to Western Power who have noted it would be feasible to connect the solar farm to their system, however a further study at an indicative cost of \$33,860 would need to be paid by the City to Western Power for them to provide a firm position on this and final advice of any further connection fee needing to be paid by the City if construction proceeded. A connection fee of \$150,000 and beyond is not unreasonable to be assumed.

13. As an alternative, the report has taken account of the existing electricity network connection on site that has been established by EDL to feed in power to the Western Power Network. This connection was established when gas extraction from the site generated sufficient fuel to operate an onsite generator and provided EDL with revenue from sale of the electricity. This infrastructure is largely now in place to allow an onsite diesel generator to generate electricity if there is an economic business case to do so. The consultants have proposed that potential exists for the City and EDL to come to an arrangement that this network connection be used for the solar farm avoiding a large degree of the Western Power network connection fee. This would limit the size of the solar farm to about the 800 kW capacity recommended. These discussions with EDL have not yet occurred.
14. Pioneer Park is part of reserve 41156 which is Crown Land vested in care and control of the City. It is zoned Parks and Recreation [Reserve] under the Metropolitan Region Scheme with no specific zoning under the City's Local Planning Scheme No 3. Approval for any development, such as a solar farm, would need to be given by the Western Australian Planning Commission (WAPC).
15. The City has not yet been able to receive agreement in principle from the WAPC. They have advised that their process requires a Development Application from the City to be submitted at which time they would advise whether or not the intended use is suitable. In considering the development application for the site, the WAPC would have regard to the Position Statement: Renewables energy facilities.
16. The current classification of the site is 'Possibly Contaminated – Investigation Required'. Management plans for sites such as these are typically devised once the contamination onsite is fully understood and remediation has been completed. The City is currently working towards completing comprehensive investigations to fully understand the contamination that exists on this site and to inform future remediation.
17. The consultants preparing the report have also discussed with the City the emerging issues surrounding larger scale (i.e. not Domestic) battery storage technologies and matters regarding the use of renewables impacting the Western Power network. They have advised that, whilst not the subject of this study, the City could be able to generate significant revenue streams from a battery system as a means of providing network stability for Western Power. A close watch on this issue is being undertaken by officers.

18. There is still a significant residual risk in determining the manner in which the City develops the contractual arrangements for the sale of the electricity from the solar farm. These can range from simply leasing the site through to the City becoming a licensed retailer and generator of electricity.
19. The Consultant has recommended in his report the next steps for the City to proceed further on this project. These are contained in Section 9.2 of the attached study.
20. It is necessary that the following matters are resolved prior to committing any further funding to the project (in no particular order):
 - a) seek an Expression of Interest from the market to determine if there are external operators who would be interested in leasing the land to build, own and operate a solar farm, providing the City with lease returns and potentially energy savings;
 - b) advocate within WAPC to determine if agreement in principle can be given for the site to be partly used as a solar farm without triggering the need for a full Development Application;
 - c) develop and implement an engagement process with the community in particular to the site; and
 - d) complete the contaminated sites assessment thus determining the constraints of use of the site.
21. A subsequent report would then be provided to Council recommending the next steps for the project.

APPLICABLE LAW

22. *Local Government Act 1995* in regard to disposal of property.

APPLICABLE POLICY

23. Not applicable.

STAKEHOLDER ENGAGEMENT

24. It is recommended that community engagement is now undertaken in regard to the proposed site.

FINANCIAL CONSIDERATIONS

25. There would be minimal impact upon the operational budget to undertake the recommended actions from this report.

SUSTAINABILITY

26. There are obvious benefits in producing electricity for use by the City from renewable sources to reduce our carbon footprint.

RISK MANAGEMENT

27.	Risk: The constraints inherent within the Pioneer Park site result in an outcome that cannot allow the project to proceed.		
	Consequence	Likelihood	Rating
	Critical	Unlikely	High
	Action/Strategy		
	Investigations are then undertaken regarding alternate land parcels that can be procured at an acceptable cost.		

CONCLUSION

28. The solar farm project appears not to have issues that would prevent its progression that cannot be resolved with further internal investigation. It is recommended that the City resolve the matters that can be undertaken with internal resources before committing further funds for external consultancies.

Voting Requirements: Simple Majority

RESOLVED OCM 200/2020

That Council:

1. RECEIVE the report (Attachment 1) regarding the feasibility of a solar farm at Pioneer Park.
2. ENDORSE the following actions to be undertaken by the City:
 - a) develop and implement a community engagement plan regarding the concept of a solar farm at Pioneer Park;
 - b) consult at senior level with WAPC to seek their approval in principle or otherwise for a solar farm to be located at Pioneer Park;
 - c) complete the studies to resolve the status of the contaminated site or otherwise for Pioneer Park; and
 - d) seek Expressions of Interest from the market into the potential for development of the site at Pioneer Park for a solar farm.
3. RECEIVE a subsequent report on the subject at an appropriate time.

Moved: **Cr Cameron Blair**

Seconded: **Cr Lesley Boyd**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.2.4. Parking Concerns for Whistlepipe Gully and Mundy Regional Park

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	OR-03/GEN, LW-04/GEN, FL-02/GEN
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Orange Valley Road parking photos [10.2.4.1 - 2 pages] 2. Falls Road parking photos [10.2.4.2 - 1 page] 3. COMMUNITY ENGAGEMENT REPORT Whistlepipe Gully Parking Rev 1 [10.2.4.3 - 19 pages] 4. Falls Road embayed parking concept 4505-01-01 [10.2.4.4 - 1 page] 5. Falls Road embayed parking concept 4505-01-02 [10.2.4.5 - 1 page] 6. Lewis Road cul-de-sac concept 4500 01-01 A [10.2.4.6 - 1 page]

TYPE OF REPORT

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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.2 - Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to present a range of options to address the experience of residents surrounding Mundy Regional park, arising from the parking demand for the Whistlepipe Gully and Lesmurdie Falls, and the overall popularity of the surrounding regional park.
2. The specific areas addressed are at the end of Orange Valley Road, the end of Lewis Road (Forrestfield), and Falls Road adjacent to Mundy Regional Park.
3. Several measures have been implemented to date. This report sets out the proposed next steps, along with addressing some of the impacts of works to date. Broader engagement with the State Government is necessary.

BACKGROUND

4. The City has been receiving an increasing number and intensity of complaints about the extent of vehicles parking at the end of Orange Valley Road, the end of Lewis Road Forrestfield, and also Falls Road. People are parking at Orange Valley Road and Lewis Road to access the Whistlepipe Gully Walk. The Falls Road area provides access to walks around the Lesmurdie Falls.
5. Across wider Perth there has been a dramatic increase in visits to parks and natural areas, partly believed to be caused by the Covid-19 pandemic and its effect on limiting people's travel and social options. In addition there is an increasing number of walking groups that connect on social media and share information about parks and trails, thus spreading the word.

6. In respect of the Whistlepipe Gully Walk in Mundy Regional Park, it is increasingly attractive, being dog-friendly and accessible (to some degree) at both ends, gentler gradients than Lesmurdie Falls, and very close to Perth city. The City of Kalamunda provides maps on its web site, and in the past has promoted access via the Lewis Road end, where there is a small area for parking.
7. Lesmurdie Falls continues to be a popular attraction in Perth with three separate carpark areas, public toilets, and well formed walking trail leading to a lookout at the top of the falls, a walk of only 350 metres.
8. The City of Kalamunda Tourism Development Strategy 2019-2025 identifies a number of relevant matters:
 - a) Mundy Regional Park and Whistlepipe Gully are listed under “Our Product”, being recognised tourism features.
 - b) Inadequate parking and public transport is given as a constraint to developing tourism (across the City)
 - c) Parking for Lesmurdie Falls and Whistlepipe Gully from Forrestfield is described as “easy-to-access”.
 - d) There is an identified Action to:

“Increase parking facilities and accessibility:

 - Review and increase parking capacity at key attractions/points of interest and ensure cost-effective options to encourage longer stays, and
 - Develop facilities for coach/bus parking to encourage day trip excursions and work with DBCA to manage parking within National Parks.”
9. In terms of related background, the parking spaces for Lesmurdie Falls were expanded in 2015 following a period of local complaints. The two gravel carparks north east of the main sealed carpark were constructed by community volunteers with privately raised funding, by the Friends of Upper Lesmurdie Falls Inc. These areas also have revegetation programs in place.
10. Both the Whistlepipe Gully Walk, and Lesmurdie Falls are within the Mundy Regional Park. The park is managed by the Department for Biodiversity, Conservation and Attractions (DBCA). The existing formed parking areas off Lewis Road and Falls Road are within the park area and so are managed by DBCA. Only the carpark at the end of Palm Terrace is managed by the City.
11. Plans showing the location of the walk, and photos showing the extent of parking problems at each location are shown in Attachments 1 & 2.

12. The range of concerns that have been reported in recent times related to the increase in parked vehicles on Orange Valley Road, include:
 - a) a need for public toilets;
 - b) visibility for traffic, and road safety;
 - c) loss of amenity for residents;
 - d) degrading road quality;
 - e) concerns over service vehicle access such as rubbish trucks and emergency vehicles if the road is blocked with parked cars; and
 - f) known nesting area for blue wrens at the western end of the road.

13. The range of concerns for Lewis Road also arising from the increase in parked vehicles included:
 - a) people driving into private property to park;
 - b) people using crossovers to turn around in, and parking across them;
 - c) lack of public toilets;
 - d) concerns over service vehicle access such as rubbish trucks and emergency vehicles if the road is blocked with parked cars; and
 - e) the narrow road being able to support safe parking on one side only, with visibility problems for traffic, road safety, and pedestrians.

14. There are other areas around the Mundy Regional Park where parking problems have arisen however they are not believed to be at the scale of the above three areas.

15. Orange Valley Road, west of Betti Road, is a short length of sealed and kerbed road, 5.1 metres wide. A cul-de-sac at the end is undersized based on current standards, and waste trucks are known to use the park maintenance access driveway to turn around. There is no formal parking area at the end of Orange Valley Road. There is a small gravel area to the south that forms part of the firebreak and maintenance access to the park. Any people that park here will be obstructing the emergency access point. Most of the road has trees and vegetation growing along the verge, which limits parking options.

16. Orange Valley Road provides access to the east, top end of the Whistlepipe Gully Walk, which is perhaps the prettier end of the walk with larger trees providing shade. The track here gradually slopes to the west, and a bridge crosses the gully a little further down, providing a convenient loop for walkers.

17. In May 2019, the City installed no stopping signs in the cul-de-sac at the western end of Orange Valley Road. In August this year further parking control signs were installed. They set 'No parking on road or verge' on the northern side, and 'No parking on verge' on the southern side, thus permitted parking is only along the kerb on the south side of the road and not where it conflicts with the intersection of Betti Road or residents' driveways.
18. Lewis Road, Forrestfield, is a long sealed and unkerbed road, 6.1 metres wide. There is no formed cul-de-sac at the end, as the road seal turns to the east and becomes a small parking area within the Mundy Regional Park. When parking demand is high, people use private crossovers to turn around in, and may even drive into private property. The road has trees and vegetation that limit parking on the west side, while a deep drainage gully on the east side limits the extent of road shoulder that can be parked on.
19. Lewis Road provides the preferred access point to the bottom, western end of the Whistlepipe Gully Walk. The walk from here however is not appealing as initially walkers must traverse up a long exposed maintenance track before reaching the rocky features and larger trees.
20. In August this year, no parking signs were installed on the west side of Lewis Road, Forrestfield. The 'No parking on the road or verge' controls run approximately 400 metres from the north end of Lewis Road. Thus permitted parking will only exist along the east side of Lewis Road, and within the Mundy Regional Park at the small existing sealed carpark.
21. Falls Road, adjacent to the parking areas for Lesmurdie Falls, has also seen an increase in parking demand. The highest parking demand is demonstrated in the photos in Attachment 2. Falls Road is a 6.8 metre wide sealed road with solid white centreline along most of its length (within the area of the Mundy Regional Park). There is also a concrete footpath on the north side, connecting to the main sealed carpark in the park.
22. At Falls Road, the solid white centreline prevents vehicles from legally passing along the sloped and curving road. This line also prevents legally parking in the road as under the Road Traffic Code a parked vehicle must provide a minimum of three metres of space for legal passing. The solid centreline prevents this legal passing.

23. In response to the parking concerns, the City's Rangers have been undertaking many additional patrols to the end of Orange Valley Road and Lewis Road:
- a) on Falls Road, 10 complaints have been received regarding parking in 2019 and 2020. During 2019 the City issued 3 infringements. Up to 14 October 2020, the City has issued 11 cautions and 19 infringements
 - b) on Lewis Road, 11 complaints have been received regarding parking in 2019 and 2020. During 2019 the City issued 1 infringement. Up to 14 October 2020, the City has issued 19 cautions and 24 infringements. The infringements have only been issued following the installation of the new signs in August; and
 - c) on Orange Valley Road, 25 complaints have been received regarding parking in 2019 and 2020. During 2019 the City issued 23 cautions and 97 infringements. Up to 14 October 2020, the City has issued 28 cautions and 131 infringements.
24. On 8 June 2020 the City wrote formally to the Hon. Stephen Dawson (Minister for the Environment), the Hon. Paul Papalia (Minister for Tourism), and Mr Matthew Hughes, Member for Kalamunda, requesting assistance in the provision of improved parking facilities.
25. The Hon. Stephen Dawson responded that "DBCA recommends the promotion of the trail by the City of Kalamunda be reduced particularly for the upcoming busy spring period, and that any promotion of walking trails in Mundy Regional Park focus on trails with adequate car parking and visitor facilities."
26. The City is yet to receive any commitments offered by the Honourable members to improve parking facilities or make other changes.
27. The City also enquired with the Public Transport Authority (PTA) on the possibility of re-routing a bus service to include Falls Road near the Lesmurdie Falls carparks. This may alleviate local parking problems if people are able to take public transport. The PTA advice was that this is not viable as the popular times for visiting the park is in the off peak so there are less bus services. Priority for new routes is given to new subdivision areas with higher populations.
28. In 2020 the City undertook community engagement to clearly understand the position of the community and the extent of the impacts in regards to Whistlepipe.

29. Over a number of years improvements have been made to the falls Road area, including the addition of two 'overflow' car parks as a part of the Friends of Upper Lesmurdie Falls rehabilitation project, of which the City was a partner.

DETAILS AND ANALYSIS

30. A further series of 'No stopping' yellow lines are planned to be installed in Orange Valley Road to reinforce that parking in front of crossovers and on the corners is not permitted.
31. The allowance of parking on one side of the road recognises that for both Orange Valley Road and Lewis Road the sealed road is narrow. Controlling parking to one side ensures drivers only park (legally) on that one side. Parking on the one side will still reduce the passing space to between three and four metres, allowing only one-way traffic in places.
32. Any introduction of parking controls in locations such as this will create flow-on effects as visitors seek to park nearby, or at other locations to access the park.
33. Parking options have been discussed with DBCA, whom manage the Mundy Regional Park. Some results of that are:
- a) Although there is a separately owned lot of land at the end of the Orange Valley Road cul-de-sac, the State Governments position is that it will not suit additional parking due to its isolation. There needs to be passive surveillance to prevent illicit activities (drug use, drinking etc).
 - b) Additional parking could be provided on the verge of Alpine Road, if the DBCA were able to provide improved trail signs connecting that location to the Whistlepipe Gully. This would require a small scale of funding to formalise the parking. It is not known if this would reduce the impact on OVR.
 - c) There is limited space to improve parking at the Lewis Road end.
 - d) The State Government agencies have asked that any interested parties promote access to Whistlepipe Gully from Lewis Road (which the City does).
 - e) A consultant will be appointed by them later this year (anticipate October-November) to design improvements to the Lewis Road and Falls Road parking. It is unlikely that this will significantly increase the number of parking bays.

34. The City undertook community engagement in June and July 2020. Surveys were sent to residents and property owners within a 400 metre radius of the ends of Lewis Road and Orange Valley Road. The survey was also available on the City of Kalamunda's engagement portal.
35. The City received 61 responses to the survey, with the following being the key results:
- a) 42 respondents Strongly Agreed or Agreed there was a parking and traffic problem that needed addressing, 9 Strongly Disagreed or Disagreed,
 - b) 24 respondents Strongly Agreed or Agreed that they were supportive of on street parking, while 29 Strongly Disagreed or Disagreed,
 - c) 30 respondents Strongly Agreed or Agreed they had no issues with walkers parking to go to the park, 19 Strongly Disagreed or Disagreed, and
 - d) 35 respondents Strongly Agreed or Agreed that DBCA should provide more parking, while 17 Strongly Disagreed or Disagreed.
36. Comments given with the surveys had common themes. The themes mentioned by more than three people were:
- a) Increase in rubbish, litter, and dog poo-bags, and request for more bins (7)
 - b) The road being narrow, parked vehicles blocking the street, blocking sight lines, and road safety (8)
 - c) Antisocial activity and thoughtless behaviour from some visitors (8)
 - d) Increased parking causing detrimental impact to privacy and amenity (7)
 - e) The parking causes a problem with access for emergency services or waste services vehicles (6)
 - f) Need for a wider area park visiting and parking plan including signs and associated information (6)
 - g) Use more space available off Lewis Road for parking, or use the lot at the end of OVR (4)
 - h) Increasing use causing degradation of tracks and vegetation within the park (6)
 - i) Dogs off lead causing a problem (4)
37. In response to the above themes, items (b) to (g) are addressed within this report. Items (a) and (h) can be raised with DBCA as part of a proposed parking strategy and their ongoing work in the park (refer Options below). Item (i) will be monitored by the City's Rangers.

38. The use of national and regional parks by the community appears to be a very popular pass time, with the State Government releasing its 10-year WA Hiking Strategy to ensure Western Australians continue to enjoy the great outdoors in a safe and sustainable way in June 2020.
39. The strategy is the first of its kind in the country and complements other trail strategies developed over the past 25 years in WA that focus on areas such as mountain biking and horse trails. It will focus on traditional bushwalking and the emerging growth area of trail running and will guide industry in the funding and development of hiking and trails for the next decade. The State Government has allocated \$250,000 over the next three years to encourage participation.
40. The strategy was developed by the Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Biodiversity, Conservation and Attractions (DBCA), along with significant community input.
41. Minister Mick Murray said, "Our hiking trails experienced record levels of participation over April and May and we want to make sure Western Australians continue to enjoy hiking and trail running."
42. The City is of the view that a balance needs to be found in regard to the provision of infrastructure to accommodate visitors and locals to enjoy public places along with the protection of neighbourhood amenity.
43. The following paragraphs 47 to 57 outline the options that are being considered, and for which guidance is sought from the Council. Many of the options are not exclusive and can be implemented together.
44. Option 1: Take no further action. A significant number of parking controls have been installed and parking can now be managed through compliance. Any further level of parking controls will cause flow-on effects that may be worse than the original problem.
45. Option 2: Continue to pursue options with DBCA. Towards the end of 2020 the City will be advised of their plans to change the Lewis Road and Falls Road carparks, noting that these are unlikely to dramatically increase the number of parking bays.
46. Option 3: Install "Local Traffic Only" signs. Being not regulatory and ambiguous (everyone driving past such a sign considers themselves local traffic), these signs are generally ineffective.

47. Option 4: Provide residents and their visitors permits to park. This enables a higher level of parking controls in affected areas but does not change the demand for non-resident parking. Management of these sorts of schemes also places substantive burden on Administration.
48. Option 5: Support a specific road closure. Under the Local Government Act, Section 3.50, the City is able to close a road to “such other case .. as may be specified”. The City could offer to close the end of Orange Valley Road so that only residents and their approved visitors could access it. There is however a danger in doing this, that a precedent is created which could be sought in a number of streets around the Park such as Honey Road, West Terrace, Falls Road etc. To action this option will require a separate Council report. It would also present similar enforcement challenges as exist with current parking restrictions.
49. Option 6: Explore other nearby locations for improved parking such as Alpine Road. Plan and fund improvements including better signs, and redirect people to these other areas to park and walk from.
50. Option 7: Improve the end of Lewis Road by constructing a cul-de-sac. A concept design has been prepared with an estimated cost of \$100,000 as shown in Attachment 6. The cul-de-sac provides a formal turnaround area before the carpark area, which will improve vehicle movement during busy periods. This will require funding through the capital works program.
51. Option 8: Construct additional parking. There are severe constraints to this option due to the number of trees in the verges and the topography of both Orange Valley Road and Lewis Road. The road reserves are also limited so this would need approval from DBCA to use some of their lands. They have already indicated they are not supportive of expanding their parking at either the Lewis Road or Orange Valley Road ends (the Lewis Road change being considered involves mostly reshaping the existing parking area).
52. In relation to this option 8, a concept design has been prepared by the City for parking embayments on Falls Road, to access the Lesmurdie Falls area. The concept is provided as Attachments 4 & 5. This will cost an estimated \$180,000. This treatment will be unlikely to improve the parking demand for Whistlepipe Gully as the gully is more than two kilometres’ walk away from Falls Road.
53. Option 9: Prepare a strategy with the support of DBCA to improve signs, information, promotion and parking access to the Mundy Regional Park. By improving parking this does not necessarily mean providing more parking in congested areas but finding ways to reduce and spread the

parking demand by having better information disseminated to visitors. The City is not presently resourced to deliver such a strategy internally, so will need assistance through a consultancy specialising in this area for approximately \$30,000.

54. Option 10: Advocate with Local Members of Parliament that a working group be established comprising City, State and Community stakeholders to determine if there is a set of outcomes that can be developed that meet the competing needs for access and amenity. It is noted that DBCA do maintain car parks and visitor facilities in other National and Regional reserves nearby (notably John Forrest in Shire of Mundaring and Ellis Brook in City of Gosnells) which provide good amenity without reducing local resident amenity.

APPLICABLE LAW

55. The *Local Government Act 1995* covers the authority to limit a road to certain cases as may be specified.
56. The *Road Traffic Act 1974* and *Road Traffic Code 2000* cover the authority to regulate parking and driver activities.
57. The City of Kalamunda *Parking and Parking Facilities Local Law 2019* extends the authority of the City under the Road Traffic Code and the Local Government Act.

APPLICABLE POLICY

58. No policy.

STAKEHOLDER ENGAGEMENT

59. Residents within 400 metres of the ends of Orange Valley Road and Lewis Road were consulted as outlined in the Details section of this report.
60. A number of individual residents including the Friends of Upper Lesmurdie Falls Group were consulted with at various times during 2019 and 2020.

FINANCIAL CONSIDERATIONS

61. There are no financial implications arising directly from this report. The following projects can be considered for funding in the operating and capital works program:
- a) Lewis Road cul-de-sac formation \$100,000
 - b) Falls Road embayment parking \$180,000
 - c) Parking and informing strategy \$30,000

SUSTAINABILITY

62. As outlined in the Detail section of this report, an increase or decrease to visitors to the Mundy Regional Park will have a small intangible effect on the economic environment because there are no businesses directly affected.
63. The increasing parking is causing a decline in social amenity for residents in the affected streets.
64. An increase in visitors to the Park may cause a decline in environmental condition as trails become worn and vegetation is damaged, however this also enables more people to experience the natural environment and thus gain appreciation and awareness of it.

RISK MANAGEMENT

65.	Risk: That parking demand continues or increases without the matching provision of infrastructure, causing a continuing decline in amenity for residents and resulting reputation to the City.		
	Consequence	Likelihood	Rating
	Significant	Unlikely	Medium
	Action/Strategy		
	Continue to enforce current parking controls.		

CONCLUSION

66. This matter presents the dichotomy of meeting residential amenity needs with the contrast of broader amenity for users of our nature reserves. It appears that a 'whole of stakeholder' approach is needed to determine if the situation can be improved.

Voting Requirements: Simple Majority

RESOLVED OCM 201/2020

That Council

1. NOTE the community consultation report regarding resident views on parking for the Whistlepipe Gully Walk.
2. ADVOCATE that a working group be established with City, State and Community Stakeholders to examine and report on matters surrounding access and amenity for National and Regional Reserves that have visitation impacting the amenity of local residents.

Moved: **Cr Cameron Blair**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.2.5. Canning Road - Road Safety Investigation

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

Previous Items	OCM 58/2013, OCM 177/2019, OCM 107/2018
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	CN-01/GEN; CN-02/GEN
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none">1. Canning Road - Road Safety Investigation DVC [10.2.5.1 - 140 pages]2. Canning Road - history of assessment as RAV route MRWA [10.2.5.2 - 2 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.2- Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the Canning Road - Road Safety Investigation (RSI), being a preliminary assessment of road safety concerns along Canning Road from Pomeroy Road to the City of Kalamunda's (City) southern boundary.
2. Donald Veal Consultants were appointed in 2019/20 to undertake this assessment, to address concerns regarding cycling, heavy vehicles and road safety that were identified in the City's Bicycle Plan 2017. A number of improvements have been recommended, totalling \$6.6 million. The predominate type of improvement is widening of the road shoulder and the protection or removal of roadside hazards.
3. Council is asked to endorse the RSI for the purposes of long term works programs and recommended actions as outlined in this report.

BACKGROUND

4. The Council adopted the City of Kalamunda Bicycle Plan in 2018 (OCM 107/2018). This plan identified the concerns regarding cycling safety along Canning Road and Mundaring Weir Road.
5. A feature of the Bicycle Plan was the identification of the range of training routes used by cyclists and the amount of feedback received from the community regarding the safety of cyclists along those roads. A recommended project in the plan, arising from specific feedback during the consultation phase, was to undertake a specific investigation of road safety on Canning Road.
6. Funds were allocated in the 2019/20 operating budget to undertake the road safety investigation.
7. In 2013 and 2019, the Council has considered the possibility of Canning Road (Welshpool Road East to southern boundary) to be reclassified and the responsibility of the road transferred to Main Roads WA. Council reports OCM 58/2013 and OCM 177/2019 address this reclassification and realignment of the road reserve.
8. The implication of the road being reclassified is that the City need only undertake work in the short term that provides the highest safety benefit for its community and vulnerable road users. In the long term, the responsibility for further improvements will be assigned to Main Roads WA.

DETAILS AND ANALYSIS

9. The RSI is a preliminary assessment of the road corridor with a specific focus on road safety elements but not to the level of detail of a Road Safety Audit. The objective was to identify at a schematic level, the improvements needed to Canning Road and a suggestion on the priority of works. From this, the City intends to proceed to scope and design for higher priority improvements and seek funding.
10. Donald Veal Consultants (DVC) were appointed under a competitive quotation process with specification to undertake the work. This was funded under the City's operating budget in 2019/20. The subsequent site visits and assessments were undertaken through March to June 2020, with the final report provided in September 2020. This report is provided as Attachment 1.
11. An overarching theme of the assessment is to adopt a road safety safe systems approach. This considers the four elements of: safe speeds, safe vehicles, safe road environment and safe road use. Of specific importance to this report are:
 - a) the aim to improve road shoulder widths and designs, thus providing more space for cyclists; and
 - b) the aim to reduce roadside hazards for all road users.
12. The assessment considered road geometry, road capacity, crash history, heavy vehicles, pedestrians, cyclists and the roadside environment.
13. The RSI identified many roadside hazards along Canning Road, including:
 - a) lack of formed road shoulders that limit options for road users in the event of needing to correct their path or avoid hazards;
 - b) trees and vegetation creating non-frangible objects and sight obstructions;
 - c) power poles, drainage headwalls and other rigid structures within the clear zone;
 - d) steep batters ascending or descending from the road edge that reduce the space for road users to correct their path;
 - e) recent construction projects that have created hazards within the clear zone of the road; and
 - f) street lighting and guide posts in poor locations.
14. To identify what hazards need to be removed or protected in the road environment, reference is made to Austroads' Guide to Road Design and the Main Roads WA guidelines for clear zones. The assessment of the level of hazard and treatment is technical and specific to each location and hazard type.

15. For example, at a design speed of 80 km/hr, and up to 6,000 vehicles per day, a drop off the edge of the road of a 4:1 slope needs a clear zone of 4.5 metres. If this is not available, the slope must be protected by a barrier (such as a guard rail).
16. Some hazards such as small trees under 100mm diameter within the clear zone are considered frangible, will break on impact and so do not require removal as hazards. However, these same trees will eventually grow larger and then require removal or protection.
17. The RSI addressed the specific needs of different road users, specifically heavy vehicle operators, cyclists and briefly pedestrians.
18. From Welshpool Road East to the City's southern boundary, Canning Road is a Restricted Access Vehicle (RAV) 4 route, permitting trucks up to 27.5 metres long and 87.5 tonnes gross mass.
19. Main Roads WA manage RAV routes and they provided the following advice regarding Canning Road (see Attachment 2):

"Canning Road has been approved on the RAV Network 4 since the commencement of the RAV Network Framework in 2006. Prior to this the use of the road by RAV vehicles would have been approved on individual permits and in 2006 it automatically transitioned onto the RAV Network Framework."

and

"Canning Road forms an important strategic freight route for access between the Perth metropolitan area and the Wheatbelt region, with Canning Road linking to Welshpool Road East as one of the few routes where heavy freight is permitted into Perth. For this reason, the freight role of the current RAV 4 network must not be compromised or adversely affected by any interim improvements for cycling."
20. The function and RAV route needed as described by Main Roads WA is supported by the City. In this respect the RSI aims to identify improvements for all road users. The only improvement that may not benefit drivers and RAV operators, in particular, is the proposed speed zone reductions (refer below). If the speed zone was reduced to 70 km/hr along the entire length, it will take a driver at the speed limit, with no intersection delays, an estimated one minute and 24 seconds longer to travel from Pomeroy Road to the southern boundary. RAV operators will only travel on Canning Road to and from Welshpool Road East.

21. As stated in the Background, the reason for undertaking this RSI was to address the concerns raised for cyclists on Canning Road. Canning Road is a known route for cyclists training for long distance events, as it provides access to the wider Bickley, Carmel and Pickering Brook areas, and Welshpool Road East. The RSI identified many areas where cyclists are not supported at a basic level, with examples such as:
- a) a kerb on the edge of seal, barriers, drop-offs, and lack of road shoulders that prevents cyclists from leaving the road edge safely if needed; and
 - b) lack of cycling support coinciding with no-passing areas so that drivers are forced to wait behind cyclists and can become frustrated and take risks.
22. The RSI does not propose to construct cycling lanes as the assessment of need for such was not within the scope of the report. Instead, the construction of road shoulders and widening of the sealed lanes are intended to provide for more shoulder space for cyclists.
23. Pedestrians are not specifically addressed in the report as there are no areas generating notable pedestrian activity. An improvement to the road shoulders and roadside environment will also benefit pedestrians.
24. Following the identification of the range of road safety concerns, the RSI has identified a number of treatments.
25. The notable intersection issues that have been identified are:
- a) Canning Mills Road – poor visibility and sub-standard barrier. This intersection is already planned for an upgrade in 2021/22, subject to land acquisition;
 - b) Masonmill Road – removal of vegetation to improve sight lines and closure of the northern intersection to remove a sight line problem for vehicles exiting onto Canning Road, looking south;
 - c) Giumelli service road – need to improve access control signs; and
 - d) Pickering Brook Road – a need for further improvements to address the turning movements of RAVs. The RSI has suggested a realignment of the intersection to improve the geometry and space.
26. The scale of improvements that are needed along the road are represented in the concept cross sections in pages 116 to 120 of the RSI. The improvements include widening road lanes to 3.5 metres minimum, defining road shoulders of 2.0 metres typical, identifying where guard rails will be needed or hazards removed, and in some cases realigning the road centreline within the road reserve. The specific changes along each section will be subject to detailed design.

27. The RSI also identifies the potential to seek a common speed zoning all along Canning Road and 70 km/hr is recommended. The City recommends the following changes:
- a) Pomeroy to Welshpool Road East (1.31km) – remain at 70 km/hr;
 - b) Welshpool Road East to Glenisla Road (2.97km) – currently at 80 km/hr, aim to change to 70 km/hr. This will take a complying driver an estimated 19 seconds longer to travel the length;
 - c) Glenisla Road to Pickering Brook Road (0.92km) – remain at 70 km/hr; and
 - d) Pickering Brook Road to the City's southern boundary (5.71 km) – currently at 90 km/hr, aim to change to 80 km/hr. In this respect, the City can request 70 km/r however the traffic data may preclude this result. A reduction to 80 km/hr will take a complying driver an estimated 29 seconds longer, while a reduction to 70 km/hr will take 65 seconds longer.
28. Given the function of the road as a regional distributor, the length, and being a RAV route, the movement of vehicles becomes a priority. It is unlikely that given these factors, MRWA will approve a blanket reduction. The City will therefore proceed on the basis of rationalising the speed zones to 70 km/hr and 80 km/hr as outlined above and based on making improvements to the road environment identified in the RSI.
29. The RSI has provided priorities and preliminary cost estimates for each section of Canning Road. The total value of work has been estimated at \$6.6 million. Being a preliminary assessment, some priorities are suggested, however the City will need to determine how best to progress with the improvements. The preliminary estimates are provided in page 52 and the priorities in page 59 of Attachment 1.
30. The City undertook significant improvements to Canning Road from Pomeroy Road to Welshpool Road East in 2019, including the installation of the wire rope barrier. It is therefore suggested that any further improvements along this section should be treated as low priority relative to the remainder of Canning Road.
31. The City submitted in July 2020 for State Black Spot Program funding, for Canning Road from Welshpool Road East to Glenisla Road covering: shoulder widening, shoulder grading, culvert relocations, vegetation removal, kerb relocations and a localised widening at the northern intersection of Masonmill Road. The submission was for \$1.08 million with a BCR of 2.92. It should be noted that the black spot submissions require that the treatments align with the crash history, so the funding submissions do not necessarily address all safety matters identified in the RSI. As yet the City has not been advised of the outcomes of this submission.

32. Although the RSI identified some priorities, the preliminary level of the assessment precluded a detailed rating of projects. The City has listed the following works as the first priority for design and construction, subject to funding:
- a) all intersection improvements identified; and
 - b) all short term works such as vegetation removal and pallet storage.
33. The following works will be addressed as the second priority for design and construction, subject to funding: all road corridor improvements from Welshpool Road East to Pickering Brook Road, over and above those already identified through the black spot project.
34. Canning Road from Glenisla Road to Pickering Brook Road may qualify for black spot funding and this will be assessed for the 2022/23 submissions.
35. By the end of 2021/22 the City anticipates that Main Roads WA will take over the management of Canning Road from Welshpool Road East to the southern boundary. The City can proceed to design and fund improvements after this time with Main Roads WA approval, however should only do so where it is considered that there is a significant community need and appropriate level of funding.
36. Due to the timing of the possible reclassification of Canning Road, remaining works are not proposed to be continued at this time. The recommendations will be provided to Main Roads WA for consideration and programming, being: upgrades to Canning Road south of Pickering Brook Road, including the intersection realignment.
37. In 2020/21 the City will be undertaking a Road Safety Investigation of Mundaring Weir Road, to identify a similar scale of improvements.

APPLICABLE LAW

38. The *Local Government Act 1995* covers the authority to limit a road to certain cases as may be specified.
39. The *Road Traffic Act 1974* and *Road Traffic Code 2000* cover the authority to regulate parking and driver activities.
40. The *Main Roads Act 1930* covers the proclamation of main roads and secondary roads.

APPLICABLE POLICY

41. No applicable policy.

STAKEHOLDER ENGAGEMENT

- 42. The community and stakeholders have not been briefed or consulted with regarding the contents of the RSI. Following endorsement, the community and Main Roads WA will be advised and further feedback sought as projects are scoped and funded.

FINANCIAL CONSIDERATIONS

- 43. The Canning Road - Road Safety Investigation was funded under the 2019/20 operating budget of \$20,000. All identified work will require further scoping, design, and budgeting. Some of the works may qualify for State Black Spot and other grant funding sources.

SUSTAINABILITY

- 44. Canning Road provides an essential RAV route for commodities and the safety and performance of the road has an indirect impact on the economic sustainability of the community.
- 45. Canning Road has been pre-qualified for State Black Spot funding, thus indicating the road has had a negative impact on social sustainability. Improvements are needed to reduce the likelihood and severity of crashes, and the impact to the community of property damage and injury.
- 46. The proposed work includes removing of vegetation and many mature trees within the road reserve, which will have a detrimental impact on the natural environment. The City can investigate planting trees in other locations to offset these impacts.

RISK MANAGEMENT

47.	Risk: That improvements identified in the Canning Road - Road Safety Investigation are not implemented in time to prevent further crash injury and damage.		
	Consequence	Likelihood	Rating
	Major	Possible	High
	Action/Strategy		
	Continue to scope and seek funding as part of City priorities. Aim to deliver the next level of concept design quickly, so that priorities can be better managed.		

48.	Risk: That some or all improvements are not supported by the community due to impacts to the environment (specifically trees).		
	Consequence	Likelihood	Rating
	Major	Possible	High
	Action/Strategy		
	Inform the community as part of scoping for the vegetation works, and undertake surveys where required. Significant mature trees can be protected with barriers, at a cost.		

49.	Risk: That some or all speed limit changes are not supported by the community due to impacts to travel time.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Community approval to reduce a speed limit is desirable but not technically required. Inform the community of the changes once approved by MRWA.		

CONCLUSION

- 50. The consultant Donald Veal Consultants has provided a preliminary assessment of the road safety concerns along Canning Road, from Pomeroy Road to the City's southern boundary. The preliminary estimate of the work is \$6.6 million, with \$1.08 million already proposed for improvement under the State Black Spot funding program.
- 51. The RSI has identified that road widenings and hazard protection and removal are required along the length of the road, to improve the safety for all road users. Further scoping and design is needed in order to prioritise the work better and identify appropriate funding sources.
- 52. Not all works are proposed to be completed by the City, as the road is expected to be transferred to Main Roads WA's responsibility in 2021/22. The work south of Pickering Brook Road, other than vegetation clearing, will be recommended to Main Roads WA to undertake at that time.

Voting Requirements: Simple Majority

RESOLVED OCM 202\2020

That Council ENDORSE the Canning Road – Road Safety Investigation and note that projects will be scoped and submitted for future funding consideration.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Brooke O'Donnell**

Vote:	<u>For</u>	<u>Against</u>
	Cr Janelle Sewell	Cr Dylan O'Connor
	Cr John Giardia	
	Cr Geoff Stallard	
	Cr Lesley Boyd	
	Cr Mary Cannon	
	Cr Brooke O'Donnell	
	Cr Lisa Cooper	
	Cr Cameron Blair	
	Cr Kathy Ritchie	
Cr Margaret Thomas		

CARRIED (10\1)

10.2.6. Community Appointment to Kalamunda Environmental Advisory Committee

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

Previous Items	OCM 250/2019; OCM 307/2019
Directorate	Asset Services
Business Unit	Parks & Environmental Services
File Reference	EV-EPP-014
Applicant	N/A
Owner	N/A
Attachments	Nil
Confidential Attachment	1. Kalamunda Environmental Advisory Committee Community Member Nomination <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person."</i>

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 2: Kalamunda Clean and Green

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

Strategy 2.1.3- Community engagement and education in environmental management.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the community member nomination to the City of Kalamunda (City) Environmental Advisory Committee (Committee) and amendment to the Terms of Reference for the Committee.
2. The City received resignations from the Committee from two community members and undertook advertisements for community members to submit their interest in standing for this Committee. Only one nomination was received.
3. It is recommended that Council endorse the nomination of the community representative (Confidential Attachment 1 refers).

BACKGROUND

4. At the Special Council Meeting held on 29 October 2019, Council resolved (in part) to endorse eight nominees as community members of the Committee and amend the Terms of Reference of the Committee to expand the membership from six community members to eight community members (OCM 250/2019 refers).

DETAILS AND ANALYSIS

5. The City has received, with regret the resignations of two Community Members; Ms Maria Kelly (effective 27 May 2020) and Mr Kevin Goss (effective 15 October 2020).
6. Expressions of Interest were sought from the Community (via advertisement in The Echo newspaper website and social media) to join the Committee.
7. Only one nomination was received, with the details of the nomination provided as Confidential Attachment 1.
8. It is proposed that this nomination be accepted and that the Terms of Reference of the Committee be revised to have seven community members (instead of the eight approved at the October 2019 SCM).
9. This new member would serve on Committee until the Committee's term expires in 2021.
10. It is noted that the Committee has traditionally operated with six community members.

APPLICABLE LAW

11. S5.8 of the *Local Government Act 1995*.

APPLICABLE POLICY

12. Governance 13: Appointment of Community Members to Advisory Committees and Reference Groups.

STAKEHOLDER ENGAGEMENT

13. Community nominations for membership were undertaken.

FINANCIAL CONSIDERATIONS

14. Nil.

SUSTAINABILITY

15. Not applicable.

RISK MANAGEMENT

16.

Risk: That the effectiveness of the Committee is reduced through insufficient community member participation.		
Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
Through creation of sufficient community membership opportunities on Committee allows a variety of community views and effort to be provided enhancing the Committee's effectiveness.		

CONCLUSION

17. It is viewed that the Committee's effectiveness will not be adversely impacted by having only seven community members noting that the Committee has operated in years past with six members.

Voting Requirements: Absolute Majority

RESOLVED OCM 203\2020

That Council:

1. APPOINT the nomination as per Attachment 1 to the Kalamunda Environmental Advisory Committee; and
2. AMEND the Terms of Reference for the Kalamunda Environmental Advisory Committee from eight Community Members to seven Community Members.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Brooke O'Donnell**

Vote: **CARRIED UNANIMOUSLY\ABSOLUTE MAJORITY (11\0)**

10.3. Corporate Services Reports

10.3.1. Proposed Membership of the City's Economic Development Advisory Committee

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

Previous
Items

Directorate	Corporate Services
Business Unit	Economic Development
File Reference	3.010413
Applicant	N/A
Owner	N/A

Attachments	1.	KEDAC Terms of Reference - As Adopted 25 Feb 20 OCM [10.3.1.1 - 5 pages]
	2.	KEDAC Terms of Reference - Proposed September 2020 [10.3.1.2 - 5 pages]

Confidential Attachments	1.	KEDAC Nominations & Assessments
	2.	KEDAC Recommended Appointments

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

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.1 - Support local communities to connect, grow and shape the future of Kalamunda.

Priority 3: Kalamunda Develops

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

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

Priority 4: Kalamunda Leads

Objective 4.2 - To proactively engage and partner for the benefit of community.

Strategy 4.2.1 - Actively engage with the community in innovative ways.

Strategy 4.2.2 - Increase advocacy activities and develop partnerships to support growth and reputation.

EXECUTIVE SUMMARY

1. The purpose of this report is to:
 - a) Appoint the nominees to be on the City of Kalamunda's Economic Development Advisory Committee (KEDAC) as per Confidential Attachment 2.
 - b) Adopt the revised Term of Reference for the City of Kalamunda's Economic Development Advisory Committee outlined in Attachment 2.
2. The KEDAC was established by Council (OCM 15/2020) to provide information and advice about the current and emerging trends in Economic Development and to provide guidance in the implementation of the City of Kalamunda's (City) Economic Development Strategy.
3. This report recommends that Council:
 - a) NOTE the nominations received from applicants seeking to be on the City of Kalamunda's Economic Development Advisory Committee.
 - b) APPOINT the nominees to be on the City of Kalamunda's Economic Development Advisory Committee as per Confidential Attachment 2.

- c) ADOPT the revised Term of Reference for the City of Kalamunda's Economic Development Advisory Committee outlined in Attachment 2.
- d) REQUEST the Chief Executive Officer write to all nominees and advise of Council's determination.

BACKGROUND

- 4. Council established the KEDAC at the Ordinary Council Meeting of 25 February, 2020 and adopted a terms of reference which defined the Committee's objectives and the composition of membership.
- 5. The objectives of this Committee are:
 - a) Promote the Economic Development Vision to establish the City as a business destination spoilt for choice with a diverse mix of natural assets and employment drivers that complement each other in delivering locally sustainable jobs and businesses.
 - b) Assist the City to foster strong relationships with Economic Development stakeholders, including peak bodies and government agencies.
 - c) Provide advice on current initiatives, opportunities or gaps in the promotion of Economic Development.
 - d) Provide advice to Council to guide the implementation of the Economic Development Strategy.
 - e) Provide advice that leverages community expectations in promoting the strengths and opportunities in Economic Development.
 - f) Provides a forum for sharing information relating to Economic Development opportunities within the City.
 - g) Provide advice and give consideration of how Economic Development can be integrated and aligned in other key informing City Strategies and Plans.
- 6. The original KEDAC Terms of Reference adopted on 25 February 2020 Attachment 1 stipulated that the Committee would consist of up to 14 members comprising:
 - a) Up to two Elected Members including either the Mayor or Deputy Mayor plus one other.
 - b) Up to two small to medium enterprise operators within the City of Kalamunda.
 - c) One aboriginal business operator within the City of Kalamunda.
 - d) Up to three industry representatives from within the City of Kalamunda with at least one representing either the Freight and logistics, manufacturing and/or construction sectors.
 - e) Up to two members representing economic or business organisations operating within the City of Kalamunda.

- f) A representative from the Kalamunda Chamber of Commerce.
- 7. It is necessary to revise the original Terms of Reference, as those adopted by Council in February 2020, contained inconsistency in the membership numbers.
- 8. The Proposed Terms of Reference Attachment 2 have been amended to address the inconsistency in membership numbers contained in Attachment 1.
- 9. Cr Dylan O'Connor and Cr Lesley Boyd were appointed as the two elected members to the Kalamunda Economic Development Advisory Committee.
- 10. Cr Janelle Sewell and Cr Mary Cannon were appointed as the two Deputy elected members respectively to the Kalamunda Economic Development Advisory Committee.

