

# CITY OF ARMADALE

## AGENDA

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

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

### **PRESENT:**

**APOLOGIES:** 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](http://www.armadale.wa.gov.au/your_council/councillors).”*

## **DISCLAIMER**

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

## **DECLARATION OF MEMBERS' INTERESTS**

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## **QUESTION TIME**

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*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**

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## **CONFIRMATION OF MINUTES**

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## **RECOMMEND**

**Minutes of the Community Services Committee Meeting held on 7 February 2023 be confirmed.**

## **ITEMS REFERRED FROM INFORMATION BULLETIN**

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Report on Outstanding Matters – Community Services Committee

Items referred from the Information Bulletin – Issue 2 – February 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

7 MARCH 2023

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### ***1.1 - GWYNNE PARK SKATE PARK - COMMUNITY ART PROJECT***

WARD : ALL

FILE No. : M/95/23

DATE : 17 February 2023

REF : AH/RM

RESPONSIBLE : Executive Director  
MANAGER Community Services

#### **In Brief:**

- This report presents a mural concept design for the Gwynne Park Skate Park in the Gwynne Park precinct in Armadale as an element of its redevelopment
- Recommend that Council:
  1. Endorse the mural concept design for the Gwynne Park Skate Park

#### **Tabled Items**

- Location map
- Art design

### **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**

#### **Community**

##### **1.1    *A strong sense of community spirit***

1.1.1 Provide opportunities to connect individuals to each other and the wider community

1.1.4 Foster local pride

##### **1.2    *Active community life that is safe and healthy***

1.2.3 Provide for a diverse range of active and passive recreational pursuits within the City

##### **1.3    *Community Facilities meet Community needs***

1.3.1 Ensure the equitable provision of community facilities throughout the city

#### **Environment**

##### **2.2    *Attractive and functional public spaces***

2.2.4 Develop, improve and maintain quality parks, playgrounds and public open space throughout the City

### **Legal Implications**

Nil

### **Council Policy/Local Law Implications**

Policy: Procurement of Goods and Services

Policy: Public Art

### **Budget/Financial Implications**

The budget allocation for this mural of \$35,000 (excluding GST) can be accommodated in the overall project budget for the Gwynne Park redevelopment and comprises:

- Artist's fees: \$25,000
- Site works and materials: \$10,000

### **Consultation**

- Intra and Inter Directorate
- Young people aged 12-25 with an interest in skating and scooters, and/or art

### **BACKGROUND**

In December 2020 (T74/1/21), Council was presented with a mural concept design for a community based art project for the multi-use court at Ticklie Park in Seville Grove as an element of the redevelopment of the park. This resulted in the following resolution:

*That Council:*

*Endorse the community driven mural concept design for the multi-use court in Ticklie Park, as amended.*

Community Connecting Youth (CCY) was contracted for the design and installation of this mural. The project comprised a lead artist to ensure a professional and quality artwork result and qualified youth workers to support the young people participating. The design of the mural itself reflected the cultures identified as particularly prominent in Seville Grove.

This report presents the concept design for a community based mural project at Gwynne Park Skate Park in Armadale South. The Gwynne Park Skate Park opened in 2021 and along with skate components comprises a parkour area and picnic amenities. At the time of the opening, a temporary art decal was installed. The community-focused objectives of the proposed mural project align with those of the Ticklie Park – being that Gwynne Park is a community space that will be further enhanced by the planned developments including the proposed mural.

#### *Demographics and Data*

The City of Armadale has a higher proportion of people aged under 18 than the Greater Perth area ([www.profile.id.com.au](http://www.profile.id.com.au)). The 2021 Census showed 10,666 people aged 5-11 years, 7,313 people aged 12-17 years, and 7,357 people aged 18-25.

In 2021, Armadale (South), had the highest proportion of youth unemployment in the City of Armadale at 20.6%, compared to 13.4% for the whole of the City of Armadale and 11.5% for Greater Perth ([www.atlas.id.com.au](http://www.atlas.id.com.au)).

Multiple community surveys indicate that community safety is an issue for City of Armadale residents (The City of Armadale Community Perceptions Survey, 2018; Growing Our Community, 2021; Health & Wellbeing Survey, 2020). Data from WA Police reinforces this, identifying that community safety is an issue for all City suburbs.

According to Western Australia Police Force State Graffiti Task Force, Urban Art projects can be used to prevent graffiti and other anti-social behaviour in hotspots ([www.goodbyeграфitti.wa.gov.au](http://www.goodbyeграфitti.wa.gov.au)).

#### *Contracted Organisation for the Project – Creative Soul Sessions*

Creative Soul Sessions (CSS) have been contracted by the City for the design and installation of this mural. CSS is a small art consultancy in Kelmscott that offers art classes for children and young people to teach all aspects of design and to facilitate social connections with likeminded peers. CSS participated in the Armadale Art Festival in 2021 and 2022.

CSS have worked with local young people to design murals for the site. The purpose of engaging with young people is to create a sense of ownership of the space by local young people and act as a deterrent for graffiti. In addition, the City engaged skateboarding consultants Whereabouts to participate in the workshops with the young people, providing advice on contemporary skate culture and aesthetics.

## **DETAILS OF PROPOSAL**

### ***Mural Concept***

Attachment 1 shows the proposed artwork elevations, indicating the surfaces to be included in the artwork, along with the proposed artwork for each surface. It is proposed to complete the artwork during the April 2023 school holidays.

