

CITY OF ARMADALE

AGENDA

OF COMMUNITY SERVICES COMMITTEE TO BE HELD IN THE FUNCTION ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 4 JULY 2023 AT 7:00PM.

A meal will be served at 6:15 p.m.

PRESENT:

APOLOGIES: Cr E J Flynn (Leave of Absence)
Cr K Busby (Leave of Absence)

OBSERVERS:

IN ATTENDANCE:

PUBLIC:

“For details of Councillor Membership on this Committee, please refer to the City’s website – www.armadale.wa.gov.au/your_council/councillors.”

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings to be read.

DECLARATION OF MEMBERS' INTERESTS

QUESTION TIME

Public Question Time is allocated for the asking of and responding to questions raised by members of the public.

Minimum time to be provided – 15 minutes (unless not required)

Policy and Management Practice EM 6 – Public Question Time has been adopted by Council to ensure the orderly conduct of Public Question time and a copy of this procedure can be found at <http://www.armadale.wa.gov.au/PolicyManual>

It is also available in the public gallery.

The public's cooperation in this regard will be appreciated.

DEPUTATION

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 6 June 2023 be confirmed.

ITEMS REFERRED FROM INFORMATION BULLETIN

Report on Outstanding Matters – Community Services Committee

Items referred from the Information Bulletin – Issue 9 – June 2023

If any of the items listed above require clarification or a report for a decision of Council, this item to be raised for discussion at this juncture.

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COMMUNITY SERVICES COMMITTEE

4 JULY 2023

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***1.1 - FIREWORKS EVENT NOTICE APPLICATIONS - CARDILE INTERNATIONAL
FIREWORKS PTY LTD***

WARD : MINNAWARRA
RIVER
FILE No. : M/344/23
DATE : 16 June 2023
REF : RP
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- *Fireworks Event Notice* applications have been received from Cardile International Fireworks Pty Ltd for the purpose of firework displays at the 2023 Kelmscott Agricultural Show and the 2024 Australia Day Celebrations.
- Legal advice has confirmed that the approval of the permits cannot be delegated to the Chief Executive Officer (CEO) and must be determined by Council.
- This report recommends that Council approve the Department of Mines, Industry Regulation and Safety *Fireworks Event Notice* applications for the firework displays on 20 October 2023 and the 26 January 2024 respectively and authorise the CEO to sign and issue the Notices accordingly.

Tabled Items

Department of Mines, Industry Regulation and Safety '*Fireworks Event Notice*' – Kelmscott Agricultural Show

Department of Mines, Industry Regulation and Safety '*Fireworks Event Notice*' – City of Armadale Australia Day Celebrations

Decision Type

- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

Officer Interest Declaration

Nil

Strategic Implications

1.1: Foster and Strengthen Community Spirit

- 1.1.1 Facilitate a dynamic calendar of events, festivals and cultural activities that activate suburbs, foster community connections, celebrate the diversity of the community and encourage a sense of place for residents.

4.1 Strategic Leadership and Effective Management

- 4.1.3 Develop organisational frameworks to achieve consistency, transparency and clarity of decision making processes.

Legal Implications

Assessment of legislation indicates that the following is applicable:

- *Local Government Act 1995*
- *Dangerous Goods Safety Act 2004*
- *Dangerous Goods Safety (Explosives) Regulations 2007*

Council Policy/Local Law Implications General assessment indicates Policy ENG 8 – Fireworks is applicable

Budget/Financial Implications

The adoption of the recommendation contained in this report has no financial implication.

Consultation

- Inter Directorate
- Kott Gunning Lawyers

BACKGROUND

Correspondence was received from Cardile International Fireworks Pty Ltd on 20 April 2023 seeking endorsement of a Department of Mines, Industry Regulation and Safety '*Fireworks Event Notice*' for a fireworks display at the 2023 Kelmscott Agricultural Show on the 20 October 2023.

Further correspondence was received on 4 May 2023 seeking endorsement of another Department of Mines, Industry Regulation and Safety '*Fireworks Event Notice*' for the fireworks display at the 2024 City of Armadale Australia Day Celebrations on the 26 January 2024.