DETAILS AND ANALYSIS

- 11. The call inviting nominations for appointment to KEDAC opened on Thursday 9th July and closed on Tuesday 4th August.
- 12. To raise awareness and invite committee nominations the City:
 - a) published an advertisement in The Echo newspaper,
 - b) listed details on the City website and via the Engage portal.
 - c) issued a media release and promoted the invitation via social media channels
 - d) wrote to, and made direct contact with, more than 30 prominent business people who have with dealings within Kalamunda region.
- 13. The City received 16 applications representing a diverse cross-section of the interests within the business community.
- 14. Applicants were assessed by a selection panel comprising the CEO, Director Corporate Services, and Manager Commercial & Cultural Services. Each applicant was assessed against the selection criteria specified within the City's Policy - *Appointment of Community Members to Advisory Committees and Reference Groups (Governance 13)* being:
 - a) Knowledge and experience of the topics the Committee/Group will be required to address.
 - b) Ability to work in teams and groups
 - c) The ability to allocate the necessary time to attend meetings and read documentation prior to the meeting.
 - d) Whether the application addresses a knowledge/skills gap on the Committee/Group, with consideration given to the balance of the Committee/Group ensuring broad and diverse representation).

15. In the assessment process, it was clear that there was a significant gap in the expertise, experience and eminence of a cohort of applicants and the remainder.
16. Whilst the City has been fortunate to attract such a high calibre of applicant there is concern that their interest, participation and valued contribution may wane in the event the composition of this committee becomes too broad and general. This may result in the City not fully achieving the objectives of this important committee and gaining the sought-after benefits namely jobs growth and new investment.
17. The City therefore recommends that the original Terms of Reference adopted by Council in February 2020 be amended. The proposed amendment to the terms and conditions will:
 - a) Address current inconsistency contained within the original Terms of Reference.
 - b) Enable more streamlined and efficient operations
 - c) Encourage greater engagement with members most credentialed in the economic development space.
18. The confidential Attachment 1 provides details of the positions available, the nominates and assessment for the Economic Development Advisory Committee.
19. Following an assessment of all nominations received for KEDAC it is recommended that Council endorse the members to be appointed to KEDAC (as per confidential Attachment 2):
 - a)
20. Attachment 1 is the current Terms of Reference for the City of Kalamunda's Economic Development Advisory Committee as adopted at the 25 February 2020 OCM.
21. Attachment 2 is the proposed Terms of Reference for the City of Kalamunda's Economic Development Advisory having regard to the discussion outlined within this report.

APPLICABLE LAW

22.
 - a) Section 5.8 of the Local Government Act 1995 – Establishment of Committees.
 - b) Section 5.9(2)(c) of the Local Government Act 1995 – Types of Committees.
 - c) Section 5.11(2)(d) of the Local Government Act 1995 – Tenure of Committee Membership.

APPLICABLE POLICY

23. Council Policy – Appointment of Community Members to Advisory Committees and Reference Groups (Governance 13).

STAKEHOLDER ENGAGEMENT

24. Significant internal referrals have been undertaken, with Business Units in the City of Kalamunda consulted.

FINANCIAL CONSIDERATIONS

14. The cost to administer an advisory committee is in the order of \$5,000 to \$6,000 per year based on four meetings per year. This can vary depending on requirement of the committee. Council may also look to funding various projects/initiatives as recommended by the committee.

SUSTAINABILITY

Social Implications

15. An enhanced economic and business environment will support local communities to connect, grow and shape the future of Kalamunda.

Economic Implications

16. The establishment of the Economic Development Advisory Committee will provide support and local input into the City's initiatives to enhance the local economy via the provision of local business intelligence, advocacy activities, development of partnerships and support of economic growth and reputation.

Environmental Implications

17. Nil.

RISK MANAGEMENT

18.	Risk: Reputational risk where the Economic Development Advisory Committee's goals do not align with the City's objective and strategies.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Provide guidance to all the members at the first meeting to communicate the City's strategic plan and objectives to ensure the Committee understands its role and works within its Terms of Reference.		

	Risk: Failure to amend the Terms of Reference to reduce the membership of KEDAC may result in inefficiencies and a lack of achievement of the objectives.		
	Consequence	Likelihood	Rating
	Moderate	Almost Certain	High
	Action/Strategy		
	Modify the Terms of Reference for a total membership of 11 to ensure a highly engaged and outcomes focussed approach is achieved.		

CONCLUSION

- 19. The establishment of the Economic Development Advisory Committee is vital to provide support and local input into the City's initiatives to enhance the local economy via the provision of local business intelligence, advocacy activities, development of partnerships and support of economic growth and reputation.
- 20. The composition of this committee's membership is paramount to ensuring the objectives of this committee are fully realised for the benefit of the City.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

- 1. NOTE the nominations received from applicants seeking to be on the City of Kalamunda's Economic Development Advisory Committee.
- 2. APPOINT the nominees to the City of Kalamunda's Economic Development Advisory Committee as per Confidential Attachment 2:

3. ADOPT the revised Term of Reference for the City of Kalamunda's Economic Development Advisory Committee outlined in Attachment 2.
4. REQUEST the Chief Executive Officer write to all nominees and advise of Council's determination.

Cr Sewell moved the recommendation and proposed amendments the seconder accepted the recommendations. Council debated the recommendation behind closed doors where it was put to a vote.

RESOLVED OCM 217/2020

That Council:

1. NOTE the nominations received from applicants seeking to be on the City of Kalamunda's Economic Development Advisory Committee.
2. APPOINT
 - (a) the nominees to the City of Kalamunda's Economic Development Advisory Committee as per amended Confidential Attachment 2.
 - (b) Councillor Thomas and Councillor Sewell as members of the City of Kalamunda Economic Development Advisory Committee.
 - (c) Councillor Giardina be appointed as a Deputy Member of the City of Kalamunda Economic Development Advisory Committee
3. ADOPT the revised Term of Reference for the City of Kalamunda's Economic Development Advisory Committee outlined in Attachment 2, subject to the following amendment to clause 5.2-
"The committee shall consist of no less than 11 members comprising:
 - (i) Up to four (4) Elected Members including either the Mayor or Deputy Mayor."
4. REQUEST the Chief Executive Officer write to all nominees and advise of Council's determination.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Brooke O'Donnell**

Vote:

For

Cr Janelle Sewell
Cr John Giardia
Cr Geoff Stallard
Cr Lesley Boyd
Cr Mary Cannon
Cr Dylan O'Connor
Cr Lisa Cooper
Cr Cameron Blair
Cr Kathy Ritchie
Cr Margaret Thomas

Against

Cr Brooke O'Donnell

CARRIED/ABSOLUTE MAJORITY (10\1)

10.3.2. Lesmurdie School Community Library Management Committee

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

Previous Items	
Directorate	Corporate Services
Business Unit	Commercial & Cultural Services
File Reference	
Applicant	N/A
Owner	N/A
Attachments	1. Draft TOR Membership provisions amendment [10.3.2.1 - 2 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to approve a minor amendment to the membership provisions of the Terms of Reference for the Lesmurdie School Community Library Management Committee (LSCLMC) and appoint new City of Kalamunda (City) representatives.
2. The change is necessitated because of the establishment of the Commercial Cultural Services Business Unit within the City's Corporate Services Directorate.
3. It is recommended that Council:
 1. APPROVE the amendment to the Terms of Reference (Attachment 1)
 2. APPOINT Manager of Commercial & Cultural Services and Coordinator of Culture, Arts and Libraries to the Lesmurdie School Community Library Management Committee as the City of Kalamunda representative.
 3. APPOINT Kalamunda Branch Librarian as the Deputy to both the City representatives.

BACKGROUND

4. The LSCLMC was established to oversee the management and operations of the joint use Library on behalf of the Education Department and the City of Kalamunda.
5. The LSCLMC membership consists of six (6) representatives with voting rights comprising:
 - a) Councillor Delegate
 - b) Two City of Kalamunda Delegates
 - c) Three Education Department Delegates
6. There is provision in the LSCLMC representation for two deputy representatives from the City of Kalamunda as proxies.
7. At the Special Council Meeting of 29 October 2019 Council:
 - a) resolved to appoint Cr Geoff Stallard as the Councillor Delegate, and Cr Janelle Sewell as the Deputy Council Delegate
 - b) noted the appointment of:
 - i. Lesmurdie High School Secretary
 - ii. Lesmurdie High School Teacher Librarian as the Education Department Delegate.

DETAILS AND ANALYSIS

8. The creation of the Manager of Commercial & Cultural Services and the Coordinator of Culture, Arts and Libraries positions, and their recent appointments has necessitated the need to amend the title of the delegates in the Terms of Reference representing the City on the LSCLMC.
9. It is also intended to appoint the Kalamunda Library Branch Librarian as the Deputy to both City's representatives.
10. All are considered suitable for appointment as the City's representatives to this committee.

APPLICABLE LAW

11. *Local Government Act 1995*

APPLICABLE POLICY

12. Council Policy Governance 13: Appointment of Community Members to Advisory Committees and Reference Groups.

STAKEHOLDER ENGAGEMENT

13. Following Council consideration, the LSCLMC will be formally notified at the next scheduled meeting.

FINANCIAL CONSIDERATIONS

14. Nil.

SUSTAINABILITY

Social Implications

15. Nil.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

RISK MANAGEMENT

18.	Risk: Incorrectly defined membership of the Lesmurdie School Community Library Management Committee weakens the governance framework and of this committee		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Regular review of the Terms of Reference and the efficacy of the Committee.		

CONCLUSION

19. The changes to Term of Reference comprising the title of the delegates representing the City of Kalamunda will ensure an improved governance framework on the LSCLMC.

Voting Requirements: Absolute Majority

RESOLVED OCM 204/2020

That Council:

1. APPROVE the amendment to the Terms of Reference (Attachment 1)
2. APPOINT Manager Commercial & Cultural Services, Andre Stuyt, and Coordinator of Culture, Brittany Cover, Arts and Libraries to the Lesmurdie School Community Library Management Committee as the City of Kalamunda Delegates.
3. APPOINT Kalamunda Branch Librarian as the Deputy to both the City representatives.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY/ ABSOLUTE MAJORITY (11/0)**

10.3.3. City of Kalamunda - Public Art Masterplan - Adoption for Public Advertising

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

Previous Items	Nil.
Directorate	Corporate Services
Business Unit	Commercial and Cultural Services
File Reference	
Applicant	City of Kalamunda
Owner	N/A

Attachments

1. City of Kalamunda Public Art Masterplan - Draft [10.3.3.1 - 16 pages]
2. City of Kalamunda Public Art Masterplan - Appendix B [10.3.3.2 - 1 page]
3. City of Kalamunda Public Art Masterplan Engagement Report - Appendix C [10.3.3.3 - 85 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.1 - Support local communities to connect, grow and shape the future of Kalamunda.

Strategy 1.3.2 - Encourage and promote the active participation in social and cultural events.

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider adoption of a draft City of Kalamunda Public Art Masterplan for public advertising.
2. The Masterplan has been prepared which articulates a vision, key themes and locales to guide the City and Developers in the delivery of public art. The Masterplan also identifies specific artwork opportunities and prioritises sites and projects with the City of Kalamunda.
3. It is recommended that Council adopt the draft City of Kalamunda Public Art Masterplan for the purposes of public advertising.

BACKGROUND

4. One of the key actions of the Creative Communities: An Arts Strategy, adopted by Council in 2019, is the development of a Public Art Masterplan for the City of Kalamunda.
5. In late 2019, Council called for submissions from suitably qualified consultants to prepare a Public Art Masterplan. Maggie Baxter, an established art consultant was engaged to prepare the Masterplan.

DETAILS AND ANALYSIS

6. The City of Kalamunda Public Art Masterplan defines the City's vision in relation to public art as well as key recommendations and locations.

7. The Masterplan recommends a thematic approach to Public Art as a direct result of community consultation (see attachment 2 - Engagement Report):

Natural Environment	Bushland, forest, geology, native flora, wildlife, parklands, walking trails and paths, care of natural resources
Noongar History and Culture	Waterways, the story of Kalamunda, Welcome to Country, Aboriginal astronomy
Early Settlers	Farming, horticulture, railways
The past, present and future of industry	(Industrial areas only)

8. The scale recommended within the Masterplan is a mix of large and iconic and smaller, discreet works that invite interaction and discovery.
9. There are a number of key recommendations as part of the City of Kalamunda Public Art Masterplan. Full details can be found in attachment 1.
10. The City of Kalamunda Public Art Masterplan will be integral to the Kalamunda Activity Centre Plan and should be updated to represent amendments throughout the processes.
11. The City of Kalamunda Public Art Masterplan actively encourages Aboriginal Artists to apply for all publicly advertised commissions not only those referencing Noongar heritage and culture.

APPLICABLE LAW

12. Nil.

APPLICABLE POLICY

13. a) The Public Art Contributions Policy
 b) Public Art Policy

STAKEHOLDER ENGAGEMENT

14. The development of the Public Art Masterplan has included key stakeholder engagement which is outlined in detail in the Engagement Report (See Attachment 2).

15. Subject to Council's resolution to proceed, the City will advertise the Public Art Masterplan in accordance with the Communication and Engagement Policy.
16. A communications and engagement strategy will be developed to assist with guiding the public advertising process in accordance with the Public Art Policy. Consultation will target the stakeholders with an interest in the Public Art and the Masterplan.
17. As part of the advertising process, the Kalamunda Arts Advisory Committee will have a presentation and an opportunity to comment on the Masterplan.

FINANCIAL CONSIDERATIONS

18. Costs associated with the preparation and public advertising of the Public Art Masterplan are met through the annual Commercial and Cultural Service budget.
19. Some recommendations arising from the Masterplan may have financial implications; the details of which will be developed as part of Local Planning Policy 26 – Public Art Contributions where appropriate or through the development of financial implementation plan/s and annual budget/s when preparing to complete the actions.

SUSTAINABILITY

Social Implications

20. The City of Kalamunda Public Art Masterplan will provide locally relevant artwork that is thematic and of a standard that can be shared globally.

Economic Implications

21. The City of Kalamunda Public Art Masterplan will provide opportunity for creative engagement through its commissioning and percent for art processes.

Environmental Implications

22. The City of Kalamunda Public Art Masterplan will improve the City's built environment, contribute to city-wide urban attractiveness and reinforce the unique qualities of the City of Kalamunda's natural environment.

RISK MANAGEMENT

23.

Risk: By not having a Masterplan, the delivery of public art is uncoordinated.		
Consequence	Likelihood	Rating
Moderate	Likely	Medium
Action/Strategy		
Adopt the draft Public Art Masterplan for the purpose of public advertising.		

Risk: Public Art Masterplan is not adopted for advertising, thereby delaying the process of implementation whilst submissions are received.		
Consequence	Likelihood	Rating
Moderate	Moderate	Medium
Action/Strategy		
Adopt the draft Public Art Masterplan for the purpose of public advertising.		

CONCLUSION

20. The City of Kalamunda engaged art consultant Maggie Baxter to develop a public art masterplan. The Masterplan will provide the City of Kalamunda with a thematic, contemporary approach to Public Art which will assist in developing a collection that can be proudly shared.

Voting Requirements: Simple Majority

RESOLVED OCM 205/2020

That Council:

1. ADOPT the draft City of Kalamunda Public Art Masterplan (Attachment 1) for the purposes of public advertising.
2. AUTHORISE the Chief Executive Officer to undertake public advertising for the draft Public Art Masterplan in accordance with the City’s Communication and Engagement Policy.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Brooke O'Donnell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.4. Office of the CEO Reports

10.4.1. Election of the Mayor - Community Engagement

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

Previous
Items
Directorate
Business Unit
File Reference
Applicant
Owner

- Attachments
1. 2020 Mayor Election V 3 [10.4.1.1 - 2 pages]
 2. Mode of Election of the Mayor final Activity Schedule [10.4.1.2 - 2 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the proposed Community Engagement Plan to facilitate consultation for the change of the mode of Election of the Mayor proposal.
2. At the Ordinary Council Meeting (OCM) of 28 July Council resolved to request the Chief Executive Officer (CEO) to prepare a Community Consultation Plan prior to seeking the community's opinion on the mode of Election of the Mayor.
3. It is recommended that Council ENDORSE the Mode of Election of the Mayor Survey (Attachment 1) and the Community Engagement Activity Schedule (Attachment 2) to facilitate the seeking of community opinion on the mode of Election of the Mayor for the City of Kalamunda.

BACKGROUND

4. The *Local Government Act 1995* (the Act) is the primary legislative document which sets out the roles and responsibilities of local government as well as their governance frameworks and the way they are determined.
5. The Act provides councils with a choice between two models for mayoral selection: the directly elected model, or the council selected model.
6. Currently of the 139 local governments in WA, 26 councils have their mayor or president elected for a four-year term by public vote.
7. In July 2015, the City of Kalamunda (City) published Kalamunda Listening: Gathering our Collective which included a question asking if a mayor should be elected by the people or the council within its community consultation. Of 1,283 responses received at the time, 61 per cent wanted a directly elected mayor.
8. The City's Council is currently constituted with twelve elected members, with three representatives from each of four wards. The Mayor is currently elected by the council.

DETAILS AND ANALYSIS

9. The City proposes to proceed to seek the opinion of the community on whether to change the method of election of the Mayor from the current process of by the Councillors to by the electors.

10. The City proposed an Integrated marketing and Communications plan to create awareness and ensure high levels of participation in community consultation to validate results, with the key components being
- a) A survey
 - b) Use of multiple digital platforms
 - c) Attendance at community events and shopping centre pop-ups.
11. The survey has been developed based on advice from the WA Electoral Commission of other local government’s surveys for the same proposal.
12. The City proposes to send the Survey (Attachment 1) via letterbox drop to all households in the City. The survey will also be available online at engage.kalamunda.wa.gov.au and hard copies will be available at all City of Kalamunda locations.
13. Communication Mediums utilised as a part of the campaign will include:

Tool	Purpose
Media Releases	Released at key milestones: the opening of feedback periods and on outcomes
Social Media/Digital	Directing traffic to online information and feedback form. Feedback campaign during public comment period.
Website	Dedicated landing pages redirecting traffic to information and feedback form.
Print Advertising	Keep community informed through traditional print channels.
Direct Mail (Letterbox drop)	Keep community informed through traditional print channels.
Flyers/Posters	To be available at all City contact points
Questionnaire	Obtain feedback. Survey will be available hard copy and online.
Shopping Centre Pop-ups and attendance at Community Events	Raise awareness of the survey and encourage community members to have their say.
Council briefings and briefing notes	Councillors will be kept informed of the process and outcomes.
Outcomes summary	Report compiled following the close of comments and presented to Council

14. A copy of the proposed activity schedule is attached at Attachment 2 – Mode of Election of the Mayor Activity Schedule.

APPLICABLE LAW

15. Section 2.11 of the *Local Government Act 1995* provides for two different methods by which a Mayor is elected to Council, either:
- a) Elected by electors of the district; or
 - b) Elected by the Council from amongst the councillors

APPLICABLE POLICY

16. Service 5: Communication and Engagement

STAKEHOLDER ENGAGEMENT

17. The City will seek a minimum of 1000 survey responses as a part of the proposed community engagement.
18. Should the required engagement levels not be reached by 30 November 2020 the City proposes to extend the time frame of the survey.

FINANCIAL CONSIDERATIONS

19. Communications and engagement to take place in accordance with current budget.

SUSTAINABILITY

Social Implications

20. Nil.

RISK MANAGEMENT

21.	Risk: Existing or new community groups may dominate process, with less vocal groups not being heard.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Engage using a variety of methods, encouraging written and online submissions. Ensure advertising reaches individual homes. Ensure residents have easy access to necessary information and documentation to have their say.		

22.	Risk: Lack of awareness; promotion missing key demographic groups in the community (i.e. those not online)		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Integrate communications activities across a variety of platforms and adopt multiple engagement methods to reach all sectors of community.		

23.	Risk: Lack of feedback.		
	Consequence	Likelihood	Rating
	Major	Possible	High
	Action/Strategy		
	Communication to be delivered in various formats, ensuring adequate time for feedback. Option to extend survey time frame if minimum numbers have not been reached.		

CONCLUSION

24. Officers recommend endorsement of the community engagement schedule and the Mode of Election of the Mayor Survey.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ENDORSE the Mode of Election of the Mayor Survey (Attachment 1) and the Community Engagement Activity Schedule (Attachment 2) to facilitate the seeking of community opinion on the mode of Election of the Mayor for the City of Kalamunda.

Moved:

Seconded:

Vote: **LAPSED**

The recommendation did not receive a mover and LAPSED. Cr Ritchie proposed an alternative recommendation which received a seconder.

RESOLVED OCM 206/2020

That Council DEFER consideration of the mode of election of the Mayor until amendments proposed to the Local Government Act with respect to the determination of the number of elected members are finalised and introduced.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr John Giardina**

Vote:	<u>For</u>	<u>Against</u>
	Cr Brooke O'Donnell	Cr Janelle Sewell
	Cr John Giardia	
	Cr Geoff Stallard	
	Cr Lesley Boyd	
	Cr Mary Cannon	
	Cr Dylan O'Connor	
	Cr Lisa Cooper	
	Cr Cameron Blair	
	Cr Kathy Ritchie	
Cr Margaret Thomas		

CARRIED (10\1)

10.5. Chief Executive Officer Reports

10.5.1. Draft Monthly Financial Statements to September 2020

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A

Attachments	1. Statement of Financial Activity for the period ended 30 September 2020 [10.5.1.1 - 2 pages]
	2. Statement of Net Current Funding position as at 30 September 2020 [10.5.1.2 - 1 page]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service-based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the Statutory Financial Statements for the period ended 30 September 2020.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (the City) with comparison of the period's performance against the budget adopted by the Council on 30 June 2020 for the 2020/2021 financial year.
3. It is recommended that Council receives the draft Monthly Statutory Financial Statements for the period ended 30 September 2020, which comprise:
 - a) Statement of Financial Activity (Nature or Type);
 - b) Statement of Financial Activity (Statutory Reporting Program);
 - c) Net Current Funding Position note to financial report.

BACKGROUND

4. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995 (Act)* and Regulation 34 of the Local Government (Financial Management) Regulations 1996.
5. The opening funding position in the Statement of Financial Activity reflects the un-audited surplus carried forward from 2019/2020.

DETAILS AND ANALYSIS

6. The Act requires the 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.
7. The opening surplus position is un-audited and subject to change as:
 - a) Land and Building revaluation entries are pending subject to the City's External Auditors' review.
 - b) Adjustments related to the new Australian Accounting Standards effective from 2019/2020 are not finalised as yet.
 - c) Potential audit adjustments resulting from the final audit by the Office of the Auditor General may be required.

FINANCIAL COMMENTARY

Draft Statement of Financial Activity by Nature and Type for the period ended 30 September 2020

8. This Statement reveals a net result surplus of \$47,713,779 compared to the budget for the same period of \$42,797,895.

Operating Revenue

9. Total Revenue excluding rates is over budget by \$661,615. This is made up as follows:
- a) Operating Grants, Subsidies and Contributions are over budget by \$521,118. The variance is due to revenue received early for "Better Bins Kerbside Collection Program". The grant programme is managed by the Department of Water and Environmental regulation.
 - b) Fees and Charges under budget by \$936. This is an aggregate result of minor variances in individual fee categories.
 - c) Interest Income is over budget by \$16,888. This is the result of a timing matter.
 - d) Other Revenue is over budget by \$796. This is an aggregate result of minor variances in individual income categories.

Operating Expenditure

10. Total expenditure is under budget by \$1,229,316. The significant variances within the individual categories are as follows:
- a) Employment Costs are under budget by \$91,064, which is primarily due to vacant positions and the aggregate result of minor variances in various business units. The variance is within the reporting threshold.
 - b) Materials and Contracts are under budget by \$417,746. The variance is primarily due to; Waste costs that are under budget by \$343,761 mostly from putrescible waste charges and verge collection costs and considered to be a timing variance;
 - c) Utilities are under budget by \$33,897, which mainly relates to street lighting costs which is lower than projected;
 - d) Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$636,201.
 - e) Interest and Insurance expenses are tracking below the reportable variance threshold.
 - f) Other expenditure is under budget by \$14,361. The variance is due to the timing difference of planned operating expenditure related to Forrestfield Industrial Area Scheme stage 1. The relevant expenditure

is funded by the Forrestfield Industrial Area Scheme Stage 1 reserve account.

Investing Activities

Non-operating Grants and Contributions

11. The non-operating grants and contributions are under budget by \$385,447. The variance is mainly due to the timing of the road projects related grants.

Capital Expenditure

12. The total Capital Expenditure on Property, Plant and Equipment and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$267,331. This is considered to be a timing issue.
13. Capital works-in-progress expenditure of \$36,039 represents the costs expended on Forrestfield Industrial Area Scheme Stage 1 and CELL 9 Wattle Grove development. The relevant expenditure is funded by the Forrestfield Industrial Area Scheme Stage 1 reserve account and the CELL 9 trust account. These assets once constructed will be passed over to the City for management.

Financing Activities

14. The amounts attributable to financing activities show a variance of \$32,000 which is mainly due to the reserve movements.

Rates Revenues

15. Rates generation is over budget with a variance of \$109,838. The variance is mainly due to the interim rates.

Statement of Financial Activity by Program for the period ended 30 September 2020

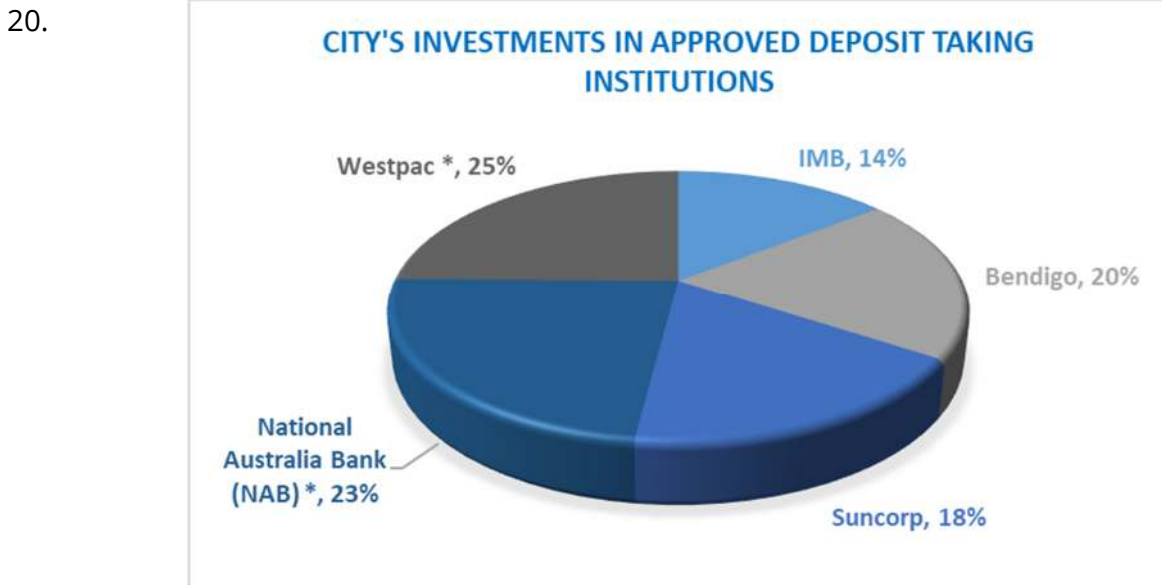
16. Generally, the net result of each Program is within the accepted budget except for 'Health', 'Recreation & Culture', and 'Transport'. Major variances have been reported by Nature and Type under points 9 to 15 above.

Statement of Net Current Funding Position as at 30 September 2020.

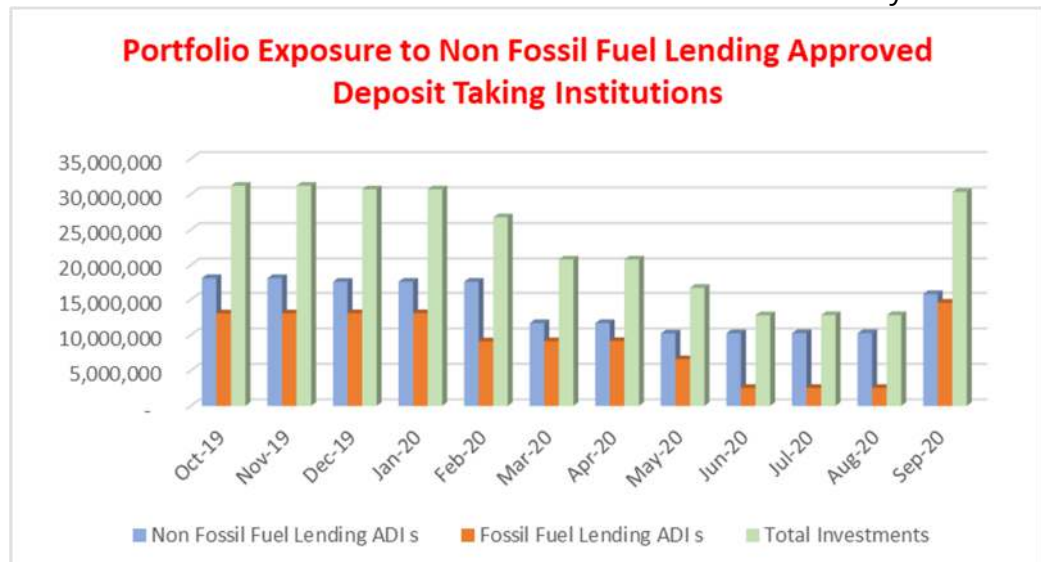
17. The commentary on the net current funding position is based on a comparison of September 2020 to the September 2019 actuals.

18. Net Current Assets (Current Assets less Current Liabilities) total \$58.3 million. The restricted cash position is \$14.7 million which is lower than the previous year's balance of \$17 million. This is mainly attributed to the Forresterfield Industrial Area Scheme Stage 1 reserve. With the commencement of major capital projects, amounts have been drawn down from the reserve to meet the necessary funding requirements.

19. The following graph indicates the financial institutions where the City has investments as of 30 September 2020;



*Financial Institutions with Investments in the Fossil Fuel Industry



21. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$19.2 million.

22. Sundry debtors have increased from \$576,905 to \$1,186,883, of which \$682,733 consists of current debt due within 30 days. Details contained in the Debtors and Creditors Report to Council.
23. Receivables Other represents \$6.8 million including:
a) Emergency Service Levy receivables \$2.8 million;
b) Receivables sanitation \$2.2 million
24. Provisions for annual and long service leave have increased by \$0.5 million to \$4.2 million when compared to the previous year. The increase in leave provisions is mainly due to the 2019/2020 end of the year leave provision adjustments.

APPLICABLE LAW

25. *The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.*

APPLICABLE POLICY

26. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

27. The City's executive and management monitor and review the underlying business unit reports which form the consolidated results presented in this report.

External Referrals

28. As noted in point 25 above, the City is required to present to the Council a monthly statement of financial activity with explanations for major variances.

FINANCIAL CONSIDERATIONS

29. The City's financial position continues to be closely monitored to ensure it is operating sustainably and to allow for future capacity.

SUSTAINABILITY

Social Implications

30. Nil.

Economic Implications

31. Nil.

Environmental Implications

32. Nil.

RISK MANAGEMENT

33.

Risk: Over-spending the budget.		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Monthly management reports are reviewed by the City and Council. Procurement compliance is centrally controlled via the Finance Department.		

34.

Risk: Non-compliance with Financial Regulations		
Likelihood	Consequence	Rating
Unlikely	Moderate	Low
Action / Strategy		
The financial report is scrutinised by the City to ensure that all statutory requirements are met. Internal Audit reviews to ensure compliance with Financial Regulations. External Audit confirms compliance.		

CONCLUSION

35. The City's Financial Statements as at 30 September 2020 reflects the un-audited surplus carried forward from 2019/2020.

Voting Requirements: Simple Majority

RESOLVED OCM 207/2020

That Council RECEIVE the Draft Monthly Statutory Financial Statements for the period ended 30 September 2020 which comprises:

- a) Statement of Financial Activity (Nature or Type);
- b) Statement of Financial Activity (Statutory Reporting Program);
- c) Net Current Funding Position, note to the financial report.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Kathy Ritchie**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.5.2. Debtors and Creditors Report for the period ended September 2020

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Creditor Payments for the period ended 30 September 2020 [10.5.2.1 - 29 pages] 2. Summary of Debtors for the month of September 2020 [10.5.2.2 - 2 pages] 3. Summary of Creditors for month of Sept 2020 [10.5.2.3 - 1 page]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the list of payments made from Municipal and Trust Fund Accounts in September 2020, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).

2. The Debtors and Creditors report provides Council with payments made from Municipal and Trust accounts together with outstanding debtors for the month of September 2020.
3. It is recommended that Council:
 - a) Receive the list of payments made from the Municipal and Trust Fund Accounts in September 2020 in accordance with the requirements of the Local Government (Financial Management) Regulations 1996 (Regulation 13); and
 - b) Receive the outstanding debtors and creditors report for the month of September 2020.

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures.

At the Special Council Meeting held on 7 April 2020 the Council adopted the City's COVID-19 Financial Hardship Policy.

Effective for 2020/21 Financial year the following principles are endorsed by the Council in order to provide financial assistance to the community which will have an impact on future income and debt collection.

- a) Waive 2020/21 food and health inspection fees for targeted small businesses affected by COVID-19 and reduce the anticipated income for this service by approximately \$37,000.
5. In accordance with *the Local Government (Financial Management) Regulations 1996* (Regulation 13) reporting on payments made from Municipal Fund and Trust Fund must occur monthly.

DETAILS AND ANALYSIS

Debtors

6. Sundry debtors as of 30 September 2020 were \$1,186,882. This includes \$682,733 of current debts and \$1,061 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$480,451, debts of significance:
 - a) Satterley, \$471,660, Developer Contributions, Bonds and fees; and
 - b) Rotary Club of Kalamunda, \$1,686, Trading in Thoroughfares – Market.

8. Invoices over 60 days total – nil
9. Invoices over 90 days total \$24,760, debts of significance:
 - a) GIO Workers Compensation, \$22,052, workers compensation; and
 - b) Municipal Workcare, \$1,886, workers compensation.

Creditors

10. Payments totalling \$6,315,767 were made during the month of September 2020.

Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.

11. Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Department of Fire and Emergency Services (DFES)	Emergency services levy – 1 st quarter 2020/2021 payment	1,938,265.13
Pindan Contracting Pty Ltd	Construction of the Kalamunda Community Centre – Progress claims 8	676,337.09
Australian Tax Office	PAYG payments	596,617.00
Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	394,268.22
Cleanaway	Waste/ recycling and bulk bin disposal service fees	268,379.01
Civcon Civil & Project Management	Hale Road & Woolworths Drive upgrade – progress claim 3	225,658.05
Western Australian Treasury Corporation	Loan instalment repayment for loan numbers 227,224 and 228	224,810.75
WA Local Government Superannuation Plan	Superannuation contributions	194,359.51
Synergy	Power charges - various locations	143,992.02
Prosser 2015 Pty Ltd – T/as Maddington Toyota	Purchase of a Coaster Bus	134,858.40
Belgravia Health & Leisure Group Pty Ltd	Quarterly management fees – March to June 2019	70,098.49
Contraflow	Traffic management – various locations	53,632.06

Beaver Tree Services	General tree services / under power lines pruning for various locations	52,568.56
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These payments total \$4,973,844.29 and represent 78.8% of all payments for the month.

Payroll

12. Salaries are paid in fortnightly cycles. A total of \$1,797,993.74 was paid in net salaries for the month of September 2020.
13. Details are provided in (Attachment 1) after the creditor's payment listing.

Trust Account Payments

14. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
 - a) CELL 9 Trust;
 - b) POS Trust;
 - c) NBN Tower Pickering Brook Trust
15. The following payments (GST exclusive) were made from the Trust Accounts in the month of September 2020.

CELL 9		Amount (\$)
Date	Description	
24/9/2020	Kalamunda Electrics - Power connection Lot 2 (268) Hale Road Wattle Grove and Lot 28 (296) Hale Road Wattle Grove widening	14,900.90
24/9/2020	McLeods Barristers & Solicitors - Acquisition of Portion of Lot 2 (no 268) Hale Road, Wattle Grove	1,395.55
24/9/2020	Echo Newspaper – advertisement for CELL9 guided Development Scheme	300.00

APPLICABLE LAW

16. Regulation 12(1) of the *Local Government (Financial Management) Regulations 1996*.
17. Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

APPLICABLE POLICY

- 18. Debt Collection Policy S-FIN02.
- 19. Register of Delegations from Council to CEO.

STAKEHOLDER ENGAGEMENT

Internal Referrals

- 20. Various business units are engaged to resolve outstanding debtors and creditors as required.

External Referrals

- 21. Debt collection matters are referred to the City's appointed debt collection agency when required.

FINANCIAL CONSIDERATIONS

- 22. The City will continue to closely manage debtors and creditors to ensure optimal cash flow management.

SUSTAINABILITY

- 23. Nil.

RISK MANAGEMENT

Debtors

24.	Risk: The City is exposed to the potential risk of the debtor failing to make payments resulting in the disruption of cash flow.		
	Consequence	Likelihood	Rating
	Possible	Insignificant	Low
	Action/Strategy		
Ensure debt collections are rigorously managed.			

Creditors

25.

Risk: Adverse credit ratings due to the City defaulting on the creditor.		
Consequence	Likelihood	Rating
Possible	Insignificant	Low
Action/Strategy		
Ensure all disputes are resolved in a timely manner.		

CONCLUSION

26. Creditor payments for September 2020 are above the normal trend range due to the emergency services levy payment to the Department of Fire and Emergency Services.

Voting Requirements: Simple Majority

RESOLVED OCM 208/2020

That Council:

1. RECEIVE the list of payments made from the Municipal Accounts in September 2020 (Attachment 1) in accordance with the requirements of the Local Government (Financial Management) Regulations 1996 (Regulation 13).
2. RECEIVE the outstanding debtors and creditors report (Attachment 2 and 3) for the month of September 2020.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.5.3. Rates Debtors Report for the Period Ended September 2020

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A
Attachments	1. Rates Report Sept 2020 [10.5.3.1 - 1 page]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service-based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with information on the rates collection percentage and the status of recovery actions.

2. The City of Kalamunda (City) levied rates for 2020/2021 on 1 July 2020 totalling of \$37,570,982. As at 30 September 2020 \$21,714,401 has been collected for current and outstanding rates for the 30 June 2020 period.
3. It is recommended that Council receive the Rates Debtors Report for the month of September 2020 (Attachment 1).

BACKGROUND

4. Rate Notices were issued on 13 July 2020 with the following payment options available:

Options	Payment Dates			
Full Payment	17 August 2020			
Two Instalments	17 August 2020	22 December 2020		
Four Instalments	17 August 2020	19 October 2020	22 December 2020	23 February 2021

DETAILS AND ANALYSIS

5. A total of 19,658 Rate Notices, 1,307 BPay View and 2,702 eRates were issued on 13 July 2020. Rates Levied and Collectable for the 2020/2021 Financial Year currently total \$40,301,397. As at 30 September 2020 a total of \$21,714,401 has been collected since Rates Notices were released. This represents a collection rate of 55.06%.
6. Additional payment options available to better assist ratepayers in paying amounts due are:
 - a) A Smarter Way to Pay – with approximately 947 ratepayers signed up. Direct Debit to pay rates within a shorter period of time is 146 this brings the total to 1093 ratepayers that have elected to pay by Direct Debit.
 - b) eRates – there are a total 2,702 properties signed up for email delivery, compared to 2,360 in the previous year.
 - c) BPay View – approximately 1,307 ratepayers have signed up for this service.
 - d) There are a total of 8,170 ratepayers that have taken up the instalment option with 1,572 electing to pay by two (2) Instalments and 6,598 electing to pay by four (4) instalments. This has increased slightly from 2019/2020.

7. eRates registrations continue to increase throughout the year and the City encourages ratepayers to register to receive their future rates notices electronically.
8. Interim rating has commenced for 2020/2021.
9. Due to the current COVID-19 pandemic all Debt Recovery through the courts for outstanding rates has been put on hold until further notice as per the COVID-19 Financial Hardship Policy adopted by Council on 7 April 2020 (SCM 44/2020). There are 33 individual ratepayers that have applied for financial assistance.
10. Call recording software has been utilised in the Rates Department since 2015, primarily for customer service purposes, as it allows calls to be reviewed for training and process improvements. For the period 01 September 2020 to 30 September 2020 there was a total of 350 incoming calls and 79 outgoing calls, equating to 21 hours call time.

APPLICABLE LAW

11. The City collects its rates debts in accordance with the *Local Government Act 1995* Division 6 – Rates and Service Charges under the requirements of subdivision 5 – Recovery of unpaid rates and service charges.

APPLICABLE POLICY

12. The City's rates collection procedures are in accordance with the Debt Collection Policy S-FIN02.

The Financial Hardship Policy adopted by Council on 7 April 2020 enables the provision of Financial Assistance to those seriously impacted by Covid-19.

STAKEHOLDER ENGAGEMENT

Internal Referrals

13. The City's Governance Unit has been briefed on the debt collection process.

External Referrals

14. The higher-level debt collection actions have been undertaken by Kott Gunning.

FINANCIAL CONSIDERATIONS

- 15. The early raising of rates in July allows the City’s operations to commence without delays improving cashflow, in addition to earning additional interest income.

SUSTAINABILITY

Social Implications

- 16. Debt collection can have implications upon those ratepayers facing hardship and the City must ensure equity in its debt collection policy and processes.
- 17. The City has introduced “a smarter way to pay” to help ease the financial hardship to its customers. This has proved very effective with a growing number of ratepayers taking advantage of this option. A “Smarter Way to Pay” allows ratepayers to pay smaller amounts on a continuous basis either weekly or fortnightly, helping to reduce their financial burden.

Economic Implications

- 18. Effective collection of all outstanding debtors leads to enhanced financial sustainability for the City.

Environmental Implications

- 19. The increase in take up of eRates and BPay View, as a system of Rate Notice delivery, will contribute to lower carbon emissions due to a reduction in printing and postage.

RISK MANAGEMENT

- 20.

Risk: Failure to collect outstanding rates and charges leading to cashflow issues within the current year.		
Likelihood	Consequence	Rating
Likely	Moderate	Medium
Action/Strategy		
Ensure debt collections are rigorously maintained.		

CONCLUSION

- 21. The current collection rate for Rates Levied and Collectable for the current financial year is 55.06 %.

Voting Requirements: Simple Majority

RESOLVED OCM 209/2020

That Council RECEIVE the Rates Debtors Report for the Period ended 30 September 2020 (Attachment 1).

Moved: **Cr Lesley Boyd**

Seconded: **Cr Margaret Thomas**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.5.4. Budget Review for the Three Months to September 2020

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

Previous Items

Directorate Corporate Services

Business Unit Finance Services

File Reference

Applicant N/A

Owner N/A

- Attachments
1. Budget Review Amended Financial Activity Statement [10.5.4.1 - 1 page]
 2. Budget Review Reconciliation of Variances [10.5.4.2 - 3 pages]
 3. Budget Review Cash Backed Reserves [10.5.4.3 - 1 page]
 4. Budget Review Composition of Net Current Assets [10.5.4.4 - 1 page]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
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- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the results of the first term budget review for the three months to 30 September 2020.
2. Regulation 33a (1) of the *Local Government (Financial Management) Regulations 1996* requires that a local government is to conduct a formal review of its adopted budget between 1 January and 31 March.
3. In pursuit of improved fiscal management and accountability, the City of Kalamunda undertakes an additional budget review for the first three months of the financial year 2020/2021.
4. It is recommended that Council:
 - a) Note the 2020/2021 September Budget Review Explanation and Summary (Attachment 2).
 - b) Amend the 2020/2021 current budget to reflect the changes summarised in the Amended Financial Activity Statement (Attachment 1) Pursuant to Section 6.8 (1) (b) of the *Local Government Act 1995*.
 - c) Adopt the new Fees applying to 2020/2021 not included as part of the Fees and Charges schedule as part of the budget adoption on 30 June 2020 Pursuant to Section 6.16 (3) of the *Local Government Act 1995*. The public will be given notice of these fees Pursuant to Section 6.19 of the *Local Government Act 1995*.
 - d) Amend, Pursuant to Section 6.11 (2) (b) of the *Local Government Act 1995*, the transfers to and from reserves (Attachment 3).

BACKGROUND

5. The primary objective of regular budget reviews is to ensure that the City is closely monitoring its revenue and expenditure to mitigate the risk of the City posting a deficit at the end of this financial year. It also incorporates a review of carry forward estimates against incomplete capital works projects as at 30 June 2020. The budget review is undertaken with the focus on fiscal management and accountability.
6. The COVID-19 Pandemic (COVID-19) and associated recovery continues to have significant public health and economic implications. As such the City is strongly focused on maintaining an annual budget that provides a balanced combination of financial restraint, funding to reinstate services as required and economic stimulus measures that will generate economic development and employment opportunities.
7. The budget review will enable the City to continue to respond to the economic impact of COVID-19 in a responsible and sustainable manner.

DETAILS AND ANALYSIS

8. The City has analysed the three months actual results to 30 September 2020 for noteworthy changes required to the adopted annual budget 2020/2021. Operating and Capital requirements were reviewed as part of this process. This additional budget review provides the basis for the detailed and legislative budget review process to occur in the middle part of the financial year.

In light of the global and economic challenges faced, this is a satisfactory outcome as the City forecasts to finish with a modest surplus budget. Even with increases in operating expenditure, the proposed expenditure for 2020/2021 is still below the pre-crisis budget for 2019/2020, by approximately \$3.9M.

Overall results show a decrease in Closing Surplus Position to \$46,643 with a summary of the movements as follows:

9. **Closing Surplus position (Attachment 1)**

Summary of Movements from the Amended Financial Activity Statement			
Description	Original Budget \$	Proposed Revised Budget \$	Variance \$
Opening Surplus Position	3,470,822	3,470,822	0
Operating Revenue Excluding Rates	18,009,930	19,401,789	1,391,859
Operating Expenditure	(55,695,295)	(59,542,631)	(3,847,336)
Non-Cash Movements	9,928,841	9,928,841	0
Investing Activities	(25,388,056)	(23,079,037)	2,309,019
Financing Activities	12,205,810	12,292,243	86,433
Rates Revenue	37,574,617	37,574,617	0
Closing Surplus Position	106,668	46,643	(60,025)

10. A brief synopsis of the budget variances above are [As per Attachment 2]:
- a) **Opening Surplus Position:**
 The opening surplus position has not been adjusted as the financial year 2019/2020 year end process and audit are still underway and the position has not been finalised.

- b) Operating Revenue:
Operating Revenue excluding rates has an increase of \$1.4M. This is due to the following:
- i. Higher fees revenue of \$433K due to reinstatement of services and increased activities within the City including building and planning.
 - ii. Interest earnings are also higher for instalment plans and penalty interest. This is mainly due to a higher amount of ratepayers electing to pay by instalments rather than in full.
 - iii. Additionally, an increase in grants revenue of \$869K, the majority of which relates to capital works projects being reclassified as operating projects.
- c) Operating Expenditure:
Operating Expenditures are higher than the original budget by \$3.8M. Areas of significant changes are as follows:
- i. Increase in employee costs of \$638K due to reinstatement of positions post COVID-19 recovery, as the City was required to reinstate services due to the earlier than budgeted relaxation of restrictions and the positive impact of state and federal stimulus.
 - ii. Increase in materials and contracts of \$3.2M, including the following:
 1. \$1.9M is a reclassification of capital expenses to operational expenses as prescribed by the accounting standards AASB116.
 2. Due to the reinstatement of services and earlier than anticipated COVID-19 recovery, building maintenance has been increased by \$390K.
 3. Service reinstatement also resulted in increased expenditure in other business units within the City including a \$161K reinstatement of proposed events.
- d) Investing activities:
Investing activities decreased by \$2.3M due to reprioritisation and timing of capital works for infrastructure and community assets and a reclassification of capital expenses to operational expenses.
- e) Financing activities:
Financing activities reflect the change in reserve balances. The services reinstated above have been funded from the crisis reserves established at budget 2020/2021. Notwithstanding, the reserves overall position has been maintained at \$8,421,155 with

allocations adjusted to align with the reprioritisation and adjusted timing of expenditure.

11. The projected year end revised closing surplus position as at 30 September 2020 is \$46,643. The new position will require the City continue to closely monitor cash flow.
12. In light of this Budget Review all future monthly financial reports presented to Council for approval will include the adjustments to the current budget.

APPLICABLE LAW

13. Section 6.8 (1)(b) of the *Local Government Act 1995* requires an absolute majority decision by Council for any budget amendments.

APPLICABLE POLICY

14. Nil.

STAKEHOLDER ENGAGEMENT

15. The City commenced work on the Budget Review in early September. During this period the integrity of budget projections were validated.

FINANCIAL CONSIDERATIONS

16. The Amended Financial Activity Statement shows the City is projected to be in a modest surplus position at the end of the financial year.
17. The Proposed Budget is formulated on the basis of delivering a sustainable financial position while delivering the services and infrastructure needs of the community.
18. The Proposed Budget is formulated on a balanced combination of financial restraint and economic stimulus measures focusing on projects that will assist in generating economic development and employment opportunities through the current environment.
19. It should be noted capital projects solely funded from rates revenue are being scheduled for delivery in line with anticipated receipt of revenue which may occur later in the financial year.

SUSTAINABILITY

Social Implications

20. The proposed Budget aims to deliver social outcomes identified in various strategies previously adopted by Council.
21. The City has utilised the Crisis Relief Fund to support members of the community who can demonstrate direct financial impact from COVID-19.

Economic Implications

22. The proposed budget has been developed based on sound financial management and accountability principles and is considered to deliver a sustainable economic outcome for the Council and community.

Environmental Implications

23. The proposed budget continues to support key environmental strategies and initiatives adopted by the Council.

RISK MANAGEMENT

24.	Risk: Expenditure exceeds budgeted allocation resulting in negative impact on closing funds position.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	<ul style="list-style-type: none"> • Monthly management reports are tracked by business unit managers to ensure that they are operating within budget parameters. • Introduction of budget KPIs for all managers, which are strictly monitored • Management of reports which are scrutinised by Executive on a monthly basis. • Budget reviews and forecasting of expenditures against potential revenues are monitored closely. 		

Risk: Funds spent without a budget allocation.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
<ul style="list-style-type: none"> • Electronic purchasing system in place which tracks and allows authorisation of purchase orders only if a budget is available. • Increased segregation of duties between purchasing business unit with responsibility for issue of purchasing orders with Finance basically centralizing compliance aspect of purchasing. 		

CONCLUSION

- 25. The amended Financial Activity Statement following the September budget review (2020/2021 Proposed Budget Review Attachment 1) reveals a balanced budget estimate for 30 June 2021. In light of the global and economic challenges faced, this is a satisfactory outcome as the City was able to finish with a surplus budget.
- 26. It needs to be noted the Reserves overall are still maintained at a high level with an amount of \$8,421,155 as shown in (Attachment 3).
- 27. The key to maintaining the City’s ongoing liquidity will be to diversify its revenue streams and continue to monitor closely revenues and expenditure against allocated budgets. The City will also continue to monitor service delivery to align resources with strategic priorities.
- 28. It is critical that Council is committed to this strategy in order to meet service level requirements in a financially sustainable manner.
- 29. The City is constantly looking at improving its financial sustainability in line with the financial ratios.
- 30. New Fees applying to 2020/2021 not included as part of the Fees and Charges schedule as part of the budget adoption on 30 June 2020 have been included. This is more efficient to better reflect the recovery of cost.

Voting Requirements: Absolute Majority

RESOLVED OCM 210/2020

That Council:

1. NOTE the 2020/2021 September Budget Review Explanation and Summary (Attachment 2).
2. Pursuant to Section 6.8 (1) (b) of the *Local Government Act 1995*, AUTHORISES amendments to the 2020/2021 current budget to reflect the changes summarised in the Amended Financial Activity Statement (Attachment 1)
3. Pursuant to Section 6.16 (3) of the *Local Government Act 1995*, ADOPT the following Fees applying to 2020/2021 not included as part of the Fees and Charges schedule as part of the budget adoption on 30 June 2020.

Fees to be included in City's 2020/2021 Schedule of Fees and Charges		
Development bond fee for bond amounts less than \$5000.00	Per application	\$120.90
Development bond fee for bond amounts \$5000.00 and greater	Per application	\$311.50
Development bond inspection fee for additional inspections	Per inspection	\$107.60
Weekly downloadable Education Programme film and associated work sheets	Per week	\$110.00

4. Pursuant to Section 6.11 (2) (b) of the *Local Government Act 1995*, AUTHORISES the transfers to and from Reserves as detailed in (Attachment 3).

Moved: **Cr Janelle Sewell**

Seconded: **Cr Cameron Blair**

For

Cr Janelle Sewell
Cr Geoff Stallard
Cr Brooke O'Donnell
Cr Lisa Cooper
Cr Cameron Blair
Cr Kathy Ritchie
Cr Margaret Thomas

Against

Cr John Giardina
Cr Lesley Boyd
Cr Mary Cannon
Cr Dylan O'Connor

Vote: CARRIED/ABSOLUTE MAJORITY (7/4)

10.5.5. Zig Zag Scenic Drive: Progress Update

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

Cr Janelle Sewell declared a Impartiality Interest on Item 10.5.5 Zig Zag Scenic Drive Program Update. Cr Sewell has a relative who lives close to the Zig Zag Scenic Drive.

Previous Items	OCM 183/2013; OCM 74/2014; OCM 90/2014; SCM 43/2020
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	ZG-01/GEN
Applicant	N/A
Owner	N/A
Attachments	Nil

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.2 - To provide a safe and healthy environment for community to enjoy.

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 2: Kalamunda Clean and Green

Objective 2.3 - To reduce the amount of waste produced and increase the amount of reuse and recycling of waste.

Strategy 2.3.1 - Identify and implement strategies to reduce waste.

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval to extend the temporary closure of Zig Zag Scenic Drive (ZZSD) to allow the Administration to complete analysis of the community feedback received prior to providing a report on the matter.
2. During the community consultation period over the future of ZZSD in excess of 1,330 returned surveys and submissions were made to the City of Kalamunda (City). There is a significant amount of work involved in properly analysing this feedback.
3. It is recommended that Council extend the current trial closure of ZZSD from 30 November 2020 until 28 February 2021 unless decided earlier.

BACKGROUND

4. At the Special Council Meeting of 7 April it was determined (SCM 43/2020) that Council:
 1. *NOTE provision of traffic calming measures for Lascelles Parade will be listed for consideration by Council as part of the draft 2020/2021 Budget process.*
 2. *UNDERTAKE a six-month trial of closing Zig Zag Scenic Drive to vehicles at all times to commence by 30 May 2020.*
 3. *REQUEST the Chief Executive Officer provide a report on the results of the temporary closure, and a recommendation for a permanent solution including recommendations for preparing a resultant Tourism strategy for this area.*
5. During the trial closure period, a community survey process was undertaken to gauge the community views on the future of ZZSD. 1,337 survey responses and 36 submissions were received by the City.

DETAILS AND ANALYSIS

- 6. The significant level of feedback received requires proper and detailed analysis by the City. This is currently underway and is expected to be completed by December 2020. The current temporary closure is in effect until 30 November 2020.
- 7. It is proposed that Council not make any determination to determine a permanent decision regarding opening or closure of ZZSD until such time that a further report can be prepared, including the outcomes of the community feedback.
- 8. Whilst this future report is planned for the December 2020 Ordinary Council Meeting, it may be prudent to make a determination to extend the temporary closure until the end of February 2021, allowing time for the report to be presented to no later than the February 2021 Ordinary Council Meeting.

APPLICABLE LAW

- 9. S3.50 of the Local Government Act refers.

APPLICABLE POLICY

- 10. Nil.

STAKEHOLDER ENGAGEMENT

- 11. The City will advise all those wished to be kept up to date on this issue regarding this next step.

FINANCIAL CONSIDERATIONS

- 12. Nil.

RISK MANAGEMENT

13.	Risk: That supporters for reopening Zig Zag Scenic Drive object to the delay in decision making by the City resulting in negative media		
	Consequence	Likelihood	Rating
	Moderate	Likely	Medium
	Action/Strategy		
	City promotes that taking the time to properly analysing the survey results & submissions made is appropriate for the longer term outcomes.		

CONCLUSION

14. The significant level of community feedback received requires considered analysis and to rush this work for November 2020 deadline would not be in the best interest of Council and its ratepayers because of a lack of substantive analysis.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council EXTEND the temporary closure of Zig Zag Scenic Drive to all vehicles to no later than 28 February 2021 unless determined by Council at an earlier date.

Cr Blair moved the recommendation with an amendment for the extension of the closure be until 31 May 2021. The seconded accepted the amendment.

RESOLVED OCM 211/2020

That Council EXTEND the temporary closure of Zig Zag Scenic Drive to all vehicles to no later than 31 May 2021 unless determined by Council at an earlier date.

Moved: Cr Cameron Blair

Seconded: Cr John Giardina

Vote:	<u>For</u>	<u>Against</u>
	Cr John Giardina	Cr Lesley Boyd
	Cr Janelle Sewell	Cr Dylan O'Connor
	Cr Geoff Stallard	
	Cr Mary Cannon	
	Cr Brooke O'Donnell	
	Cr Lisa Cooper	
	Cr Cameron Blair	
	Cr Kathy Ritchie	
	Cr Margaret Thomas	

Vote: CARRIED UNANIMOUSLY (9/2)

10.5.6. Bush Fire Advisory Committee - 24 September 2020 Meeting Minutes - Pickering Brook Brigade and Station

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

Previous Items

Directorate	Development Services
Business Unit	Community Safety
File Reference	3.009297
Applicant	N/A
Owner	N/A

Attachments	1. BFAC - 24 September 2020 - Minutes [10.5.6.1 - 24 pages]
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TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 2: Kalamunda Clean and Green

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

Strategy 2.1.1 - Enhance our bushland, natural areas, waterways and reserves.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the recommendation made by the City of Kalamunda (City) – Bush Fire Advisory Committee (BFAC) as follows:
 - a) Note that planning investigations are being undertaken into the Planning Investigation Area identified in the Western Australian Planning Commission North-East Sub-Regional Planning Framework adjacent to the Pickering Brook townsite.
 - b) Advise Council and the relevant State Government agencies and stakeholders that a brigade and station at Pickering Brook is supported, in principle, for the following key reasons:
 - a. Climate change and drying climate.
 - b. Risk mitigation generally (irrespective of any townsite expansion) through increased capability in the prevention, preparation, response and recovery phase.
 - c. Coverage of the broader hinterland area.
 - c) Support further feasibility studies and investigations being undertaken into a potential station at the George Spriggs Reserve.
 - d) Support undertaking engagement with the Pickering Sports Club on the potential for a station at the George Spriggs Reserve.

BACKGROUND

2. At the BFAC meeting on the 24 September 2020, it was resolved by the committee to endorse a recommendation to Council for the support and to undertake further feasibility investigations into a potential Pickering Brook Bush Fire Brigade and station at the George Spriggs Reserve.

DETAILS AND ANALYSIS

3. The Pickering Brook and Surrounds Sustainability and Tourism Strategy will provide strategic planning guidance for tourism-related growth within the Perth Hills.
4. The WAPC's Perth and Peel@3.5million plans for a population of 3.5 million by 2050. The North-East Sub-regional Planning Framework identified several sites as Planning Investigation Areas (PIAs), including 90ha of land adjacent to the existing Pickering Brook townsite.
5. Issues surrounding a changing climate and bushfire risk planning which are supported by scientific evidence identifies that local governments with

significant bushfire risks such as the City of Kalamunda should increase their Prevention, Preparation, Response and Recovery (PPRR) resources in order to prepare for future climate change driven bushfire risks.

APPLICABLE LAW

6. Bush Fires Act 1954, Section 41 Bush fire Brigades
(1) For the purpose of carrying out normal brigade activities a local government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.

Emergency Management Act – Local Emergency Management Arrangements.

State Hazard Plan Fire.

APPLICABLE POLICY

7. N/A

STAKEHOLDER ENGAGEMENT

8. The Kalamunda Volunteer Bush Fire Brigade and the Volunteer Fire & Rescue Service have been consulted and are supportive of a Pickering Brook Brigade and Fire Station.
9. The Department of Fire & Emergency Services South East Region office and the Department of Biodiversity, Conservation and Attractions support, in principle, the proposed Pickering Brook Brigade and Fire Station.