### ***Themes of the Art Work***

The art work has been based on the following themes as identified by the young people.

- *Reference to Skate Culture*  
Ensuring artwork is appropriate to an urban skate space.
- *Ensure 'All of the Wheels' (Skateboards, Bikes, Scooters) are Included with Equal Representation.*  
This was a collective decision by the young people and skate consultants as it is evident that young people are using the skate park not just with skateboards but also with bikes and scooters. The skate consultants advised that culturally there can be minor conflicts between groups, so a conscious decision was made to make this space inclusive for all users and to reflect that in the art work.
- *Celebrate Armadale*  
Initially proposed by skate consultants, the images of hills and houses in the background reference the Armadale sense of place, and celebrate the local landscape character in which the skate park users live.
- *Gwynne Park Naming*  
Proposed by skate consultants as a way of creating ownership and identity as a space, the name Gwynne Park has been included in the artwork. Staff proposed to place the naming on prominent elevations of the toilet block and perimeter elevations to Townley Street and Forrest Road, intended as entrance statements to the precinct.
- *Messaging*  
Inclusion of 'Respect our Space' or similar messaging, integrated within the artwork.
- *Bold Colour Accents*  
Proposed by the artists as an element of their artistic style.

### ***Design Elements***

The following specific design elements have evolved from the workshops with the artists and young people in the group.

- *Pop Art*  
The reference to Pop Art was initiated by the young people and is a deconstruction of images representing contemporary or retro culture. This is being used on the toilet block and includes images of summer such as music stereos and the sun.
- *Skeleton*  
Also derived from sketches prepared by the young people, the skate consultants reinforced the relevance as a symbol of skate culture. The use of skulls and skeletons has been part of skate culture imagery since the 1970s, likely originating from Mexican art influencing American, and then universal, skate culture.
- *Selection of Smaller Characters*  
The artists and young people brainstormed ideas for a range of vibrant, fun characters that can be seen to be enjoying the skate park together. The characters reflect themes of inclusivity and neutrality of gender, race and abilities.
- *Beach/Waves*  
Proposed by the young people, the waves represent the one thing they don't have in Armadale – the beach, in addition to referencing the undulating and rolling forms of the skate park, and referencing skate culture having origins within surf culture.

### ***Exclusions***

As part of the project's process, the following were considered as being excluded from the artwork:

- *Skate Park Surfaces* - in anticipation of slipperiness and ongoing wear and tear of the artwork.
- *Toilet Block Doors* - based on historical level of maintenance and due to increased risk of damage and / removal.

## **ANALYSIS**

Community art projects facilitate the bringing together of people, contribute to a sense of community spirit and create attractive and functional public spaces. Officers are confident that the installation of the mural will meet these objectives as well as reduce the likelihood of future graffiti issues.

Two engagement sessions have been held with 11 young people who nominated to participate in this project. The sessions are facilitated by CSS and also attended by City staff. In the first session the group discussed the purpose of the project and the young people were encouraged to explore a potential overall theme of the artwork. They also had the opportunity to draw possible elements and characters that could be included. At the second session, the artists presented and reviewed their interpretations of some of the drawings the students had made in the first sessions. The group then brainstormed further characters and provided feedback to the artists.

The young people will have one further session with CSS to show them the designs and allow the young people to see where their individual and collective input has been incorporated. They will then attend a session at the CSS premises in Kelmscott where they will learn the painting application process before attending on site to participate in the actual installation of the artwork, supervised by the artists and City staff.



Whereabouts will attend the installation session to engage with other skate park users who may be at the skate park on the day.

A launch event will be held on site at the completion of the installation.

## **OPTIONS**

Council has the following options:

1. Endorse the proposed mural design for the Gwynne Park Skate Park.
2. Not endorse the proposed mural design for Gwynne Park Skate Park.
3. Request further information on the proposed mural design for the Gwynne Park Skate Park.

Option 1 is recommended.

## **CONCLUSION**

The mural design proposed for the Gwynne Park Skate Park as an element of the park's redevelopment is envisaged to be well received by the local community due to the engagement of local young people with advice from community art and skate culture professionals. The proposed mural is an example of a community art project with the key objectives focusing on community engagement, participation and skills development as well as the delivery of a high quality artistic outcome.

## **RECOMMEND**

**That Council endorse the proposed mural design for the Gwynne Park Skate Park.**

## **ATTACHMENTS**

1. [↓](#) Gwynne Park Skate Park Art Project - 2023 - Proposed Designs

**2.1 - WALLANGARA RIDING AND PONY CLUB - OUTSTANDING LEASE PAYMENT**

WARD : RANFORD  
FILE No. : M/88/23  
DATE : 16 February 2023  
REF : NP  
RESPONSIBLE : Executive Director  
MANAGER : Community Services

**In Brief:**

- The Wallangarra Riding & Pony Club Inc. (WRPC) have an outstanding lease payment owed to the City of Armadale (CoA) for the period 1 January 2020 to 31 December 2020 at a total amount of \$9,160.79.
- WRPC have provided a written submission to CoA seeking financial assistance via a waiver of outstanding fees, a reduction in prior lease payments or a financial contribution to facility upgrades at Fletcher Park.
- The submission provided by WRPC outlines the reasoning behind the request for financial assistance and a copy of this submission is attached.
- This report seeks Council endorsement as to the appropriate assistance to be provided to WRPC.