The City is familiar with the applicant and their business, having previously approved multiple applications to allow the applicant to carry out fireworks displays for the annual Kelmscott Agricultural Show and Australia Day Celebration events.

COMMENT

Previous legal advice has confirmed that there is no power for the Local Government to delegate approval of fireworks applications from Council to the Chief Executive Officer under the *Dangerous Goods Safety Act 2004*.

CONCLUSION

It is recommended that Council approve the *Fireworks Event Notice* applications and authorise the CEO to sign the permits to be issued to the applicant accordingly.

RECOMMEND

That Council:

- 1. Approve the Department of Mines, Industry Regulation and Safety ‘*Fireworks Event Notice*’ applications as per the confidential attachments, and;**
- 2. Authorise the CEO to sign and issue the Notices as attached.**

ATTACHMENTS

1. Confidential - DMIRS - Fireworks Event Notice - Kelmscott Agricultural Show - 20 October 2023 - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as the matter relates to the personal affairs of a person*
2. Confidential - DMIRS - Fireworks Event Notice - City of Armadale Australia Day Celebrations - 26 January 2024 - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as the matter relates to the personal affairs of a person*

2.1 - REVIEW OF FEES - ALL-ABILITIES FOOTBALL (REFERRAL MATTER)

At the Council meeting held on 8 May 2023, Cr Keogh referred the following matter to the Community Services Committee.

That the matter of review of fees for all-abilities football team be referred to the Community Services Committee.

Comment from Cr Keogh

I have recently discovered that all ability football teams within the City of Armadale – namely the Kelmscott Bulldogs – are still required to pay full fees in order for them to play their games. Given that this initiative is incredibly successful and rewarding for players, parents, carer's and the wider community, and that there are already enough barriers for ability players to engage, I think the City should reconsider our policy.

Further details were circulated to Councillors via memo.

Officer Comment

Introduction

Officers have conducted research into the potential implementation of an integrated fees and charges structure for all-abilities participants. Several Local Governments and relevant agencies have been contacted regarding this initiative with wide ranging approaches identified.

Below is a summary of the key findings:

Assistance Options

Officers have only been able to gather one example of where assistance is provided.

Option 1 – Grant Scheme

The City of Melville administer their ActiveLink grant, providing a maximum \$300 to assist with participation costs for recreation activities (not limited to sport). The grant is designed specifically for residents on low income and with exceptional circumstances. A comprehensive eligibility criteria is applied.

After increased recognition of ActiveLink since its commencement in 2020 the grant now has a \$50,000 budget and currently has approximately 200 applications. City of Melville Officers state that the initiative is creating opportunities for those who otherwise may not be able to participate in recreational activities without the grant.

The City of Melville employ a staff member for one day a week to administer all aspects of the grant. It should be noted that the City of Melville do not provide a discount or separate charge for all-abilities players or teams.

Additional Information

Relevant Agencies

Officers contacted the West Australian Football Commission, Inclusion Solutions and Rebound WA regarding the introduction of a discount or separate charge for all-abilities participants and were met with a consistent position from the organisations. The general feedback received included:

- That by providing funds or subsidising fees in this specific space doesn't necessarily translate to increased participation. Clubs or organisations that foster the culture of inclusivity experience success in gaining and retaining participants
- The value of inclusion is that those who are different, are not treated different and therefore do not feel different as referenced in the WA State Disability Strategy 2020-2030.

Local Governments

In addition to the City of Melville, Officers discussed with the Cities of Subiaco, Mandurah, Cockburn, Canning, Joondalup, Vincent, Stirling, Kwinana, Swan, Wanneroo, Kalamunda, Gosnells, Shires of Serpentine-Jarrahdale and Murray and Town of Cambridge.

All of these local governments stated that they have no immediate plans to implement a discount or separate charge in their fees and charges for all-abilities players and/or teams, consistent with the information above.

Options for Consideration

1. Refer the matter for further consideration via a Committee report.
2. Do not refer this matter for further consideration.

RECOMMEND

That Council:

To be considered.

ATTACHMENTS

There are no attachments for this report.

COUNCILLORS' ITEMS

Nil

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT _____