



**ORDINARY MEETING OF COUNCIL
MONDAY, 11 OCTOBER 2021**

AGENDA

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AGENDA

REPORTS

**TECHNICAL SERVICES COMMITTEE MEETING
HELD ON 4 OCTOBER 2021**

**DEVELOPMENT SERVICES COMMITTEE MEETING
HELD ON 4 OCTOBER 2021**

**COMMUNITY SERVICES COMMITTEE MEETING
HELD ON 5 OCTOBER 2021**

**CORPORATE SERVICES COMMITTEE MEETING
HELD ON 5 OCTOBER 2021**

CHIEF EXECUTIVE OFFICER'S REPORT

NOTICE OF MEETING AND AGENDA

CR _____

PLEASE TAKE NOTICE that the next **ORDINARY MEETING OF COUNCIL** will be held in the Council Chambers, Orchard Avenue, Armadale at **7.00pm**

MONDAY, 11 OCTOBER 2021

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

7 October 2021

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

**3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS
TAKEN ON NOTICE**

The following questions were taken on notice at Council's Meeting on 28 September 2021 and responses (summarized below) forwarded in a letter dated 1 October 2021.

Ms Veronica Hansen

Question

Given the concerns raised by the public about the issue of bushfire mitigation around Roleystone surely those plans would have already been in place and once approved should be set to go? How soon would we know that there is a schedule for the controlled burns?

Response

The six reserves outlined in the council report detail the 2021/22 fire season hazard reduction burn schedule for City of Armadale managed reserves. The objective is to complete three of the burns during the 2021 spring burn period and the remaining three in autumn 2022.

4 PUBLIC 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.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

7 CONFIRMATION OF MINUTES

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HELD ON 28 SEPTEMBER 2021..... (ATTACHED)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

9 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN – WITHOUT DISCUSSION

Nil

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BUSINESS ARISING FROM REPORT

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Nil

**12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR
BY DECISION**

**13 MATTERS FOR REFERRAL TO STANDING COMMITTEES –
WITHOUT DISCUSSION**

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

15 CLOSURE

CITY OF ARMADALE

MINUTES

OF TECHNICAL SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 4
OCTOBER 2021 AT 5.30PM.

PRESENT:

Cr G Nixon (Chair)
Cr M Silver (Deputy Chair)
Cr R Butterfield
Cr E J Flynn (*from 5:35 pm*)
Cr M S Northcott
Cr S Peter JP
Cr G J Smith

APOLOGIES:

Nil

OBSERVERS:

Cr D M Shaw
Cr C M Wielinga
Cr K Busby (*from 5:38 pm*)

IN ATTENDANCE:

Mr K Ketterer	Executive Director Technical Services
Ms J Abbiss	Chief Executive Officer (<i>via MS Teams</i>)
Mr J Lyon	Executive Director Corporate Services
Ms C Omacini	Senior Environmental Officer (<i>until 5:48 pm</i>)
Ms K Alexander	Executive Assistant Technical Services

PUBLIC:

2

“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 was read.

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

▪ Barossa Loop Skate Park

Mr Satwinder Singh of 28 Barossa Loop, Harrisdale, addressed the Committee at 5:35pm and provided the following comments (summarised):

- *Mr Singh detailed concerns regarding the level of noise generated by users of the Skate Park and referred to the email sent to all Councillors on this matter on 4 October 2021. The concerns particularly centred around the noise generated by the Skate Park, with Mr Singh referencing a number of studies as attached to the email of 4 October. In referencing the documentation in question, Mr Singh noted that given the results of noise readings undertaken by residents via mobile phone to date, there did not appear to be an appropriate noise mitigation measure available which would reduce the noise levels to be within acceptable limits.*
- *Mr Singh noted that during the observation period over the last 6 months, residents had not observed a reduction in anti-social behaviour.*

The Chair thanked Mr Singh for his comments and advised that further information is anticipated to be provided in the report to be presented to the November 2021 Technical Services Committee meeting. The EDTS noted that the November 2021 report is to provide an update on the actions detailed within the March 2021 report.

Mr Singh also queried the progress of the CCTV installation referred to in the March 2021 report, with the EDTS advising that the process to procure a mobile CCTV trailer has commenced.

Mr Singh further tabled a complaint signed by a number of local residents regarding the noise levels at the skate park, the lack of privacy for residents, antisocial behaviour and nuisance concerns, as well as a request for a permanent solution to the matter of the basketball court. The EDTS thanked Mr Singh and advised that a response would be provided administratively.

The Chair thanked Mr Singh for his attendance and the Deputation retired at 5:45 pm.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Technical Services Committee Meeting held on 6 September 2021 be confirmed.

Moved Cr Silver

MOTION CARRIED

(7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

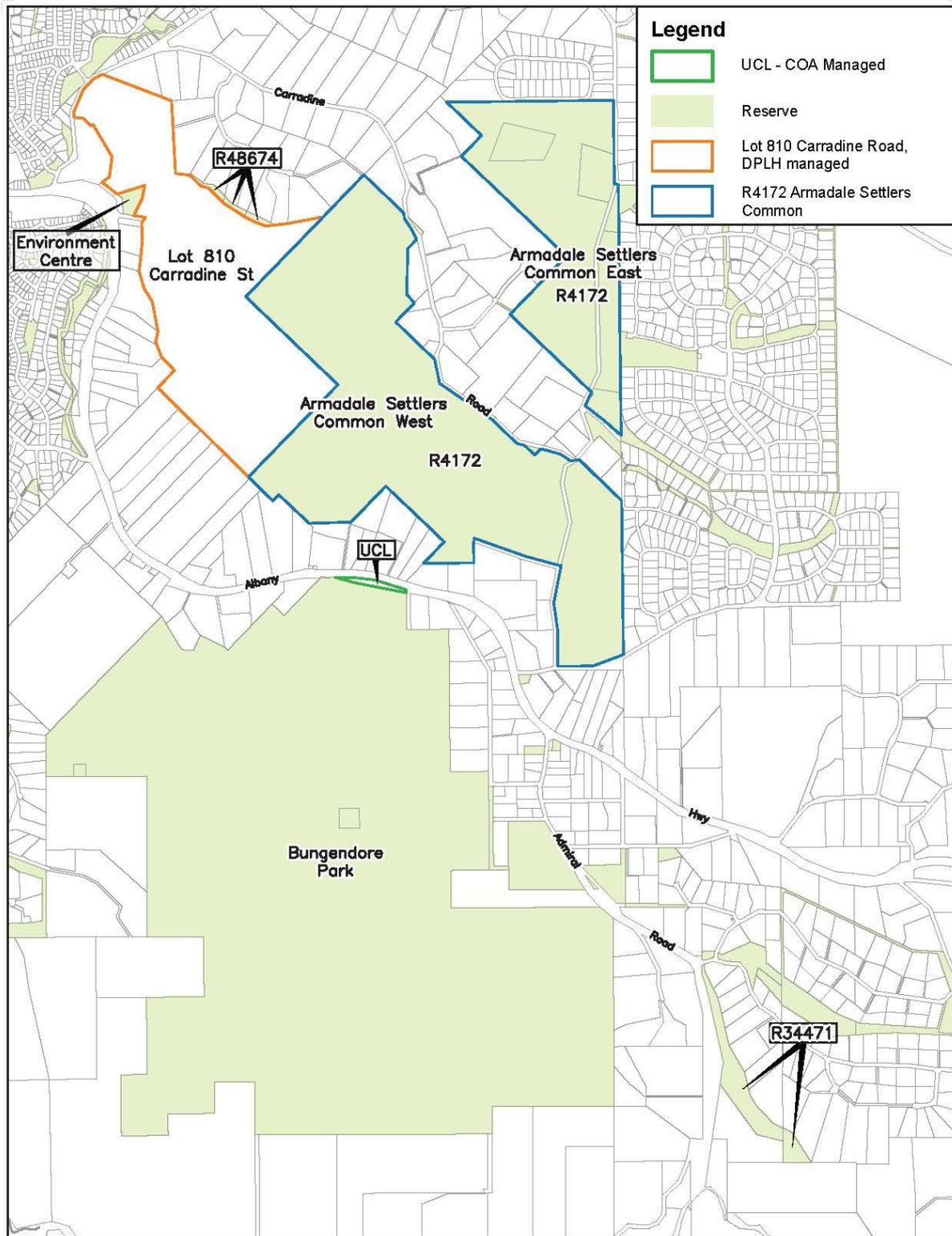
No items were raised for further discussion and/or report purposes.

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4 OCTOBER 2021

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LOCATION PLAN
Tenure of the Parks of the Darling Range

300 0 300 600m SCALE 1 : 30000

DATE 25 March 2021 - REVISION 2/10
p:\autocad\job_requests\environment\individuals\corrimetwungong_tenure.dwg

Based on information provided by and with the permission of the
Western Australian Land Information Authority (Landscope Online).
Aerial photography supplied by Landscope, Melbourne by Westpac.



1.1 - LONG TERM TENURE CONSIDERATIONS - PARKS OF THE PERTH HILLS

WARD : HILLS
FILE No. : M/520/21
DATE : 11 August 2021
REF : CO/KB/DH
RESPONSIBLE MANAGER : Executive Director
Technical Services

In Brief:

- The Department of Biodiversity Conservation and Attractions (DBCA) has identified several land parcels for which they are evaluating options to consolidate tenure arrangements in the Wungong Regional Park. The City's comment has been requested.
- In addition, the City has received a request from the Department of Planning Lands and Heritage (DPLH) to transfer the vesting of Lot 810 Carradine Road to the City and thereby integrate the land parcel into Reserve 4127 (Armadale Settlers Common) for management by the City.
- A draft Armadale Settlers Common Management Plan (MP) has been prepared by City officers. Council's comment on the long term tenure intent of Lot 810 Carradine Road is sought in order for the development of the MP to progress.
- Recommend that:
 1. The City accept a Management Order for UCL PIN 11362845 conditional on consolidation of the parcel into the adjacent reserve and the undertaking of bushfire mitigation activities on the parcel, to the satisfaction of the City, prior to acceptance of a management order.
 2. The City accepts a Management Order for R34471 and request modification to the vesting purpose.
 3. Advise the DBCA and DPLH of the City's intent to accept a Management Order for Reserve 48674 and Lot 810 Carradine Road conditional on modifications to the designation purpose of the reserve and the provision of funding for management as part of an asset transfer agreement.

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

The subject of this report has impact on the following objectives of the Strategic Community Plan 2020-2030:

- 1.1 Foster and strengthen community spirit
 - 1.1.2 Cultivate the sense of place generated by the City's heritage, vegetation and escarpment, wetlands and waterways as well as the participation in vibrant community hubs
- 2.1 Conservation and restoration of the natural environment
 - 2.1.8 Facilitate the creation of partnerships and support strategies for the maintenance and enrichment of the natural environment
- 3.4 Thriving Tourism Industry
 - 3.4.2 Encourage the development of new attractions, accommodation and activities for tourists, particularly day trippers.

Legal Implications

General assessment of relevant legislation indicates that the following is applicable:

- Section 41 of the *Land Administration Act 1997*

Council Policy/Local Law Implications

Assessment of Policy/Local Law indicates that the following is applicable:

- ENG 21 – Strategic Environmental Commitment.

Budget/Financial Implications

Recommendations contained within this report include the transferred vesting of a number of land parcels within the Wungong Regional Park to the City for management.

Proposed vesting transfers would be subject to asset transfer funding agreements as described within this report.

The long term maintenance cost for Crown Land PIN 11362845 (item 1) and Crown Reserve 24471 (item 2) and are detailed within Attachment 1.1.1, estimated to be in the order of \$4,000 every five years.

The long term maintenance costs for Reserve 48647 (item 3) and Lot 810 (item 4) are detailed in Attachment 1.1.2.

Year one (1) costs are estimated at \$192,592.91. The maintenance cost from year 2 onwards is estimated to be in the order of \$40,000 annually with a fifth year additional cost of \$15,000 for weed mapping to be updated.

These costs are based on the assumptions detailed within the report considered by Council in August 2021 on the Armadale Settlers Common Recreation Strategy (T48/821 refers), namely that:

- 1 The remaining balance of the POS CIL of \$141,123 will be used to partially fund the implementation costs (totalling \$255,309) of the Recreation Strategy Improvements related to Lot 810
- 2 The balance of the costs of the Recreation Strategy Improvements of \$114,086 are shared equally between DPLH and the City – i.e. \$57,043 each

Consultation

- Intra Directorate
- Armadale Settlers Common Working Group
- Department of Planning, Lands and Heritage
- Department of Biodiversity, Conservation and Attractions

BACKGROUND

The Department of Biodiversity, Conservation and Attractions (DBCA) are, with the in-kind support of local governments and other stakeholders, preparing a Management Plan (MP) for the "Parks of the Darling Range" (a collective name for several Regional Parks in the Perth Hills region).

The MP intends to provide a regional level framework to guide management of the Regional Parks across different land tenures and managers. Within the Wungong Regional Park, the City has management authority for part of Armadale Settlers Common Reserve (Bedfordale), Bungendore Park (Bedfordale) and the Rifle Range Reserve (Bedfordale). Within the Banyowla Regional Park, the City has management authority for Lloyd Hughes Reserve (Kelmscott) and Canning Mills Reserve (Kelmscott).

As part of regional park MP development, the DBCA is evaluating opportunities to modify and consolidate tenure arrangements in the Wungong Regional Park and has sought the City's preliminary comments to inform their draft document.

In addition, the City has received correspondence from the Department of Planning, Lands and Heritage (DPLH) requesting the transfer of management of Lot 810 Carradine Road, (DPLH managed), to the City.

Concurrently, City officers are revising the 2002 Armadale Settlers Common Strategic Directions Document (MP) to present a new MP for Armadale Settlers Common to Council for endorsement.

DETAILS OF PROPOSAL

The four (4) areas, for which tenure is being reviewed, are listed in Table 1 and illustrated in the Location Plan. All parcels are owned by the State Government, currently unvested and located in Bedforddale.

Table 1: Proposal for management authority changes in Parks of the Darling Range (presented by DBCA and DPLH) within the City of Armadale.

Item number	Area (ha)	Land type	Whole/part lot	Reserve no. and purpose	DBCA draft recommendation for which comment is sought
1	0.80	UCL	Part	PIN 11362845	Vest in the City of Armadale for management
2	+1.46 ha +6.41 ha (2 parcels)	Crown	Whole	R 34471 - public recreation	Vest in the Water Corporation or City of Armadale for management
3	+0.33 ha +0.47 ha +0.40 ha (3 parcels)	Crown	Whole	R 48674 public recreation	Vest in the City of Armadale for management
4	104.2 ha	Crown	Whole	Lot 810 Carradine Road	Vest in the City of Armadale for management

COMMENT

Background information in relation to each of the four (4) areas (items one (1) to four (4) of Table 1) is provided below.

1. Unallocated Crown Land (UCL) PIN 11362845

The 0.8 hectare unallocated crown land is located adjacent to the 498 hectares City-managed reserve 'Bungendore Park' (Reserve 4561) and the Albany Highway road reserve Bedforddale. The UCL contains vegetation that is continuous with Bungendore Park.

No significant environmental management risks have been identified. Bushfire risk assessment indicates a high fuel load in this reserve. The UCL is currently managed by DPLH with the extent of management limited to bushfire risk mitigation.

2. Crown Reserve 34471 – Wallangarra Dr Bedforddale

Reserve 34471 consists of two land parcels (totalling 7.87 hectares) spanning from Wallangarra Drive Bedfordale along Admiral Road towards the Wungong Dam. The reserve is adjacent to Parcel number 29566, a 6.6 hectare parcel owned freehold by the City.

A preliminary environmental assessment suggests that the vegetation is in good condition and is consistent with the Darling Scarp Vegetation Complex. Visual amenity values of the site include views over the Wungong Dam. The lot is steep with limited accessibility via an internal firebreak that commences near Wallangarra Drive and progresses to the south of the lot.

No significant environmental management or bushfire mitigation risks have been identified.

The steep terrain of the reserve may limit recreational uses to bushwalking/-hiking and enjoyment of scenic views across the Wungong Dam.

Whilst not formally assessed, it is expected based on a preliminary review of location and vegetation condition, that Reserve 34471 and the adjacent City freehold parcel number 29566 form an ecological corridor between Bungendore Park and the wider State Forest areas surrounding the Wungong Dam (that are primarily managed by Water Corporation).

The importance of ecological corridors for the management of small mammal assemblages was identified in the 2019 City of Armadale Fauna Study in Armadale Settlers Common and Bungendore Park.

The land is currently managed by DPLH with management efforts limited to bushfire risk mitigation works. Firebreaks and access gates to the reserve were upgraded by DPLH in 2019 and are currently considered adequate.

3. Public Recreation Reserve 48674 - Locke View Bedfordale

Reserve 48674 consists of three land parcels totalling 1.43 hectares. The reserve is part of the wider area known as Armadale Settlers Common and directly adjacent to DPLH-managed Lot 810 Carradine Road and private lands.

Values of the reserve are continuous with those of Lot 810 Carradine Road. It is recommended that this parcel is vested in the authority responsible for the management of Lot 810 Carradine Road Bedfordale.

4. Lot 810 Carradine Road Bedfordale

The Armadale Settlers Common Reserve (ASC) contains large areas of bushland in excellent condition, rare and protected flora and fauna species, and offers visitors expansive views across the Swan Coastal Plain. The ASC comprises a variety of land tenure across two isolated land parcels:

- The Eastern block which is City-managed
- The Western block is in part City-managed, with the balance being managed by the DPLH. (Reserve 48674 and Lot 810 Carradine Road). The Western block of the ASC reserve spans from the foothills of the Darling Scarp (Triton Crescent) to the western edge of the Churchman's Brook estate in the Darling Scarp. The area is valued by the local community for its rich heritage, environmental and recreational values

City vested Reserve 50082 (10 Triton Crescent) is a 1.1 hectare reserve that is a key entry node to ASC, located 1km from the Armadale CBD. It contains the Willow Heights Building/Environment Centre. This location is the primary visitor entry in accordance with the Armadale Settlers Common West Recreation and Signage Plan 2020.

Armadale Settlers Common West (Carradine Road Bedfordale) is a 147 hectare reserve comprising primarily good condition bushland that spans from the western edge of the Churchman's Brook estate.

Lot 810 Carradine Road provides a key link between the two City-managed areas. It comprises a transitional vegetation community with a range of vegetation conditions. An area of excellent condition dieback free bushland forms a continuous block with City-managed bushland. The lot contains a network of walking trails and offers scenic vistas across the City and Swan Coastal Plain.

The Council endorsed *ASC Strategic Directions Document 2002* guides management of the ASC and covers both City-managed and DPLH-managed areas. It was developed to inform a ten (10) year management period. There is no specific budget allocation for the implementation of the Strategic Directions Document.

City-managed portions of ASC are further supported by more detailed weed management, dieback management, fauna management and feral animal control programs that are reviewed regularly.

Bushfire risk management within ASC involves mitigation activities being undertaken by the responsible vesting agency.

A Recreation and Signage Plan and associated funding proposal for the ASC West was endorsed by Council 9 August 2021 (deferring consideration of tenure of Lot 810 Carradine Road in anticipation of this report).

The preparation of a new ASC Management Plan is a priority action for the City's Environmental Services department with significant community expectation and desire for its completion. It has been in development by City officers with the support of DPLH.

With regard to environmental and recreational management, the City's approach is more extensive, targeted and consistent with community expectations than the management approach applied by DPLH to Lot 810 Carradine Road.

ANALYSIS

A risk/ opportunity analysis for the Four (4) areas is provided in Attachment 1.1.1 *Long Term Tenure Wungong Regional Park*.

For UCL PIN 11362845 (Item 1) and Crown Reserve 34471 – Wallangarra Drive Bedfordale (Item 2) a preliminary assessment of both land areas has been undertaken and asset management costs are primarily associated with bushfire risk mitigation, anticipated to be in the order of \$4,000 every five years.

A ten (10) year cost estimate for the management of Public Recreation Reserve 48674 - Locke View Bedfordale (Item 3) and Lot 810 Carradine Road (Item 4) is provided in Attachment 1.1.2 - *Projected Management Costs*. The estimate assumes a whole of reserve Ten (10) year management plan is developed internally by City officers and with a management effort continuous with other City-managed natural areas.

Year one (1) costs are estimated at \$192,592.91. The maintenance cost from year 2 onwards is estimated to be in the order of \$40,000 annually with a fifth year additional cost of \$15,000 for weed mapping to be updated.

Preliminary discussions between DPLH and City officers indicate that as part of an asset transfer agreement, a number of the management items could be met through the 2021/22 DPLH budget (i.e. items such as bushfire mitigation works, weed mapping, weed control, dieback management, feral animal control and the removal of old infrastructure). In addition, funding for additional items from the Area Assistance Grant program may also be available.

OPTIONS

Option 1

Council could advise DBCA and DPLH of the following in relation to the request for comment on long term tenure of Four (4) areas in the Wungong Regional Park

Item number	Area (ha)	Reserve no. and purpose	Recommendation
1	0.80	PIN 11362845	City accept long term vesting of UCL PIN 11362845 conditional on: <ul style="list-style-type: none"> ▪ Consolidation of the parcel into Reserve 4561 (Bungendore Park) with a designated reserve purpose (under section 41 of the <i>Land Administration Act 1997</i>) to include the functions of passive recreation and conservation ▪ The undertaking of bushfire mitigation activities on the parcel, to the satisfaction of the City, prior to acceptance of a management order
2	+1.46 ha +6.41 ha (2 parcels)	R34471- public recreation	City acceptance of a Management Order for the reserve and request that the designated reserve purpose (under section 41 of the <i>Land Administration Act 1997</i>) is amended to include the functions of public recreation, conservation and ecological corridor
3	+0.33 ha +0.47 ha +0.40 ha (3 parcels)	R 48674 public recreation	City of Armadale acceptance of a Management Order for Reserve 48674 and Lot 810 Carradine Road conditional on the following: <ul style="list-style-type: none"> ▪ A minimum of year one (1) management costs (in the order of \$192,000 as projected in Attachment
4	104.2 ha	Lot 810 Carradine	

Item number	Area (ha)	Reserve no. and purpose	Recommendation
		Road	1.1.2, or the equivalent works undertaken prior to handover), to be provided as part of an asset transfer agreement. ▪ Designated reserve purpose (under section 41 of the <i>Land Administration Act 1997</i>) to include the functions of public recreation and conservation

Table 2 – Comment on Tenure Options

Option 2.

Council could seek modification to the recommendations for items 1 to 4 detailed in Table 2 above.

CONCLUSION

Council's consideration of the long term tenure of four areas within the Wungong Regional Park is requested to inform the Draft Regional Park Management Plan (being prepared by DBCA), the draft Armadale Settlers Common Management Plan (being prepared by CoA) and to respond to a request by DPLH for the City to take over long term asset management of Lot 810 Carradine Road.

An evaluation of the risks and opportunities concerning the Four (4) areas has been provided for Council's consideration, as summarised in Attachment 1.1.1

ATTACHMENTS

- 1.1.1. [↓](#) Attachment 1.1.1 Long Term Tenure Wungong Regional Park
- 1.1.2. Attachment 1.1.2 Projected Management Costs

RECOMMEND

T57/10/21

That Council:

1. Advise the Department of Biodiversity, Conservation and Attractions that, if formally requested, the City will accept a Management Order for UCL PIN 11362845 conditional on:
 - Consolidation of the parcel into Reserve 4561 (Bungendore Park) with a designated reserve purpose (under section 41 of the *Land Administration Act 1997*) to include the functions of passive recreation and conservation; and:
 - The undertaking of bushfire mitigation activities on the parcel, to the satisfaction of the City, prior to acceptance of a management order.
2. Advise the Department of Biodiversity, Conservation and Attractions that, if formally requested, the City will accept a Management Order for R34471 and request that the designated reserve purpose (under section 41 of the *Land Administration Act 1997*) is amended to include the functions of public recreation, conservation and ecological corridor.
3. Advise the Department of Biodiversity, Conservation and Attractions and Department of Planning Lands and Heritage of the City of Armadale's intent to accept a Management Order for Reserve 48674 and Lot 810 Carradine Road conditional on the following conditions being met:
 - A minimum of year 1 management costs (in the order of \$192,000 as projected in attachment 1.1.2, or the equivalent works undertaken prior to handover) to be provided as part of an asset transfer agreement
 - Designated reserve purpose (under section 41 of the *Land Administration Act 1997*) to include the functions of public recreation and conservation.

Moved Cr G Nixon
Seconded Cr S Peter
MOTION CARRIED

(7/0)

1.2 - WUNGONG RIVER FORESHORE - DEVELOPMENT OF DETAILED DESIGN

WARD : ALL
FILE No. : M/642/21
DATE : 24 September 2021
REF : LR
RESPONSIBLE MANAGER : Executive Director
Technical Services

In Brief:

- Council in 2018, endorsed the Wungong River Concept Plan. The plan guides the development of the public open space adjacent to the Wungong River Foreshore.
- Since Council's initial endorsement of the plan development in the area has progressed, and it is recommended that the detailed design of the concept plan now commence to assist in ensuring consistent, quality development outcomes within the project area.
- This report recommends that Council endorse the development of the detailed design, and allocate funding from the *Wungong River Project* reserve, in the order of \$225,000 for this purpose.

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 Foster and strengthen community spirit
- 1.1.2 Cultivate the sense of place generated by the City's heritage, vegetation and escarpment, wetlands and waterways as well as the participation in vibrant community hubs.
- 2.2 Attractive, inclusive and functional public places
- 2.2.4 Develop, improve and maintain quality parks, playgrounds and public open spaces throughout the City.

Legal Implications

General assessment of relevant legislation (eg *Local Government Act 1995*) has not revealed any restrictions.

Council Policy/Local Law Implications

General assessment has not revealed any applicable Policies/Local Laws.

Budget/Financial Implications

Should Council adopt the recommendation contained within this report, then costs in the order of \$225,000 are anticipated to be incurred in the development of the concept plan. This is proposed to be funded from the *Wungong River Project* reserve. The reserve currently has an available balance of \$566,000.

Consultation

1. Intra-Directorate

BACKGROUND

In July 2018 Council endorsed the Wungong River Concept Plan (the Concept Plan) and associated design report (T55/7/18 refers). This detailed a concept level design for the activation of the Wungong Foreshore between Armadale Road and Champion Drive. A copy of the concept plan is provided at Attachment 1.2.1 for Councilors reference. It is hoped that in coming years this stretch of the River will have a significantly improved natural environment along the foreshore with increased opportunities for people to recreate and move between development nodes while also improving access to the river and supporting biodiversity.

The plan included a number of different treatments along different sections including a BMX track, carparks, exercise nodes, equestrian areas, interpretative signage, constructed wetlands and drainage restoration. However the project is underpinned by revegetation along the length of the foreshore, along with a dual use asphalt path that will enable a pedestrian and cycle connection from Armadale Road to Champion Drive.

Following on from endorsement of the Concept Plan, Council resolved in March 2019 (T17/3/19 refers) to develop a *Wungong River Project* Reserve fund for the purpose of the provision of environmental works and infrastructure in the Wungong River precinct.

The reserve is supported through the transfer of existing funds generated by the landfill flare, and the commitment to transfer any future income generated by the flare. As of September 2021, the total value of the reserve fund is \$566,000.

The implementation of the Wungong River Project is reliant on leveraging grant and developer funding.

Progress was stalled due to the lack of development following initial endorsement of the plan, however there has since been an initial stage of development completed at the southern end of Lake Road, which has enabled the Stage 2 area of the Concept Plan to be partly completed.

The developer of this section agreed to construct a Shared Use Path (asphalt) and undertake revegetation planting, in accordance with the approved Concept Plan. This has resulted in over \$80,000 of developer funded foreshore works, broken down as follows:

- \$43,000 in revegetation and landscaping within the foreshore; and
- \$41,000 in path construction costs.

This same developer is looking to expand on the initial development at the southern end of the Concept Plan area and completing this development section to Poad Street. In addition there has been significant planning progressed for the landholdings between McNeil Road and Champion Drive, with development expected to progress along this section within the next 1-3 years.

The Armadale Gosnells Landcare Group (AGLG) and the City have also been actively implementing the following environmental projects along this portion of the Wungong River since 2015:

- 2015-2017 Ongoing Ecological Restoration and Community Engagement through environmental planting days – to a value of \$152,000
- 2019/2020 Construction of dampland and swales and revegetation at Palomino Reserve off Ranford Road - to a value of \$80,000
- 2018/19 - Construction and revegetation of Poad Street dampland - to a value of \$76,000

In 2019 AGLG received \$250,000 to undertake revegetation works in this area and will continue to work on implementing these projects under this funding for 2 more years. The City has also committed to providing \$60,000 over three years for ongoing weed control. Works will be primarily focussed on the western foreshore (the opposite side of the river to the Wungong Concept plan project area).

As development progresses and the path is connected through to each section of road that intersects Lake Road, it is intended that the Wungong River Project reserve funds will be utilised to provide increased environmental outcomes, construction of interactive nodes (including playground equipment, nature play, additional trails, signage etc) that will help to complete and activate the foreshore area.

DETAILS OF PROPOSAL

Before the vision of the Wungong River Concept Plan can be realised a detailed design and documentation of the Concept Plan is required to address the uncertainties associated with the construction and delivery of the plan. This is an essential step in project delivery that sits between the concept plan and construction.

The detailed design and documentation will examine most of the key delivery components of the Concept Plan and provide a detailed landscape design that can be used to inform on-ground delivery. Comprehensive costings will also be provided so the City has certainty regarding the budgetary requirements for each component which will allow improved planning and prioritisation for delivery.

As development progresses there is also an increasing need for a more detailed understanding of the costs and construction requirements of the Concept Plan to assist in obtaining

developer support for the provision of key elements and to help improve consistency of treatments when delivered by third parties. Ensuring consistency of treatments will also assist the City in having greater certainty in terms of the funds required to maintain the plan area. In addition, a completed detailed design will also improve grant funding opportunities as the project will effectively be construction ready, increasing palatability for funding bodies. It is therefore proposed that the City commence with the detailed design process.

The estimated cost to complete the process is anticipated to be in the order of \$225,000. It is proposed that the funds for this purpose be sourced from the *Wungong River Project Reserve*.

OPTIONS

In considering the proposal Council could:

1. Elect not to proceed with the detailed design process.

As development in the area is picking up speed, it is considered timely to complete the detailed design process now to ensure consistent quality outcomes within the project area. Therefore option 1 is not the recommended option.

1. Proceed with the detailed design process and allocate funding in this years budget from the *Wungong River Project Reserve*.

This will assist in ensuring consistent quality outcomes within the project area, and for the reasons stated within this report, is the recommended option.

CONCLUSION

Council, in July 2018, endorsed the Wungong River Concept Plan. The plan detailed a concept level design for the activation of the Wungong River foreshore area between Armadale Road and Champion Drive. Since 2018, development in the area has progressed and to ensure consistent quality outcomes in project delivery, it is recommended that the detailed design now be developed.

This report seeks Council's approval to proceed with the detailed design of the Wungong River Concept Plan, and to allocate funds from the *Wungong River Project Reserve* for this purpose.

ATTACHMENTS

- 1.2.1 Wungong River Foreshore Concept Design

RECOMMEND

T58/10/21

That Council:

- 1. Endorse the development of the detailed design of the Wungong River Concept Plan and allocate funding to an amount of \$225,000 to the project for this purpose.**
- 2. Pursuant to Section 6.8 of the *Local Government Act 1995* (as amended) authorise* the following budget variation:**

INCREASE IN THE TRANSFER FROM RESERVES:

Contribution from Wungong River Project Reserve \$225,000

INCREASE IN OPERATING EXPENDITURE:

Wungong River Regeneration Project \$225,000

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

Moved Cr S Peter

MOTION CARRIED

(7/0)

2.1 - COUNCILLOR ITEM - BIODEGRADABLE WASTE BAGS

At the Technical Services Committee meeting held on 5 July 2021, Cr Butterfield raised the following Councillor Item for investigation (T46/7/21 refers):

That the matter of Biodegradable Dog Poo Bags be referred to the relevant Directorate for action and/or report to the appropriate Committee.

Comment from Cr Butterfield

Cr Butterfield requested an investigation into the costs of implementing the supply of biodegradable dog poo bags in relation to the ban on single use plastics.

Officer Comment

The City currently provides plastic dog bags and dispensers in many Parks and Reserves to encourage owners to clean up after their dogs. Once the bags are used, dog owners place them in bins to be collected and the rubbish is then disposed of at the City's Lanfduill and Recycling Facility,

Standard plastic dog poo bags can take anywhere from 10 to 1,000 years to fully decompose in landfills. Biodegradable bags decompose more rapidly, although these generally also contain hydrocarbons, whereas fully compostable bags decompose more quickly and are generally made of plant based materials.

Stage 1 of the ban on single use plastics announced by the Department of Water and Environmental Regulation (DWER) which is currently planned to come into effect by the end of this year, does not include non-biodegradable dog poo bags in its scope. However, Stage 2 of the ban anticipated to commence in late 2022, is anticipated to include non-biodegradable bags as well as possibly biodegradable bags, with the Department yet to provide further advice as to the specific inclusions and exclusions. Should Council wish to consider alternative bag materials, options include replacing the current bags with bio-degradable bags or fully compostable bags.

The table below details the financial impact of implementing an alternate bag type. Based on 2020/21 figures, the average number of dog poo bags utilised per annum is approximately 1M bags.

Bag Type	Bag Cost
Current (non-biodegradable bags)	2020/21 the City spent \$21,000 on dog bags city wide, this being at a cost of \$19.50 per 1000 bags for non-bio degradable bags
Biodegradable bags	Bio degradable bags @ \$57.20 per 1000 bags, a total estimate of \$60,000 pa , an increase of approximately \$38,000 pa .
Fully compostable bags	Fully compostable bag for \$82 per 1,000 bags. Approximately \$82,000 pa , an increase of \$62,000

ATTACHMENTS

There are no attachments for this report.

Committee Discussion

The Officer recommendation relating to this item was 'to be considered'. Committee considered the information provided within the report, resolving as follows:

RECOMMEND

T59/10/21

That Council refer the matter of the purchase of fully compostable dog poo waste bags to Council's 2022/23 Budget and LTFP deliberations.

**Moved Cr R Butterfield
MOTION CARRIED**

(7/0)

COUNCILLORS' ITEMS

Nil

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 5:59 PM

TECHNICAL SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
4 OCTOBER 2021		
ATT NO.	SUBJECT	
1.1 LONG TERM TENURE CONSIDERATIONS - PARKS OF THE PERTH HILLS		
1.1.1	Attachment 1.1.1 Long Term Tenure Wungong Regional Park	
1.1.2	Attachment 1.1.2 Projected Management Costs	
1.2 WUNGONG RIVER FORESHORE - DEVELOPMENT OF DETAILED DESIGN		
1.2.1	Attachment 1.2.1 Wungong River Foreshore Concept Design	

The above attachments can be accessed from the Minutes of the Technical Services Committee meeting of 4 October available on the City's website

CITY OF ARMADALE

MINUTES

OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 4 OCTOBER 2021 AT 7.00PM.

PRESENT:

Cr D M Shaw (Chair)
Cr C M Wielinga (Deputy Chair) (7.03pm to 7.26pm)
Cr R Butterfield (7.03pm to 7.26pm)
Cr C Frost (7.03pm to 7.26pm)
Cr J Munn CMC
Cr M S Northcott
Cr G J Smith

APOLOGIES:

Nil

OBSERVERS:

Cr K Busby (7.03pm to 7.26pm)
Cr G Nixon (7.03pm to 7.26pm)

IN ATTENDANCE:

Ms J Abbiss Chief Executive Officer (*via Teams*)
Mr G Windass A/Executive Director Development Services
Mr J Lyon Executive Director Corporate Services
Mr G Dine Health Services Manager (*via Teams*)
Mrs N Cranfield Executive Assistant Development Services

PUBLIC:

Nil

“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

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was not read by the Chair as there were no members of the public present.

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Development Services Committee Meeting held on 20 September 2021 be confirmed.

Moved Cr J H Munn

MOTION CARRIED

(4/0)

ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 17 - SEPT 2021

Outstanding Matters & Information Items

Report on Outstanding Matters - Development Services Committee

Design Review Panel Meetings 2021

Health

Health Services Manager's Report - September 2021

Planning

Planning Applications Report - September 2021

Town Planning Scheme No.4 - Amendment Action Table

Subdivision Applications - WAPC Approvals/Refusals - September 2021

Subdivision Applications - Report on Lots Registered for 2021/2022

Compliance Officer's Report - September 2021

Building

Building Services Manager's Report - September 2021

Building Health/Compliance Officer's Report - September 2021

Committee noted the information and no further items were raised for discussion and/or further report purposes.

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4 OCTOBER 2021

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1.1 - ROAD NAMING - KEANE ROAD, FORRESTDAL

WARD : LAKE and RANFORD
FILE No. : RDK/15-02 - M/570/21
DATE : 30 September 2021
REF : KC
RESPONSIBLE : EDDS
MANAGER
APPLICANT : City of Armadale
LANDOWNER : Various
SUBJECT : Keane Road, Forrestdale
LAND
ZONING : Urban Development
MRS / : MRS
TPS No.4 : DevelopmentWA Scheme

In Brief:

- The proposal involves renaming a portion of Keane Road in Forrestdale.
- The realignment of Keane Road to Armadale Road as identified by the adopted Structure Plans for the area, which necessitates the renaming of this portion of Keane Road to ensure continuation of services, including timely response from emergency services.
- Council resolved at its meeting on 28 June 2021 (D7/6/21) to advertise its intention to rename the portion of Keane Road, Forrestdale, between Armadale Road and Anstey Road, liaising with occupants, landowners, government agencies and the wider community by way of letters and newspaper advertising.
- A total of 10 submissions were received during the advertising period.
- Recommend that Council submit the supported name 'MacFarlane' to Landgate's Topographic, Names and Addressing (TNA) with the secondarily preferred name of 'Pratt' to accompany this submission in the case that the preferred name is deemed unsuitable by TNA.

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



AERIAL PLAN

Keene Road, Forrestdale
Proposed road name change and realignment

DATE 21 July 2020 - REVISION 2001
p:\a\ccad\agenda_drawings\2021\16_june\keane_rd_realignment\keane_rd_realignment.dwg



SCALE 1 : 10000

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photography supplied by Landgate. Photoimage by Intermap.



Strategic Implications

- 2.5.1 Ensure the City's planning framework is modern, flexible, responsive and aligned to achieving the outcomes of the Strategic Community Plan and Corporate Business Plan.
- 2.5.4 Proactively plan for normalization of Development WA (DWA) areas back to the planning jurisdiction of the City.
- 2.5.5 Seek opportunities to preserve, document and acknowledge the heritage of the City.
- 3.2.1 Prioritise the creation and promotion of a positive image and identity for the City in order to change the perception and narrative about Armadale and make it a location of choice for residents, businesses and visitors.
- 3.3.1 Ensure the City has contemporary strategies and dynamic planning frameworks to be responsive to economic development opportunities and trends.

Legal Implications

Land Administration Act 1997

Council Policy/Local Law Implications

Council Policy - Street Numbering

Council Policy - Naming of Roads, Parks, Places and Buildings

City of Armadale Street Numbering Local Law 2010

Budget/Financial Implications

Advertising costs have been accommodated within the Planning Services budget. New street signage shall be required, which can be accommodated in the Technical Services Budget.

Consultation

Landgate's Topographic, Names and Addressing (TNA; formerly Geographic Names Committee); Australia Post; Water Corporation; Western Power; ATCO Gas Australia; Department of Planning, Lands and Heritage; Australian Electrical Commission; Department of Fire and Emergency Services; Landgate; St John Ambulance; Synergy; WA Police; Western Australian Land Authority; LandCorp; and the Department of Transport.

BACKGROUND

Keane Road through virtue of the environmental constraints presented via the Bush Forever sites has resulted in two separate sections of road. The separation and subsequent duplication of road names in such close proximity needs to be resolved prior to development along Keane Road in the Forrestdale Business Park West. This will ensure the safety of the community, continued service provision and ease of location by visitors to businesses and residences.

The suggested names considered by Council at its meeting on 28 June 2021 (D7/6/21) were advertised via letter on 21 July 2021 for feedback to the affected landowners and occupants, government agencies and Topographic, Names and Addressing (TNA). The wider community was consulted via advertising in a newspaper circulated locally on 20 July 2021, with comments and suggestions to be lodged by 20 August 2021. The City provided the opportunity for landowners and the community to suggest alternative names. Suggestions that comply with Landgate's *Policies and Standards for Geographical Naming in Western Australia* were accepted for consideration.

Suggested names were advertised from the City's list of potential road names held in reserve and other names which followed the existing theme of inventors used in the Forrestdale Business Park. The proposed names were:

- Forrestdale
- Fulton
- Gutenberg
- MacFarlane
- Trevithick

Renaming of this portion of Keane Road will also require street renumbering. Renumbering is required by the Australian and New Zealand Standard – *Rural and urban addressing* (AS/NZS 4819:2011) and shall be in accordance to Council Policy – *Street Numbering*.

COMMENT

Landgate requires evidence of community consultation and feedback from all relevant agencies. Whilst proposals normally require the support of the local government authority, the Minister for Planning, Lands and Heritage is the final authority in such matters.

Renaming of this portion of Keane Road and subsequent renumbering is required given the risk to the public and operational safety if this is not performed. Emergency service responders require clear, unambiguous road names for optimised service delivery. If the road is not renamed then this could potentially be confusing for emergency service responders, transport, utility, communication and mail services.

The road type shall be one deemed suitable by TNA. The City will advise all affected landowners, occupants and relevant government agencies, of the outcome to this proposal.

PUBLIC ADVERTISING

Total No. of letters sent to residents/owners	:	11
Total No. of letters sent to service providers and agencies	:	20
Total No. of submissions received	:	10
No. of submissions of conditional support/no objection	:	9
No. of submissions of objection	:	1
No. of submissions of general advice by service agencies	:	4

Submissions were invited over a 32 day period, with a total of 10 responses received: two (2) of which were from affected landowners; four (4) from members of the greater Armadale community; one (1) from a service provider and three (3) from State government agencies.

A copy of the Submitter Plan is presented in the Confidential Attachments to this report.

ANALYSIS

The four (4) community members submitted support for the proposed name of 'MacFarlane' for the road name. The two (2) landholder submitters supported the proposed name of 'Forrestdale' to increase awareness of the suburb. Two (2) submitters provided no comment or objection on the proposal. One (1) of the State government agencies advised the name 'Forrestdale' could be confused with Forrest Road.

The key issues raised in the submissions are outlined below with comments addressing each one.

Key Issues

Issue 1 - Retain the road name as Keane Road is shown on the engineering drawings.

Comment

This reason is insufficient cause to preserve a road name, given the risk to the public and operational safety if the road renaming is not performed. If the road is not renamed then this could potentially contribute to delays in emergency service response times and confusion for transport, utility, communication and mail services.

Recommendation

The issue is not supported.

Issue 2 - The proposed name of 'MacFarlane' is supported.

Comment

'MacFarlane' is included in the list of advertised proposed potential road names. Clement MacFarlane was born 24 February 1920. He enlisted for full time war service from 25 July 1940 to 26 November 1945 as a Private in 2/28 Australian Infantry Battalion, seeing a total of 1161 days of active service overseas. After the war he lived in Forrestdale with his family and became the Captain of the Forrestdale Bush Fire Brigade. He died aged 65 on 17 September 1986.

This name satisfies the commemorative criteria set by TNA. The City has received supporting documentation providing evidence of local contributions. Preliminary validation suggests that the proposed name of 'MacFarlane' will meet TNA criteria for road naming. Thus this name could be submitted as the preferred name for this portion of Keane Road.

Recommendation

The issue is supported.

Issue 3 - Forrestdale is not supported as the road name as it may be too similar to Forrest Road.

Comment

Affected landholders demonstrated a preference for the proposed name of 'Forrestdale' to assist with increasing awareness of the suburb. The suburb of Forrestdale is named after the townsite it encompasses. The location was reserved for the townsite of Jandakot as the hub of the Jandakot Agricultural Area when the project was being surveyed. The original name of East Jandakot was applied to the area, gazetted in 1908.

Clause 2.3 of Landgate's *Policies and Standards for Geographical Naming in Western Australia* advises that "road names submitted for approval shall not be, regardless of road type:

- *homonymous, for example similar in spelling to an existing road name*
- *similar in sound to an existing road name"*

It is noted that Landgate's policies require this standard is applied equally to the renaming of roads, and that "*the requirements of emergency service responders for clear, unambiguous road naming shall also be a consideration.*"

In this case, the name 'Forrestdale' does not pass preliminary validation tests via TNA's validation tool, which notes the similar road name of 'Forrest Road' exists in Forrestdale. Given its support from two landholders, the City could submit this to Landgate's TNA as an alternative name and propose to further differentiate these names by applying a different road type, such as 'Drive' or 'Boulevard'.

Recommendation

The issue is supported in part.

Suggested Names

The City received suggestions seeking to recognise the achievements of Australian women from its canvassing of the public.

Dr Collette Burke was suggested, whom was Victoria's first Chief Engineer. TNA's preliminary validation tool shows that the following are considered as similar road names to 'Burke', existing within 10km of the development site:

- Bird Road in Aubin Grove
- Barcoo Bend in Hammond Park.

Professor Judy Raper was suggested to commemorate as one of Australia's greatest female engineers. She is the founding lead of PLuS Engineering. Professor Raper was UNSW's first female chemical engineering graduate and now only the second woman to win the Chemeca Medal, the most prestigious award in chemical engineering in Australia and New Zealand.

TNA's preliminary validation tool shows that the following is considered as a similar road names to 'Raper', existing within 10km of the development site, which is likely to make the name unsuitable:

- Roper Boulevard in Hammond Park

Trish White has been National President and Chair of Engineers Australia since 2018, following a varied career including defence engineering, senior executive roles and state politics.

TNA's preliminary validation tool shows that the following are considered as similar road names to 'White', existing within the postcode of 6112, or existing within 10km of the development site, which is likely to cause the name to be deemed unsuitable:

- Whiteoak Way in Piara Waters
- Whitehorse Drive in Harrisdale
- Whiteley Road in Hilbert
- Whitehead Street in Armadale
- Wida Way in Byford
- Wade Street in Gosnells
- Whiteman Street in Thornlie
- Wythe Lane in Byford

Landgate's policies state that homonymous or similar sounding road names cannot duplicate less than 10km from an existing road name or in an adjoining locality.

The highlighting of women's achievements would be appropriate, however Landgate will not accept a commemorative naming proposal of a person whilst they are still alive for a road or locality.

OPTIONS

Council has the following options:

1. Approve the road name 'MacFarlane' as the preferred name and 'Forrestdale' as the secondarily preferred name to Landgate's TNA to obtain approval for the renaming of the portion of Keane Road between Anstey Road and Armadale Road in Forrestdale.
2. Not approve the road names indicated as preferred and that Council recommend new road names to TNA.
3. Not approve the road names indicated as preferred and that Council not pursue the renaming of this portion of Keane Road between Anstey Road and Armadale Road in Forrestdale.

CONCLUSION

The commemorative name of 'MacFarlane' is supported by community members and is an appropriate proposal for Council to approve for the renaming of this portion of Keane Road in Forrestdale. The proposed name satisfies the commemorative criteria set by Landgate's TNA and preliminary validation suggests that the proposed name will meet TNA's criteria for road naming. Option 1 is recommended.

ATTACHMENTS

1. [↓](#) Proposed Realignment Plan - Road Renaming - Keane Road, Forrestdale
2. Schedule of Submissions - Road Renaming - Keane Road, Forrestdale
3. Confidential - Submitter Plan - Road Renaming - Keane Road, Forrestdale - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relating to the personal affairs of a person/s.*
4. Confidential - Schedule of Submissions List - Road Renaming - Keane Road, Forrestdale - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relating to the personal affairs of a person/s.*

Committee Discussion

Committee discussed the proposed road names and possible acceptance/non-acceptance of the proposed names by Landgate. Committee considered that the proposed road name "Forrestdale" was unsuitable and requested the name "Pratt" as a possible alternative road name.

RECOMMEND

D38/10/21

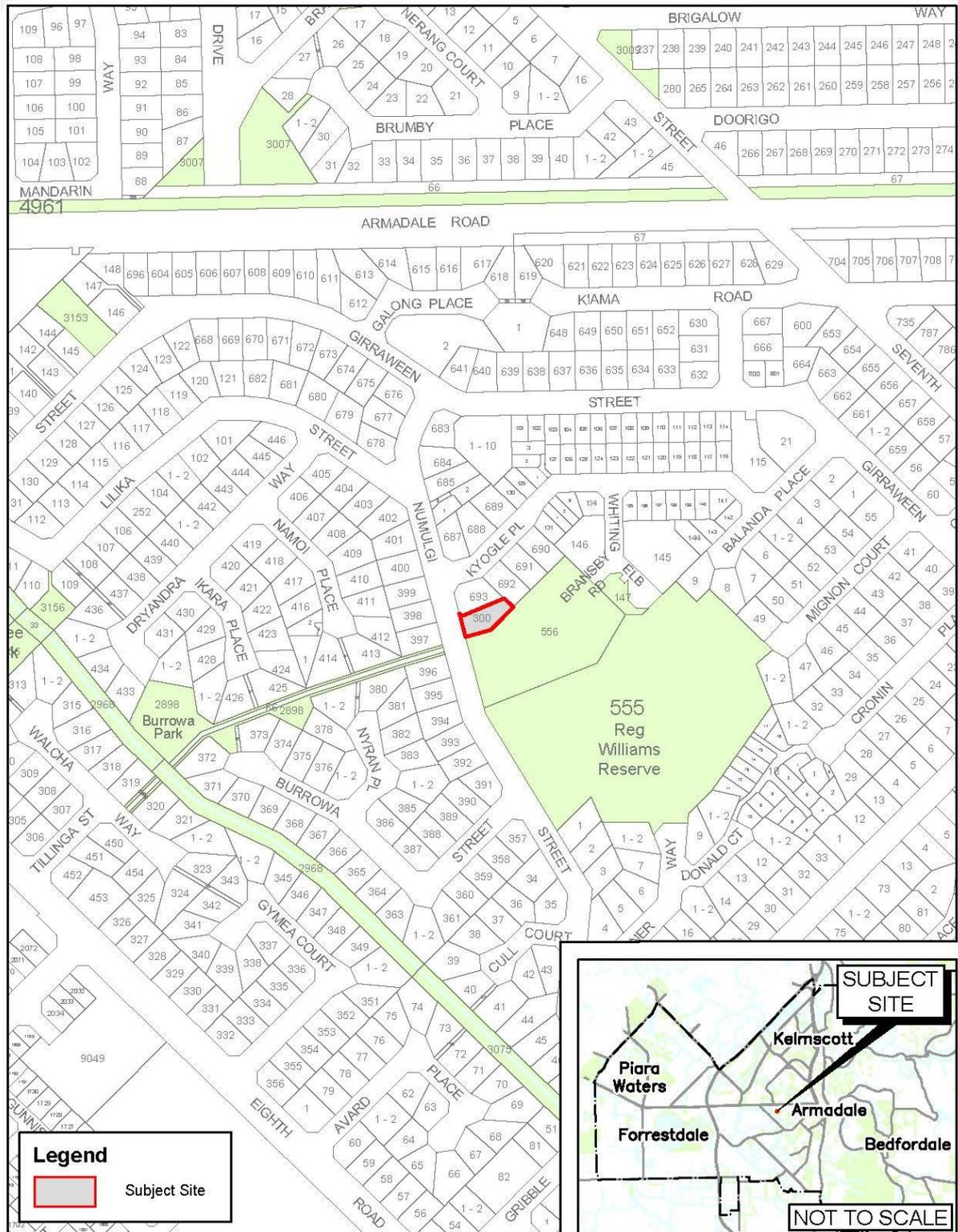
That Council:

1. **Approach Landgate's Topographic, Names and Addressing seeking approval for the renaming of the portion of Keane Road between Anstey Road and Armadale Road in Forrestdale, with 'MacFarlane' as the first preference and 'Pratt' as an alternative name, and the road type to be one deemed suitable by Topographic, Names and Addressing.**
2. **Note that once this portion of Keane Road is renamed, then the City will allocate new street numbers to the properties.**

Moved Cr J H Munn
MOTION CARRIED

(7/0)

Councillors Butterfield, Frost, Wielinga, Nixon, and Busby attended the meeting at 7.03pm.



LOCATION PLAN
Lot 300 (No.16) Numulgi Street, Armadale



DATE 6 September 2021 - REVISION 2101
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Best available information provided by and with the permission of the
Western Australian Land Information Authority (LIA) or Landgate, Perth.
Aerial photographs supplied by Landgate, Perth, and by the map.

2.1 - SALE OF LOT 300 (16) NUMULGI STREET, ARMADALE

WARD : MINNAWARRA
FILE No. : M/629/21
DATE : 30 September 2021
REF : DS
RESPONSIBLE : EDDS
MANAGER

In Brief:

- Lot 300 Numulgi Street in Armadale is attributed with Precinct C of the City's POS Strategy. The site is zoned Residential under the City's TPS 4.
- The site is a vacant and underutilised lot that adjoins the car park at Reg Williams reserve.
- There is an existing Business Plan endorsed by Council that recommends disposal of the lot and that proceeds from the sale are spent on upgrades of surrounding reserves.
- The City has received an offer to purchase the site at \$169,000.
- Recommend that Council proceeds with advertising of the proposed offer.

Tabled Items

Nil.

Decision Type

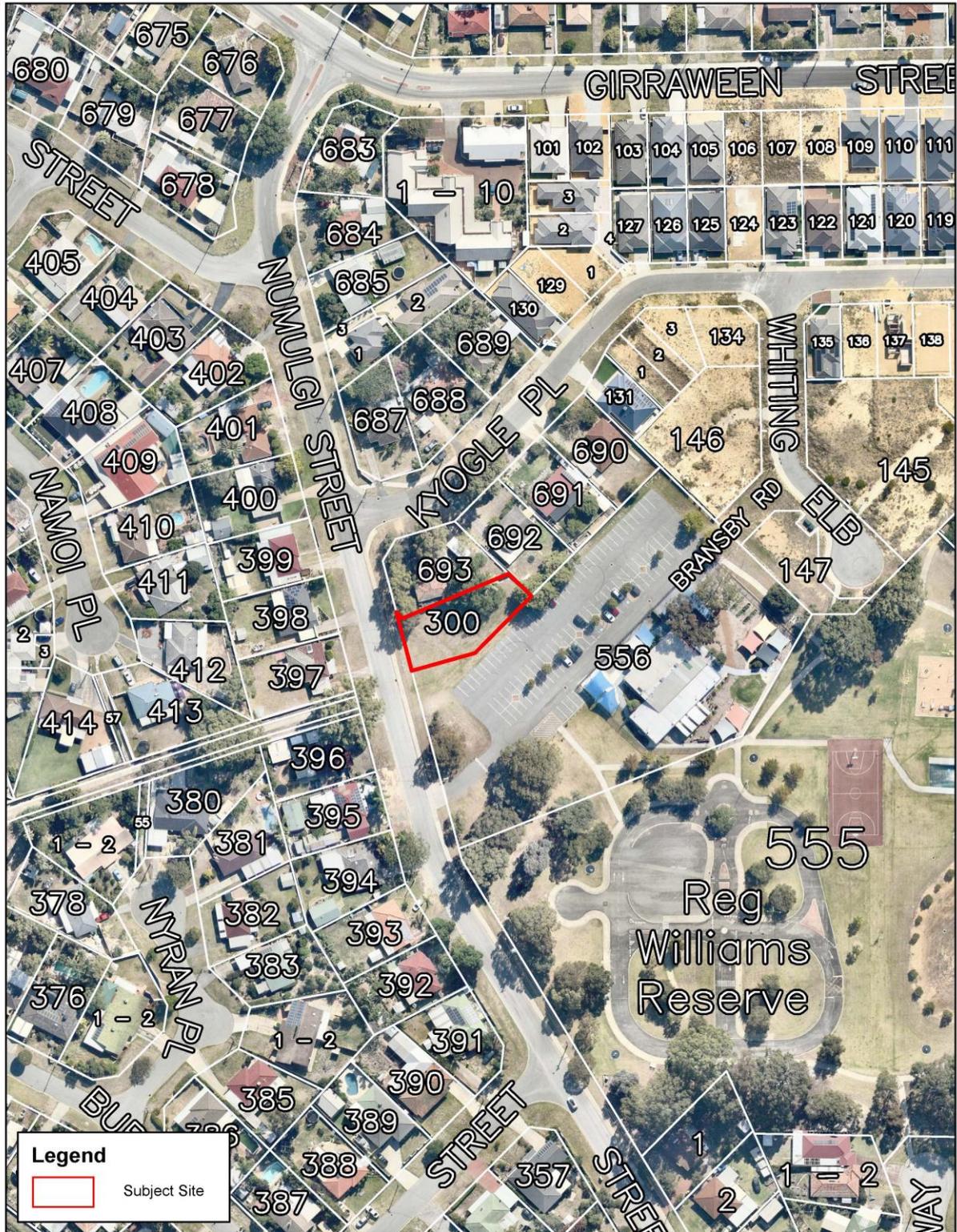
- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** 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

- 2.2.4 Develop, improve and maintain quality parks, playgrounds and public open spaces throughout the City.
- 2.3.1 The condition of the City's assets are accurately captured, regularly reviewed and the subject of comprehensive management plans in order to assist Council balance the financial cost of asset renewal and replacement with delivery of other community priorities.



Legal Implications

Local Government Act 1995 - Section 3.58 and 3.59
Town Planning Scheme No.4

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

The sale of the land would provide funds towards upgrades of surrounding reserves/parks in Precinct C with 70% of funds being allocated to the Precinct Trust for improvements to existing reserves within Precinct C of the City's POS Strategy and the remaining 30% of the proceeds being included in the City's 'Regional Recreation Initiatives Trust 47'. If the land is sold, then the City would not need to maintain this land anymore.

Consultation

If Council decides to endorse the offer, then the offer will have to be advertised for a period of 2 weeks in a local newspaper in accordance with Section 3.58 of the *Local Government Act 1995*.

BACKGROUND

Lot 300 Numulgi Street, Armadale has been owned by the City as a Freehold property since 1988. The property was created by way of subdivision. The then Town Planning Board approved subdivision 29713 on 17 April 1973. This subdivision created Reg Williams Reserve and 'Part Lot 695' (which is now referred to as Lot 300 Numulgi Street, Armadale). Lot 300 has historically been a vacant lot and is surplus to the City's recreational requirements. In the mid 1980's, Reg Williams Reserve was used as a netball facility. During this period a pedestrian access way (PAW) ran through Lot 300 which linked Kyogle Place to Reg Williams Reserve. This PAW appears to have been removed in the mid-1990's.

Condition 10 of subdivision 29713 required Lot 300 Numulgi Street to be "*transferred to Council for P.O.S. exchange purposes*". Lot 300 was not transferred to the City until 1988 and has historically been zoned "Residential" under the City's Town Planning Schemes. Given the property was not originally ceded for a Crown Reserve, the presumed intent at the time was for Lot 300 Numulgi Street to be later exchanged or sold to upgrade existing public open space in the area. The property was not created as a 20A "Public Recreation" Reserve and has a Residential zoning. The property has accordingly been treated in a similar manner as other POS Strategy land sales, which involved rationalisation and disposal of underutilised public open space with the proceeds used to fund POS upgrades.

In accordance with the process of the POS Strategy, 70% of the funds from the proceeds of the sale would be deposited into Precinct C Trust for park improvements within Precinct C (Trust 23) of the City's POS Strategy. The remaining 30% of the proceeds would be included in the City's 'Regional Recreation Initiatives' (Trust 47) which is dedicated to large regional recreation initiatives and projects.

On 15 December 2014, Council (D70/12/14) resolved to support the in-principle disposal of Lot 300 Numulgi Street and commence advertising of a Business Plan as required under Section 3.59 of the *Local Government Act*. Noting that there was no submissions, on 23 February 2015, Council resolved (D7/2/15) to endorse the business plan and to proceed with the sale of Lot 300 Numulgi Street by way of a private treaty or public tender and distribution of funds (70%/30%) in accordance with the POS Strategy.