**Tabled Items**

Nil

**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**

- 1.1.3 Support the development and sustainability of a diverse range of community groups  
1.3.1 Ensure the equitable provision of Community Facilities throughout the City

### **Legislation Implications**

This report draws on the provisions of the *Local Government Act 1995*:

*Local Government Act 1995* – Section 6.12(b) – Waive or grant concession in relation to any amount of money

### **Council Policy/Local Law Implications**

*City of Armadale Policy – Lease & Licence*

The Lease & Licence Policy was introduced to ensure consistency across all occupancy arrangements within the City of Armadale. This decision was made to avoid any inconsistencies in terms of responsibilities and costs that fall within the tenants' obligations while operating under an exclusive-use occupancy arrangement.

Deviations from the existing policy terms (e.g. waiver of lease payments) will result in inconsistencies between community groups that are operating under a Lease or Licence Agreement.

A consistent approach to all exclusive-use occupancy arrangements is recommended to ensure a fair and equitable approach to all community groups operating within the City of Armadale.

### **Budget/Financial Implications**

This report includes options for Council to consider waiving fees (in part or in whole) owed to the City of Armadale. The anticipated financial implications are dependent on the resolution endorsed by Council.

Should a reduction to prior lease payments be endorsed by Council, an amount equal to 30% of previously paid invoices from 2014 to 2018 (\$18,704.18) would be refunded to the club. If Council endorse a waiver of the 2020 outstanding lease payment, then the unpaid amount of \$9,160.79 would be waived by the City.

### **Consultation**

- Wallangarra Riding & Pony Club Inc.
- Internal departments - Service Delivery, Technical Services

## **BACKGROUND**

Fletcher Park (Part Lot 106, Part Reserve 14217, Fletcher Park, Wungong) is a 19ha reserve vested in the City of Armadale as a "Reserve for Recreation". This reserve was gifted to the City of Armadale by the Fletcher family in 1976 for the purposes of recreational equestrian activities.

Fletcher Park has been leased to the Wallangarra Riding & Pony Club Inc. (WRPC) since 2000 and the club currently hosts a range of activities such as rallies, one-day-events, training days and show-jumping events, which cater for both adult and junior riders.

WRPC have an outstanding lease payment for the exclusive-use of Fletcher Park for the 2020 calendar year. The lease payment for the period 1 January 2020 to 31 December 2020, totalling \$9,160.79, has been withheld pending further discussion around the following matters:

- Reduction in ground space at Fletcher Park (leased area):
  - Reduction in ground space within WRPC's leased area due to 30% of the grounds being classified as an 'Environmentally Sensitive Area'.
- COVID Relief:
  - WRPC did not receive COVID relief from the City of Armadale (CoA) and have asked for this to be considered as a further reason to waive or reduce lease payments.
- Financial Contribution to Kitchen Upgrade:
  - WRPC have requested a financial contribution from CoA to facilitate a future kitchen upgrade.

***Reduction in Ground Space – Fletcher Park***

In February 2011, ENV Australia conducted a Bushland Management Plan (the Plan) for Fletcher Park (T23/6/11). In accordance with the *Environmental Protection Act 1986* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, the Plan declared a section of the grounds at Fletcher Park to be an 'Environmentally Sensitive Area' (ESA).

This area equates to 30% of the leased area at Fletcher Park.

Key recommendations and actions from the Plan relating to the ESA are highlighted as follows:

- *The City of Armadale will seek to change the purpose of the Reserve 14217 to include conservation whilst permitting ongoing use of the reserve for passive recreation and horse riding.*
- *Resident pony club appointed Environmental Officer to ensure DRF (Declared Rare Flora) locations are kept free of horse movements. This can be carried out through educating new and existing members about the sensitive nature of parts of the bushland and by keeping tracks away from the plants.*
- *Resident pony club's management committee to appoint one of their members to be responsible for liaising with the City on environment management of the Park. The resident pony club's management committee is to be cognisant of, and ensure all activities are consistent with, this management plan.*
- *No further tracks within the bushland areas are created.*
- *Remove unnecessary jumps within the tracks to be closed and rehabilitated.*
- *Resident pony clubs to provide statistics on horse usage to the City of Armadale annually.*
- *No facilities will be installed, upgraded or removed within the bushland sections of the reserve without approval by the City of Armadale Environmental Officer and Manager Parks.*

On 11 July 2016 Council endorsed the following recommendation (T41/7/16):

1. *Provide notice to the Wallangarra Riding and Pony Club that on consideration of renewal of the current lease expiring 31 December 2018, the Conservation Category Wetland or Threatened Ecological Community area within Fletcher Park Reserve, will be excluded from any future lease area.*

On 1 June 2018, CoA wrote to WRPC advising that any renewal of the Lease Agreement following its expiration on 31 December 2018 will exclude the ESA from any future lease area and WRPC were to remove any rubbish or obstructions prior to the end of the Lease Agreement.

A renewed Lease Agreement was signed by all parties with a commencement date of 1 January 2019. The new Lease Agreement excluded the ESA from the leased area and the lease payments factored in a 30% reduction following the renewal of this agreement.

WRPC are seeking consideration as to whether the lease payments from 2014 to 2018 could also be reduced to factor in a 30% reduction in the leased area at Fletcher Park, as WRPC believe that they were unable to use the ESA during that period.

While WRPC are seeking a reduction in the lease payments for prior years, the ESA remained part of the leased area until its expiry in 2018.

#### ***COVID Relief***

WRPC did not receive COVID relief from CoA during the pandemic and have cited this as a further reason for CoA to consider the waiver or reduction of their lease payments.

On 25 May 2020 Council endorsed the following recommendation (CS16/5/20):

- d. *Recreation Services (Budget Impact \$70,000)*  
*Waive the Fees for the Financial Year ending June 2021 (winter 2020 and summer 2020/21)*
  - *\$89 per player (training + games) and*
  - *\$44.50 per player (training only).*

This Council report provided consideration to waive player (training + games) fees only. These player fees are charged as part of the seasonal hire of reserves. As such, this waiver only applied to clubs that were operating under a seasonal hire arrangement. This waiver of fees did not extend to any lease arrangements.

On 13 July 2020 Council endorsed a waiver of hire fees for junior sporting clubs as follows (C20/7/20):

*That Council waives Recreation Services fees as follows:*

1. *Waive 100% of recreation facility hire fees for junior sporting clubs for the 2020/21 financial year (budget impact \$10,000).*

The COVID relief provided to clubs under Council recommendations CS16/5/20 and C20/7/20 related to the hire fees and per player fees for the use of community facilities and reserves under seasonal hire arrangements. These fee waivers did not extend to exclusive-use leased groups and there were no lease payments waived by CoA during the pandemic.

As WRPC are a junior sporting club, they believe that the COVID relief should have been extended to WRPC for consistency against the financial relief provided to other junior sporting clubs during the pandemic. WRPC were required to cancel rallies and events during the pandemic which resulted in a significant reduction in their financial income.

At the Community Services Committee (the Committee) meeting of 2 November 2021, WRPC addressed the Committee and responded to questions relating to their junior memberships, events scheduled and cancelled due to COVID-19 lockdowns and restrictions, as well as what outcomes WRPC were seeking.

The minutes from the Committee meeting of 2 November 2021 were presented to Council at its meeting of 8 November 2021 and Council endorsed the following recommendation (C37/11/21):

*That Council refers the Councillor item in regard to Wallangarra Riding and Pony Club to the relevant Directorate for action and/or report to the appropriate Committee.*

WRPC have provided a written submission to CoA outlining its position in regards to the outstanding lease payment and the request for financial assistance. A copy of WRPC's submission is attached to this report.

### ***Financial Contribution to Kitchen Upgrades***

As an alternative option to the waiver of fees, WRPC have requested a future financial contribution from CoA to facilitate an upgrade to the kitchen and serving area at the Fletcher Park Pavilion.

In line with the Lease Agreement, recent health inspections resulted in a number of items to be addressed by WRPC, relating to general cleaning and minor repairs.

At this stage, the scope of works and costs associated with a future upgrade to the kitchen are not confirmed. However, in CoA's Draft Four Year Capital Investment Budget for the Financial Years 2023-2026, CoA has allocated \$350,000 to upgrade the Fletcher Park Pavilion in 2025/26, which includes the kitchen and toilets.

## **DETAILS OF PROPOSAL**

WRPC have requested financial assistance from CoA to reduce their prior lease payments during 2014 to 2018.

WRPC are seeking financial assistance via one of the following options:

1. CoA apply a 30% reduction in prior lease payments from 2014 to 2018 to remove the ESA from the leased space, providing a total waiver of \$18,704.18.

Year	Lease Payment	Requested Waiver
2014	\$12,100 (paid)	\$3630.00 (30% reduction)
2015	\$12,463 (paid)	\$3739.00 (30% reduction)
2016	\$12,527.10 (paid)	\$3758.10 (30% reduction)
2017	\$12,577.23 (paid)	\$3773.23 (30% reduction)
2018	\$12,677.85 (paid)	\$3803.85 (30% reduction)
2019	\$9,016.50 (paid – no action required. 30% reduction already applied under new Lease)	Nil

2. CoA waive the outstanding lease payment for the period 1 January 2020 to 31 December 2020, totalling \$9,160.79.

Year	Lease Payment	Status	Requested Waiver
2020	\$9,160.79	Outstanding	Full amount (\$9,160.79)

3. CoA make a financial contribution to future facility upgrades at Fletcher Park, preferably a kitchen upgrade.

The scope of works and costs involved with the potential upgrade are not known at this stage.

## COMMENT

### Analysis

#### Reduction in Ground Space – Fletcher Park

While the Bushland Management Plan may have resulted in difficulties for WRPC to utilise the entirety of Fletcher Park due to 30% of the grounds being declared an ESA, there is no record of any direct instruction for WRPC to avoid the ESA prior to 2019. Written correspondence from CoA advised that the ESA would be removed from the leased area following expiration of the Lease Agreement in 2018.

#### COVID Relief

The Council Report of 13 July 2020 (C20/7/20) initially recommended that Council waive 50% of hire fees for junior sporting clubs for the 2020/21 financial year.

At its meeting of 13 July 2020, Council endorsed the waiver of 100% of recreation facility hire fees for junior sporting clubs for the 2020/21 financial year (C20/7/20).

This waiver applied to the community facility and reserve hire fees only. As such, WRPC were ineligible to receive this waiver given they pay exclusive-use lease payments for their use of Fletcher Park and do not operate under a hire arrangement.

WRPC have noted in their deputation that the other equestrian clubs in the City of Armadale have received a waiver of fees for the 2020/21 period.

Whilst this is correct, it should be noted that other equestrian clubs who utilise Palomino Reserve were operating under different occupancy arrangements to WRPC. As Palomino Reserve is a hireable community space, any clubs utilising the reserve were eligible to have their hire fees waived under Council decision C20/7/20, as these clubs were using the reserve under a seasonal hire arrangement and do not have exclusive-use of the reserve.

While WRPC have noted that they did not receive financial assistance during the pandemic, there are other sporting clubs with junior members within the City of Armadale that were also ineligible for the fee waiver, given they have also been operating under a Lease Agreement for the entire space.

A reduction in lease payments could be extended to WRPC as an acknowledgement of the difficulties experienced during the pandemic resulting in cancelled events and rallies which lessened the financial income of WRPC. However, doing so may set a precedent for other leased groups to seek a waiver of fees from CoA.

#### Financial Contribution to Kitchen Upgrade

As CoA's Draft Four Year Capital Investment Budget for the Financial Years 2023-2026 includes budget for an upgrade to the Fletcher Park Pavilion, which includes major external and internal upgrades including the kitchen and toilets, a financial contribution to an immediate kitchen upgrade is not recommended.

From a compliance perspective and in line with the current Lease Agreement, there is no requirement for CoA to fund an immediate kitchen upgrade at the Fletcher Park Pavilion as a facility upgrade at Fletcher Park is currently scheduled for the 2025/26 financial year.

## **OPTIONS**

- Option 1:** Endorse a reduction in lease payments for the period between 2014 to 2018, to remove the cost of the ESA equating to 30% of the grounds at Fletcher Park, providing a refund of \$18,704.18.
- Option 2:** Endorse a waiver of the outstanding lease payment for the period 1 January 2020 to 31 December 2020, totalling \$9,160.79.
- Option 3:** Endorse a financial contribution from CoA to fund an upgrade to the kitchen at the Fletcher Park Pavilion.
- Option 4:** Council decline the request.

Option 4 is the recommended option.

## **CONCLUSION**

In regards to the reduction of ground space at Fletcher Park due to 30% of the grounds being declared an ESA, there is no record of correspondence advising WRPC to avoid all access to the ESA prior to 2019.



During the pandemic, hire fees were waived for junior sporting clubs under hire arrangements. However, WRPC were ineligible for the waiver of hire fees given their current occupancy arrangement provides Fletcher Park under an exclusive-use Lease Agreement. This is consistent with other junior sporting clubs operating under a similar occupancy arrangement.

The Fletcher Park Pavilion is currently listed in CoA's Draft Four Year Capital Investment Budget to be upgraded in the 2025/26 financial year, with \$350,000 currently allocated to the future works.

## **RECOMMEND**

**That Council decline the request.**

## **ATTACHMENTS**

1. [↓](#) Copy of WRPC Submission

### **3.1 - LOBBY FOR "CONNECTIONS" MUSEUM PIECE (REFERRAL MATTER)**

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At the Council meeting held on 30 January 2023, Cr Keogh referred the following matter to the Community Services Committee.

*That the matter of the City exploring options to lobby and sponsor the WA Museum to host "Connections" museum piece be referred to the Community Services Committee.*

#### **Comment from Cr Keogh**

I went and saw "Connection" at the national museum in July, which is a great immersive exhibition. I contacted the organisers and received the response below.

While it seems it wouldn't be feasible to have it in Armadale, could we as a City perhaps lobby the WA Museum and State Politicians to have the exhibition in Perth and perhaps partly sponsor the exhibition?

If this is not possible or feasible, could the City create a similar display inspired by the original work?

#### **Officer Comment**

"Connection" is a multi-media exhibition which combines Indigenous music and art into a 40 minute immersive experience.

Discussions with the creators of the exhibition, Grande Experiences, provided the information that the cost for hosting this exhibition for a minimum duration of three months was \$450,000. In addition to this, the host organisation would be required to pay licensing and performance fees for the included art and music.

Responsibility for all ancillary costs such as staffing, ticketing, and marketing also lies with the host organisation, with calculations showing an approximate total cost of \$1 million for the three month residency.

The minimum space requirement for the exhibition is 1,000sqm with the preference being for 1,500sqm to allow for adequate circulation and space for café and merchandising opportunities. A minimum ceiling height of five metres is required and the space must have the ability to be completely blacked out and be available for the exclusive use of the exhibition for the duration.

Grande Experiences' preference is that the exhibition is toured to central locations which will attract the maximum number of visitors. To this end, they are considering requests to host this in capital cities across Australia.

However, they are also aware of the need to be able to deliver an exhibition of this nature to regional areas where space and cost considerations will be key. They are in the early stages of planning a smaller-scale version of "Connection" which can meet these requirements and will provide officers with further information should these plans come to fruition.

Grande Experiences also advised that, although they are able to create customised displays, the cost of the equipment, production staff, and licensing fees would be cost prohibitive.

It is suggested that a recommendation be as follows:

That Council write to the CEO of the WA Museum and to the Department of Local Government, Sport, and Cultural Industries advocating for the “Connection” exhibition to be hosted by the WA Museum Boola Bardip or a suitable central venue, and that funding be considered by the Department to ensure that this is affordable and accessible to residents of Western Australia.

## **RECOMMEND**

**That Council:**

*To be considered.*

## **ATTACHMENTS**

There are no attachments for this report.

***COUNCILLORS' ITEMS***

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Nil

***EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT***

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Nil

**MEETING DECLARED CLOSED AT \_\_\_\_\_**

<b>COMMUNITY SERVICES COMMITTEE</b>		
<b>SUMMARY OF ATTACHMENTS</b>		
<b>7 MARCH 2023</b>		
<b>ATT NO.</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>1.1 GWYNNE PARK SKATE PARK - COMMUNITY ART PROJECT</b>		
1.1.1	Gwynne Park Skate Park Art Project - 2023 - Proposed Designs	22
<b>2.1 WALLANGARA RIDING AND PONY CLUB - OUTSTANDING LEASE PAYMENT</b>		
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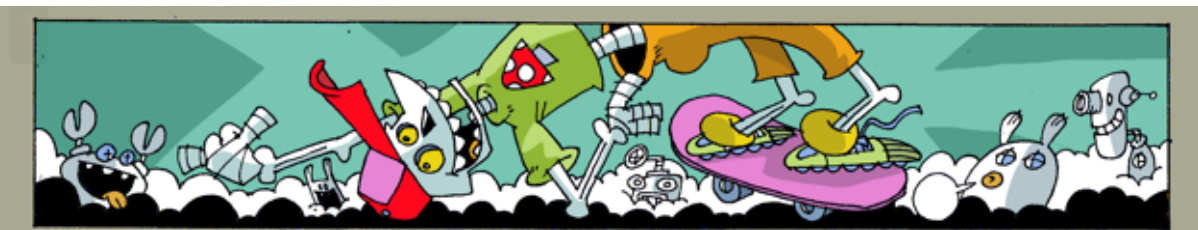
Gwynne Park Skate Park Art Work

ATTACHMENT 1. Mural Concept - Gwynne Park Skate Park

Elevation A



Elevation B

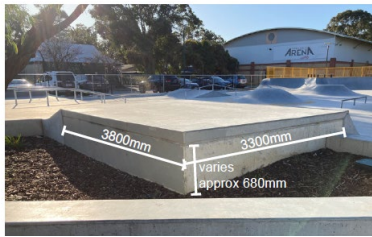


Elevation C



N.B. The background colours of Elevation B & C will be the same to help keep them connected visually.

Elevation D



Left



Right



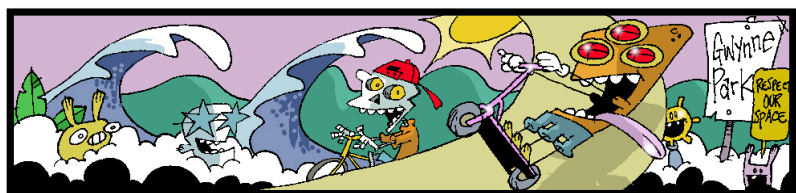
Elevation E



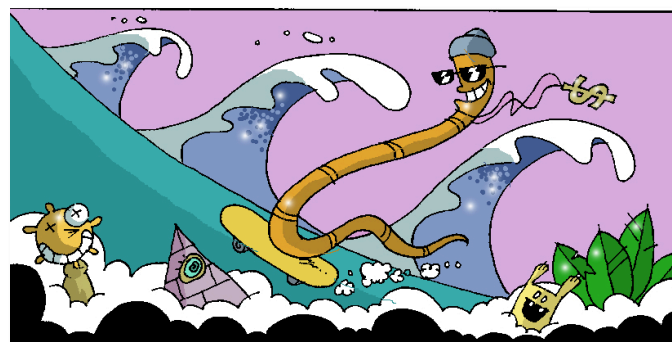
Elevation F



Edit: Houses to be added to hills  
below:

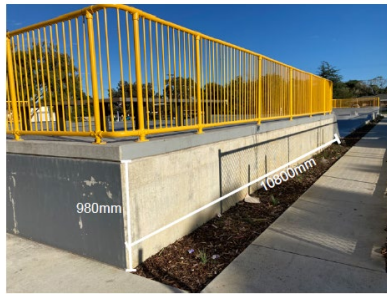


Elevation G

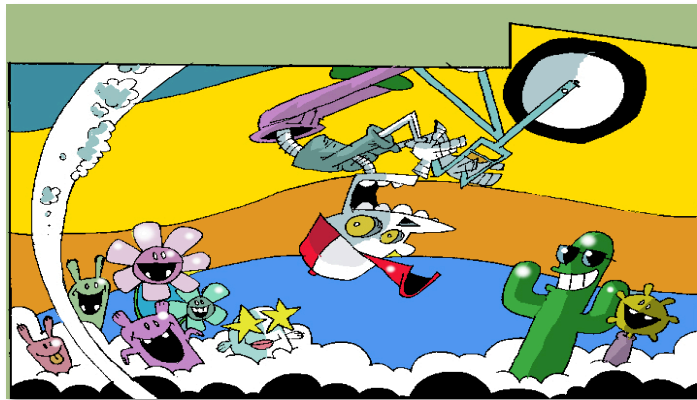




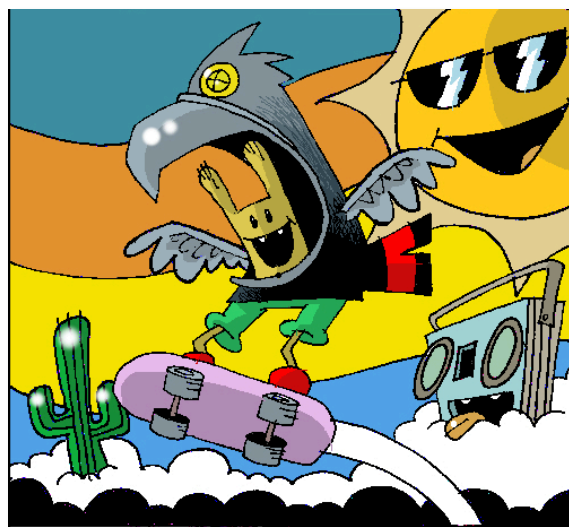
Elevation H



Toilet Block Elevation A / B



Toilet Block Elevation C





Toilet Block Elevation D



EDIT - Skater to change to possum character riding skateboard



Toilet Block Elevation E



### City of Armadale – Deputation

#### Wallangarra Riding and Pony Club (WPC)

WPC is a not for profit junior sporting club located in Fletcher Park on Moore Street in Wungong where we have operated for over 40 years.

WPC seeks a Deputation in relation to three matters that have been in discussion with City of Armadale and remain unresolved:

1. Lease payments in relation to ground use and maintenance/development for the period January 2014 to December 2018.

Wallangarra Riding and Pony Club has utilised its current Grounds for over 40 years and prior to 2014 this was under a peppercorn lease. The club invested heavily in the grounds including building a complying cross-country course, club rooms, sheds, irrigation and ground maintenance. This was achieved through club volunteers and fund raising.

From 1 January 2014 the club entered into a commercial lease arrangement setting out responsibilities and financial considerations – see lease fees in the table below. The decision by the Club considered the Bushland Management Plan for the grounds and the CoA commitment to invest in the grounds which included a fenced show jumping arena, upgraded cross country course (in recognition of parts of the grounds to be classified as Environmentally sensitive areas (ESA's)) and upgraded club rooms. The show jumping arena was finalised however the cross country and club room upgrades were withdrawn resulting in the club undertaking the redevelopment of the cross-country course at its own expense. The lease arrangements also considered a schedule of services to be provided by the CoA including, amongst other things mowing, fertilising, verti draining, verti mowing, grading of access road/car park and top dressing to mention a few.

Start	End	Year	Amount
1/01/2014	31/12/2014	1	12,100.00
1/01/2015	31/12/2015	2	12,463.00
1/01/2016	31/12/2016	3	12,527.10
1/01/2017	31/12/2017	4	12,577.23
1/01/2018	31/12/2018	5	12,677.85

In recognition of the Environmentally Sensitive Area not being accessible the CoA agreed to reduce lease payments by approximately 30% representing the lost land area upon expiry of the current lease i.e. from 1 January 2019. CoA reached this decision during the 2020 calendar year at which time WPC formally requested that this be extended to prior year lease payments in recognition of the Club's reduced and non-use of this area from early 2015 as well as the investment it had made in the cross-country upgrades and additional ground maintenance undertaken by the club. This was considered by CoA and a recommendation put to Council in October 2020 however WPC was not afforded the opportunity to attend this meeting to put forward its position.

2. The COVID-19 relief extended to sporting clubs during 2020.

WPC learnt through discussions with like sporting Clubs of the financial assistance provided by the CoA via its COVID Relief Reserve. Further inquiry confirms that back In July 2020 the

City voted to waive 100% of recreation facility hire fees for junior sporting clubs for the 2020/2021 financial year.

WPC is a Not-for-Profit Community Junior Sporting Club and has not received any consideration in respect of this decision. WPC instead received:

- Invoice 41776 to pay \$9,160.79 for the period 1/1/2020 to 31/12/2020
- Monthly invoices \$763.40 from 1/1/2021 onwards

Other equestrian clubs in the City have received a 'Waiver of Fees' for the 2020/2021 period.

Like other sporting clubs, WPC's ability to hold events and competitions was significantly impacted by COVID-19. A large part of our funding budget relies on the scheduling of regular rallies and events. The outcomes in relation to lease discussions at that time did not arrive at our expected outcome and placed additional financial pressure on our reduced operational capacity.

Accordingly, WPC would appreciate an explanation as to why it has received prejudicial treatment in respect of the July 2020 decision to waive fees for junior sporting clubs and retrospective application of the waiver to its 2020/21 fees.

3. The WPC outstanding lease payment for the 2020 calendar year

Invoice 41776 for \$9,160.79 for the period 1/1/2020 to 31/12/2020 remains outstanding pending outcome of these discussions.

These matters have been discussed with Ward Councillors representing the Ranford and Minewarra wards. The request for Deputation was put forward as the appropriate path to escalate these.

We are aware that the above areas may have a direct budgetary impact. The basis for escalation is to highlight perceived inequality in the treatment of WPC. WPC would be open to other opportunities for the CoA to invest in the facilities in particular areas that enhance the facilities and contribute to useability of the grounds – more immediately the kitchen and serving area.