FINANCIAL CONSIDERATIONS

10. The proposed location is on City tenure with no purchase cost, the site works and fire station construction would be funded by the City of Kalamunda and the State Government through the provision of funds through the Local Government Grant Scheme.
11. Should the investigations support the establishment of the brigade and station, future budget will need to be included with the Local Government Grant Scheme to enable construction of the station.

SUSTAINABILITY

Social Implications

12. The proposed Pickering Brook Brigade and Fire Station would meet the local community's current and future requirement and expectation of an emergency services facility/service. The station and brigade would be instrumental in developing community resilience in the preparedness, prevention, response and recovery of emergency management.

Economic Implications

13. The proposed Pickering Brook Fire Station will reduce the impact of fire and other emergencies to the Pickering Brook community and hinterland areas by:
- a) Decentralised, local based community preparedness to reduce the frequency and consequence of fire.
 - b) Reduce response times to bush fire and other emergencies, thus minimising the size and impact of these incidents.
14. The reduction of potential damage by fire and other emergencies would have a significant economic commercial and domestic saving.

Environmental Implications

15. Reduced response times to bush fire and other emergencies will minimise the size and impact of incidents on local flora and Fauna.

RISK MANAGEMENT

- 16.
- | | | |
|---|-------------------|---------------|
| Risk: If the proposed investigation into the establishment of a Pickering Brook Bush Fire Brigade and Fire Station is not supported by Council, the current community will have a reliance on the centralised Kalamunda Bush Fire Brigade located in the Walliston industrial area. This limited response to Pickering Brook and the hinterland area may restrict future development potential and restricted community resilience and response to fire and emergencies. | | |
| Consequence | Likelihood | Rating |
| Critical | Possible | High |
| Action/Strategy | | |
| Council supports the investigation into the proposal of a Pickering Brook Bush Fire Brigade and Station located at the George Spring Reserve, Pickering Brook. | | |

CONCLUSION

17. In summary, it is recommended that Council support the recommendation from BFAC into feasibility studies and investigations into the establishment of the Pickering Brook Bush Fire Brigade and Pickering Brook Fire Station at the George Spriggs Reserve.

Voting Requirements: Simple Majority

RESOLVED OCM 212/2020

That Council:

1. NOTE the minutes of the 24 September 2020 Bush Fire Advisory Committee meeting (Attachment 1).
2. SUPPORT further feasibility studies and investigations being undertaken into the establishment of the Pickering Brook Bush Fire Brigade and Pickering Brook Fire Station.
3. SUPPORT further feasibility studies and investigations being undertaken into a potential station at the George Spriggs Reserve.
4. SUPPORT undertaking engagement with the Pickering Sports Club on the potential for a station at the George Spriggs Reserve.
5. REQUEST the Chief Executive Officer to write to the Local Member and relevant Minister advising of the Council's support and ask that further resources be provided to continue the feasibility investigations.

Moved: **Cr John Giardina**

Seconded: **Cr Janelle Sewell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.5.7. COVID-19 Innovation Grants - Schools

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

Cr Dylan O'Connor declared a Financial Interest on Item 10.5.7 COVID-19. Cr O'Connor is employed at one of the schools who is a recipient of a grant. Cr O'Connor left the meeting at 7:56pm and returned at 7:57pm and did not vote on this item.

Previous Items	SCM 121/2020
Directorate	Office of the CEO
Business Unit	Community Development
File Reference	
Applicant	
Owner	

Attachments	Nil
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Confidential Attachments	1. COVID 19 Innovation Grants
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Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (e) - "matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government"*

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.1 - Support local communities to connect, grow and shape the future of Kalamunda.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider and endorse applications made for grant funding from the City of Kalamunda (City) Crisis Relief Fund (Fund) for COVID-19 Community Innovation proposals.
2. Applications or COVID innovation grants were of a high standard.
3. Three school applications required confirmation from their P and C and as such two are now being presented to Council for endorsement. Forrestfield Primary have withdrawn their application.

BACKGROUND

4. The City developed a \$1 million Fund to support households, community groups and small businesses that employ staff and are subject to closure or highly impacted by the shutdown restrictions announced by the Government as a result of the coronavirus (COVID-19).
5. Community groups were invited to apply for innovation grants up to \$5000 to help the community recover from the impacts of the pandemic.

DETAILS AND ANALYSIS

6. Applications were required to demonstrate:
 - a) the benefit to the City of Kalamunda community.
 - b) innovation and creativity to improve social connections.
 - c) how the project is assisting the community to recover from COVID-19.
 - d) increased participant resilience through connection to community.
7. Applications were assessed against the following eligibility and assessment criteria:
 - a) The project meets the fund's primary objective by clearly demonstrating how it will enhance and strengthen Kalamunda's community connectedness.

- b) The project demonstrates understanding of, and responsiveness to, challenges faced by the community.
 - c) The project demonstrates quick and effective outcomes for the community.
 - d) The applicant demonstrates organisational capacity and ability to deliver the project and manage the funds.
 - e) Community engagement and partnerships in the project planning.
 - f) A project budget listing any income or expenditure by line item associated with the project.
 - g) All projects must be completed by 30 March 2021.
8. Applications were eligible if they related to:
- a) One off funding
 - b) Materials
 - c) Training and development costs
 - d) Venue and facility hire
 - e) Staffing costs for proposed project/service
 - f) Marketing and communication costs related to the program
 - g) Applicants must reside, be located and/or operate in the City of Kalamunda
 - h) Grants up to \$5000
 - i) Clubs and community groups Arts and Cultural Groups, Not-for Profit organisations, Unincorporated groups
9. Applications were not eligible if they related to:
- a) Retrospective costs (expenses incurred before the funding is approved)
 - b) Projects that will rely on recurrent funding
 - c) Projects with political or religious purposes only
 - d) Core organisational operating costs, for example a permanent staff position for ongoing work
 - e) Fundraising activities
 - f) Commercial activities
 - g) Political parties
 - h) Government agencies
 - i) Applicants that have an outstanding grant acquittal with the City of Kalamunda, unless there is evidence of exceptional circumstances approved by the City's Chief Executive Officer.
10. Three schools applied for funding. The projects met the criteria however the schools were not eligible to apply. Council agreed to allow the three schools a further period of time to resubmit the applications with the support of the school P&C. Two applications were received.

APPLICABLE LAW

11. *Local Government Act 1995*

APPLICABLE POLICY

12. N/A

STAKEHOLDER ENGAGEMENT

13. An informing campaign to ensure community awareness of the COVID Innovation grants was undertaken, this included advertising in the Kalamunda Connect (Winter 2020 Edition 8) which was sent to all ratepayers in their rates notice which were distributed by Australia Post from the 12 July 2020. A copy was sent electronically to all ratepayers who have elected to receive their rates via E-rates.
14. An article was included in the City of Kalamunda Monthly eNewsletter, which was sent on 2 July 2020 5.45pm to 1,814 recipients.
15. Further communication on the COVID-19 funding was a part of the 2020/21 Budget Media Release which published on the 2 July 2020.
16. A dedicated page of the City of Kalamunda website was developed: <https://kalamunda.wa.gov.au/relief-funding>
Other areas of the website where COVID-19 Crisis Relief funding is linked from include:
Rates: <https://www.kalamunda.wa.gov.au/council/rates/pay-your-rates>
Financial Assistance: <https://www.kalamunda.wa.gov.au/council/online-services-payment/financial-assistance>
Small Business: <https://www.kalamunda.wa.gov.au/community/business/small-business-support>
<https://www.kalamunda.wa.gov.au/community/business/economic-covid-19>
COVID-19 Information Page: <https://www.kalamunda.wa.gov.au/covid-19>
17. An extensive social media campaign was undertaken from 1 July 2020 on Instagram, Facebook and Twitter, along with direct emails to Sporting and Community Groups in the City.

FINANCIAL CONSIDERATIONS

18. Funding for the COVID Financial Hardship and Innovation grants was included as a part of the 2020/2021 Budget.

SUSTAINABILITY

Social Implications

19. Projects proposed for endorsement have significant social benefits if implemented.

Economic Implications

20. A \$1 million COVID-19 Fund was established, with grants.

Environmental Implications

21. Nil.

RISK MANAGEMENT

22.	Risk: Approved projects do not commence due to a change in circumstances		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Medium
	Action/Strategy		
	Ensure all successful applicants are aware of requirements to acquit projects and return any unspent funds.		

CONCLUSION

23. Applications were of a very high standard. The projects demonstrate innovation and will have significant social benefits for the community.
24. Empowering communities is the most challenging approach to community engagement, but it offers the greatest rewards in building capacity.
25. One of the strategies from the City of Kalamunda 'Creating Active Citizens Plan 2018-2020' was to minimise the financial and administrative barriers to community building, by providing small 'Kalamunda Connected' grants to support innovative community building initiatives.
26. This has been achieved via the COVID-19 Innovation grants program and the volume of applications for community driven innovation projects that support and enhance our community showcases this is a successful methodology to support community action.

Voting Requirements: Simple Majority

RESOLVED OCM 213/2020

That Council ENDORSE the applications as per Attachment 1.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr John Giardina**

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

10.5.8. Chief Executive Officer Contract

Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (a) - "a matter affecting an employee or employees."*

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

Previous Items	
Directorate	Office of the CEO
Business Unit	Governance & Legal Services
File Reference	
Applicant	
Owner	
Attachments	Nil

This item was withdrawn prior to the meeting.

11. Motions of Which Previous Notice has been Given

11.1. Container Deposit Collection Sites

Voting Requirements: Simple Majority

RESOLVED OCM 214/2020

That Council REQUEST the Chief Executive Officer:

1. Prepare a report for Council consideration on the feasibility of establishing a Container Deposit Collection refund station or a community donation point at the Walliston Transfer Station
2. Write to community sporting clubs in North and South East Wards encouraging them to set up a Container Deposit Collection point to raise funds for their club.

Moved: **Cr Janelle Sewell**

Seconded: **Cr Kathy Ritchie**

Vote: **CARRIED UNANIMOUSLY (11/0)**

Rationale

On 1 October WA's new container deposit scheme (CDS) was launched which will enable customers to receive a 10 cent refund on eligible drink containers. As of the 13th of October 2020, 10 million containers have been returned in just 12 days.

Whilst there are more than 200 refund points opening across WA, the current location for the CDS with the City of Kalamunda include:

U Can Recycle - Pickering Brook

35 Weston road
Pickering Brook
More info
Bag drop

Exchange Depot - Forrestfield

9 Webster Road
Forrestfield
More info
Depot

U Can Recycle - High Wycombe

120 Wittenoorn Road
High Wycombe

Options for people in the North and South-east ward is limited.

Constituents are supportive of the CDS, and the community expects ease of accessibility to participate. Given that the City of Kalamunda has a transfer station, it is not unreasonable for constituents to expect that they would be able to access the CDS via this site.

The intent of this motion is to allow Walliston Transfer Station to be used as a drop off location for the CDS, as a drive through facility which allow constituents to access the CDS with payment via EFT to the nominated bank account until community/sporting groups are adequately set up to take over the initiative.

Officer Comments

The core consideration for development of a Container Deposit Refund Station or simply facilitating a Donation Point will be the Council's preference to operate the concern on a 'for profit' or 'not for profit' basis. The City will be able to outline the key matters to be addressed if this Motion is adopted.

Significant level of consultation with all community groups within the City has already commenced regarding them setting up donation points. It is unlikely that community sporting groups in the North & South East Wards are unaware of this scheme.

11.2. Crystal Brook Concept Plan - Consideration of Submissions and Proposed Modifications

Cr Giardina declared a Impartiality Interest on Item 11.2 Chrystal Brook Concept Plan - Consideration of Submission and Proposed Modifications. Cr Giardina has a relative who lives in the Chrystal Brook area. Cr Giardina left the meeting at 7:59pm and returned at 8:00pm he did no vote on the item.

Voting Requirements: Simple Majority

RESOLVED OCM 215/2020)

That Council:

1. DEDICATE the 17 November 2020 from 6:30pm for questions to be asked and deputations to be made on the Crystal Brook (Wattle Grove South) Concept Plan - Consideration of Submissions and Proposed Modifications report and attachments scheduled for Council's consideration on 24 November 2020, pursuant to Clause 6.13(1) of the City of Kalamunda – Stranding Orders Local Law 2015,.
2. AUTHORISE the live streaming of the meeting on 17 November 2020.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Lisa Cooper**

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

Rationale

1. The City has received many submissions in relation to the Crystal Brook Concept Plan and Report.
2. The many submissions represent varying views across the community.
3. To ensure the Council and community have sufficient time to hear questions and deputations, a dedicated evening has been scheduled for the 17 November 2020.
4. The dedicated evening is proposed to be formalised through resolution and is dedicated pursuant to Clause 6.13 of the City of Kalamunda – Stranding Orders Local Law 2015.
5. A report summarising the deputations made at the meeting will be prepared and presented to Council pursuant to Clause 6.13(8) prior to consideration on 24 November 2020.
6. The report will also be tabled at the 24 November 2020 Ordinary Council Meeting.

12. Questions by Members Without Notice

12.1 History Village Volunteers – Cr Giardina

Q. Can it be advised if there is a shortage of volunteers at the History Village?

A. Taken on Notice

12.2 Parklett – Cr Sewell

Q. Can the parklet be moved to another location on Hayes Street as it is currently outside a vacant premise?

A. The Director Assets Services advised the City would investigate the cost and feasibility of moving the Parklett and reported back to Council.

12.3 Electronic Documentation – Cr Boyd

Q. Can the City investigate software that could be utilise to provide all meeting documentation electronically?

A. This will be investigated and reported back to Council.

12.4 Welshpool Road East Resurfacing – Cr Boyd

Q. Can the City provide assurance the resurfacing of the resurfacing of Welshpool Road East did not incur additional cost?

A. The Director Assets Services advised there was no additional cost to the City.

12.5 Community Engagement – Cr Boyd

Q. Can Councillors be provided with a copy of the engagement matrix used by the City?

A. This will be provided to Councillors.

12.6 Engage Portal Link – Cr Boyd

Q. Can a link to the Engage Portal be added to the homepage of the website as it is difficult to access?

A. This will be investigated.

12.7 Charge for History Video – Cr O’Connor

Q. Once the City has recouped the \$5,000 for the video will it stop charging?

A. No.

13. Questions by Members of Which Due Notice has been Given

13.1 Nil.

14. Urgent Business Approved by the Presiding Member or by Decision

14.1 Nil.

15. Meeting Closed to the Public

15.1. RESOLVED OCM 216/2020

That the meeting be closed to the public to consider confidential matters.

Moved: **Cr Cameron Blair**

Seconded: **Cr Dylan O’Connor**

Vote: **CARRIED UNANIMOUSLY (11/0)**

The meeting closed to the public at 8:16pm.

15.2 RESOLVED OCM 218/2020

That the meeting be open to the public following consideration confidential matters.

Moved: **Cr Cameron Blair**

Seconded: **Cr Brooke O’Donnell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

The meeting reopened to the public at 8:35pm. The Presiding Member read the resolution to the meeting.

16. Tabled Documents

BFAC Minutes 24 September 2020
KEAC Minutes 16 July 2020
KEAC Minutes 16 September 2020
ROSCMC Minutes 20 August 2020
DACAC Minutes 10 August 2020
Public Agenda Briefing Forum – Notes – 13 October 2020

17. Closure

There being no further business, the Presiding Member declared the Meeting closed at 8:37pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2020.