## **Appendices**

### **Extract Council Minutes**

#### **Reduction in Annual Lease Costs (Minutes of Ordinary Council Meeting 12 October 2020)**

- Approve the reduction of the 2019 lease fee payable by WRPC under their existing lease of premises at Fletcher Park ("the existing Lease") by 30%, from \$11,709.73 (plus GST) to \$8,196.81 (plus GST) and write off the balance of 3,512.92;
- Approve that any lease fees payable by WRPC for the period 1 January 2020 to 31 December 2020 and any subsequent periods of holding over (until a renewal or extension of the existing Lease, or a new lease, is executed with WRPC), is set at \$8,196.81 (plus GST) and be increased by CPI annually on 1 January each year as provided for in the existing Lease;
- Surrender and remove from the existing Lease that portion of the Premises shown depicted as the Environmentally Sensitive Area in the plan attached to this report, and remove maintenance responsibilities from WRPC for that area, as from 1 January 2019
- Delegated authority to Chief Executive Officer to negotiate and administer the above.

The 30% reduction in Annual Lease Costs directly relates to the removal from use of 30% of the land area being leased (ESA section).

### **Policy Manual**

#### **23 December 2020 Version 19:22F City of Armadale – Policy Manual**

##### **POLICY - ADM2 – Property Lease Rentals**

Rationale:

To encourage community groups to accept the responsibility for a lease, which in turn provides them with security of tenure.

Policy:

The City has a preference to lease, where possible, land and/or facilities under City ownership or control to non commercial groups/organizations, by charging rentals at a rate less than market valuation and subsidising legal costs incurred in the establishment of the lease. Such assistance shall be in accordance with the following Schedule and current Management Practices.

##### **SCHEDULE – ADM 2 – Property Lease Rentals**

###### **Rental Classification**

- (a) Community groups/Associations \$50 per annum
- (b) Sporting clubs/Associations with no liquor licence \$100 per annum
- (c) Sporting clubs/Associations with liquor licence \$500 per annum
- (d) Commercial enterprises and Government departments Market Valuation (minimum)

###### **Council Contribution to Legal Costs**

- (a) Community groups/Associations 100%
- (b) Sporting clubs/Associations with no liquor licence 75%
- (c) Sporting clubs/Associations with liquor licence 50%

##### **POLICY – RECN 6 - Community Facilities and Reserves and**

Rationale:

To establish a sound and equitable basis of setting of fees and charges for the use of the City's community facilities and reserves.

Policy:

Council acknowledges that it is not feasible or in the interest of the community for community facility and reserve fees and charges to be set at a full cost recovery level. Council have set guiding principles to determine fees and charges, considering a philosophy that achieves a balance between;

- social responsibility providing opportunities for the community, and;
- financial responsibility to create a sustainable level of Council subsidy for operating community facilities and reserves.

#### **SCHEDULE – REC6 – Community Facilities and Reserves and Charges Council Principles**

Council have defined guiding principles for setting the annual schedule of fees and charges for community facilities and reserves. Principles have been established for fee recovery, junior subsidy, standard fees and other considerations. These principles have been established to provide opportunities for the community and to ensure consistency, appropriateness and relevance. When determining fees the operating costs include the fixed and variable expenses incurred by the City in providing the community facility or reserve (e.g. utility expenses, insurance, cleaning, routine repairs, and maintenance and employment costs) but does not include capital costs and depreciation.

##### **1. FEE RECOVERY**

###### **Community Facilities**

- Community will be set at 15% user contribution based on the operating costs reported in the most recent audited Annual Financial Report.

###### **Reserves**

- Community will be set at 4% user contribution based on the operating costs reported in the most recent audited Annual Financial Report. An additional 0.5% cost recovery per year will be applied to a maximum of 6.5% as per the table below.

###### **Community Rate Fee Recovery**

2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
4%	4.5%	5%	5.5%	6%	6.5%

##### **2. JUNIOR SUBSIDY**

- Use of reserves or community facilities by juniors (under 18 years of age) will be subsidised 100%. Community groups will receive the subsidy on either community facilities or reserves, not both, with the following restrictions:

Community Facilities - Maximum 5 hours per week and 1 committee meeting per month per community group.

Reserves - 2 training sessions and 1 match play booking per week and 1 committee meeting per month per community group.

###### **Fees and Charges Schedule**

- A schedule of Fees and Charges applicable to Community Facilities and Reserves is determined annually through Council's budget process in accordance with the Local Government Act 1995 Section 6.16 (Imposition of Fees and Charges) and Section 6.17 (Setting Fees and Charges).
- The fees and charges are set given consideration to:
  - The cost to Council of providing the facility or service.
  - The importance of the facility or services to the community.

- The price at which the facility or services could be provided by an alternative supplier.

#### Partnership Agreements for the Waiver of Fees

Any other requests for waiver of fees will be referred to the appropriate officer to determine suitability for a partnership agreement with the City. Community partnership agreements with external organisations are subject to the following criteria:

- The term cannot exceed twelve (12) months;
- Any agreement not applying to commercial organisations
- Memorandum of Understanding is developed between the City of Armadale and partnering group.

Delegated Authority: Chief Executive Officer

Note: In conjunction with Policy ADM2, Leases, Management Agreements and Memorandum's of Understanding will be considered on a case by case basis where groups can demonstrate capacity to sustainably manage community facilities without disadvantage to other potential users and the wider community.