The City received previous offers and interest from purchasers that didn't result in a disposal. Nearby surplus land also made the disposal more difficult. Two offers were presented but weren't finalised including:

- A formal offer provided in March 2017 that was accepted under delegation in April 2017. However this offer was subject to a development application for a "Place of Worship" within 120 days of the offer being accepted. Following submission and assessment of the development application, the owner opted to withdraw the development application and the offer.
- Another offer was submitted in August 2018 that was also accepted under delegation. However financing was not achieved by the applicant and settlement did not occur.

An expression of interest was presented to the City on March 2021 by Habilitas at a value of \$169,000, with an "Option Contract" which provided an exclusive sales period to the proponent for three months. Legal advice was sought regarding the City's ability to consider an Options Contract under delegation. The legal advice indicated the City's existing delegations (*DS 3.0 – Sale of land assets*) did not clearly provide authority for the CEO to accept an "Options Contract".

During the process of seeking legal advice, the lot was included alongside other freehold land assets at the City's Strategic Land Asset Workshop on 13 July 2021. The following actions were identified for Lot 300 Numulgi at the workshop:

1. *EDDS indicated that it would proceed with a report to Council on any land sale or offers for Numugli if required or part of other processes.*
2. *The City has investigated vegetation on the site and identified that all trees were outside the lot on adjoining residential land (see attached photos).*
3. *POS calculations will be provided for Council's consideration as part of reports. (where required)*

Discussions continued between the City and Habilitas on 23 August 2021, a formal offer was provided to the City that removed the Options Contract condition to simplify the proposal.

DETAILS OF PROPOSAL

Proposed Offer

The offer provided by Habilitas on 23 August 2021 contains the following details:

- *Purchase Price: \$169,000*
- *Settlement Timeframe: 5 months*
- *Deposit: 1% (\$1,690)*
- *Special Conditions: Habilitas would like to be able to lodge a Development Application while the property is under contract.*

A valuation was completed by Acumentis (formerly LMW) on the City's Valuation Panel on 14 September 2021 that valued Lot 300 Numulgi Street at \$165,000.

The following is an excerpt on their background that Habilitas included within its offer:

"Habilitas is a property development company registered with the NDIS (National Disability Insurance Scheme) to provide Specialist Disability Accommodation (SDA) in Western Australia. We offer a unique combination of services within an emerging asset class. Our purpose is to fill the missing link between investors and SDA participants (tenants) to fulfill future accommodation requirements. Habilitas enables participants to live comfortably and independently and connects investors and developers within the NDIS landscape. We help people wishing to live in their own home with independence and remain connected to their communities. At the forefront of our thinking is quality built form and the participants best interests whilst balancing the operational and functional design requirements of care providers."

In May 2021, concept plans were submitted by KPA Architects representing Habilitas for Lot 300 Numulgi Street. The plans were submitted to the City's Planning Services for preliminary comment showing two grouped dwellings on the site. The applicant has indicated they have entered into a Memorandum of Understanding with a large independent living care provider who have clients with Specialists Disability Accommodation requirements. Before Habilitas can progress consultation with individual tenants regarding the design and location of the dwellings, the proponent needs confirmation of whether the City is prepared to sell the property.

Local Government Act 1995 Requirements

Section 3.58 of the *Local Government Act 1995* allows Local Governments to sell by private treaty after the details of the property and intention of disposal have been advertised in a local paper for a period not less than two (2) weeks. The advertising is to include:

- Names of all parties concerned;
- The details of the offer (including the purchase price); and
- The value of the lot carried out not more than 6 months before the disposition.
-

If any submissions are made during the advertising process then Council is required to consider all submissions as part of a separate report.

COMMENT

Public Open Space Strategy - Precinct C Calculations

The property falls within Precinct C of the POS Strategy which is bound by Armadale Road to the north, the railway line to the east, Eighth and Ninth Roads to the southwest. At the time of the creation of the POS Strategy in 2000, there were 37 reserves in total in Precinct C and the precinct gross land area being 460 hectares. It was stated in previous Council reports that the POS Strategy identified a total of 48.4 hectares of Public Open Space within Precinct C which equates value of 10.5% open space. This exceeds the 10% POS area required under the Western Australian Planning Commissions *Liveable Neighborhoods* document that is currently used to determine acceptable amounts of POS in developing residential areas.

As the land was zoned Residential, Lot 300 Numulgi Street was not considered as part of the POS Strategy calculations. An action outcome from the July 2021 Land Asset Workshop required the recalculation of POS percentages within Precinct C. The re-calculation of the total area of POS using mapping software found that there is currently 43.5 hectares of “*Parks and Recreation Local*” zoned land within Precinct C. After reductions that would be applied under *Liveable Neighborhoods* and the deduction of the MRA area, this would equate to approximately 9.89% open space in Precinct C. This percentage does not include Lot 300 Numulgi Street due to its Residential zoning.

Several factors may explain the deviation between the current POS land area attained through mapping software and the calculations used within the original POS Strategy document. The closure of three reserves and the reduction Sixty Reserve within Precinct C would not account for a difference of nearly 5 hectares of open space, however, potentially the methodology used to calculate the original POS land area included school sports reserves (John Calvin Christian College, Neerigen Brook Primary School, Gwynne Park Primary School) or water corporation reserves (Lot 3687 Chadwick Parade and the drainage reserve in the middle of Don Simmons Reserve). Legislation and policies regarding calculation of public open space have changed since the introduction of the POS Strategy in 2000 or the current method of calculation by software may be more accurate.

Lot 300 Numulgi Street has limited use as POS

Lot 300 Numulgi Street directly abuts the car park forming part of Reg Williams Reserve, however the land is not considered to provide a recreation benefit to the users of Reg Williams for the following reasons:

- It directly abuts the carpark of Reg Williams, with the carpark separating the site from the usable portion of Reg Williams which includes pavilions, footpaths, basketball courts, skateboarding half pipes and other facilities. Users of Reg Williams have no purpose or reason in crossing the carpark to access Lot 300 and the land is unlikely to be used for any additional future facilities, which would be more likely to be suitably located closer to other facilities in Reg Williams as opposed to within Lot 300 Numulgi Street.
- There are no existing trees, significant vegetation or facilities within Lot 300 Numulgi (see attachment for photos).
- The lot configuration of Lot 300 Numulgi Street is located amongst residential houses. The fence line demarking the boundary of Lot 300 with the adjoining residential

properties results in Lot 300 Numulgi forming a pocket of vacant unusable land directly adjoining the existing car park.

- Lot 300 is a vacant turfed space that requires maintenance by the City.
- The Parks Department have confirmed that there is no infrastructure located within Lot 300 and there are no plans to provide additional infrastructure within this parcel, with all future improvements in the immediate area being focused within Reg Williams Reserve.

As previously indicated, 70% of the funds generated from the sale would go towards upgrades of surrounding parks in Precinct C. Whilst the recent calculation of POS in Precinct C indicates a slight shortfall, it can be argued that the users of Reg Williams Reserve do not benefit from the additional pocket of land provided by Lot 300 Numulgi and that the funds of the sale could provide a greater benefit to the community through upgrading of Precinct C facilities.

The City has invested time and resources into enabling the sale of the site, including creation of a business plan, multiple Council reports, internal reports, multiple valuations and liaison with interested proponents and real-estate agents culminating in the current offer for the site at \$169,000.

OPTIONS

Council could consider the following options:

1. Accept the proposed offer and provide authority to the CEO to accept all future offers and sign all documentation relating to the disposal of Lot 300 Numulgi Street under current delegations and legislative requirements.
2. Decline acceptance of the offer, notify the proponent of the outcome, take the lot off the market and propose to rezone the site to "*Parks and Recreation*" under the City's Town Planning Scheme No.4 at a later date.
3. Decline acceptance of the offer, notify the proponent of the outcome, take the lot off the market and retain the land for a later purpose or sell.

CONCLUSION

The disposal of Lot 300 Numulgi Street presents an opportunity to dispose of an underutilised landholding and use the funds to provide additional facilities and landscaping within Reg Williams and other surrounding reserves in Precinct C of the POS Strategy. This would have the additional benefit of reducing unnecessary land area that needs to be maintained by the City, whilst also providing the better outcome to the residents who utilise parks in Precinct C. The land is considered suitable for the provision of disability accommodation given it has ready access to adjacent parklands and facilities and has other services nearby.

Whilst Precinct C calculations indicate a minor shortfall of POS in comparison to the ratio cited in *Liveable Neighborhoods*, it is recommended that Council proceed with the disposal to rationalise the use of the land, with resulting funds going towards improving the quality of existing open space.

On this basis, Option 1 is recommended.

ATTACHMENTS

1. TPS No.4 - Zoning Map - Lot 300 Numulgi Street, Armadale
2. Photographs - Lot 300 Numulgi St, Armadale
3. Confidential - Concept Plan - Lot 300 Numulgi St, Armadale - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relates to the personal affairs of a person*
4. Confidential Correspondence - Lot 300 Numulgi St, Armadale - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relates to the personal affairs of a person*

RECOMMEND

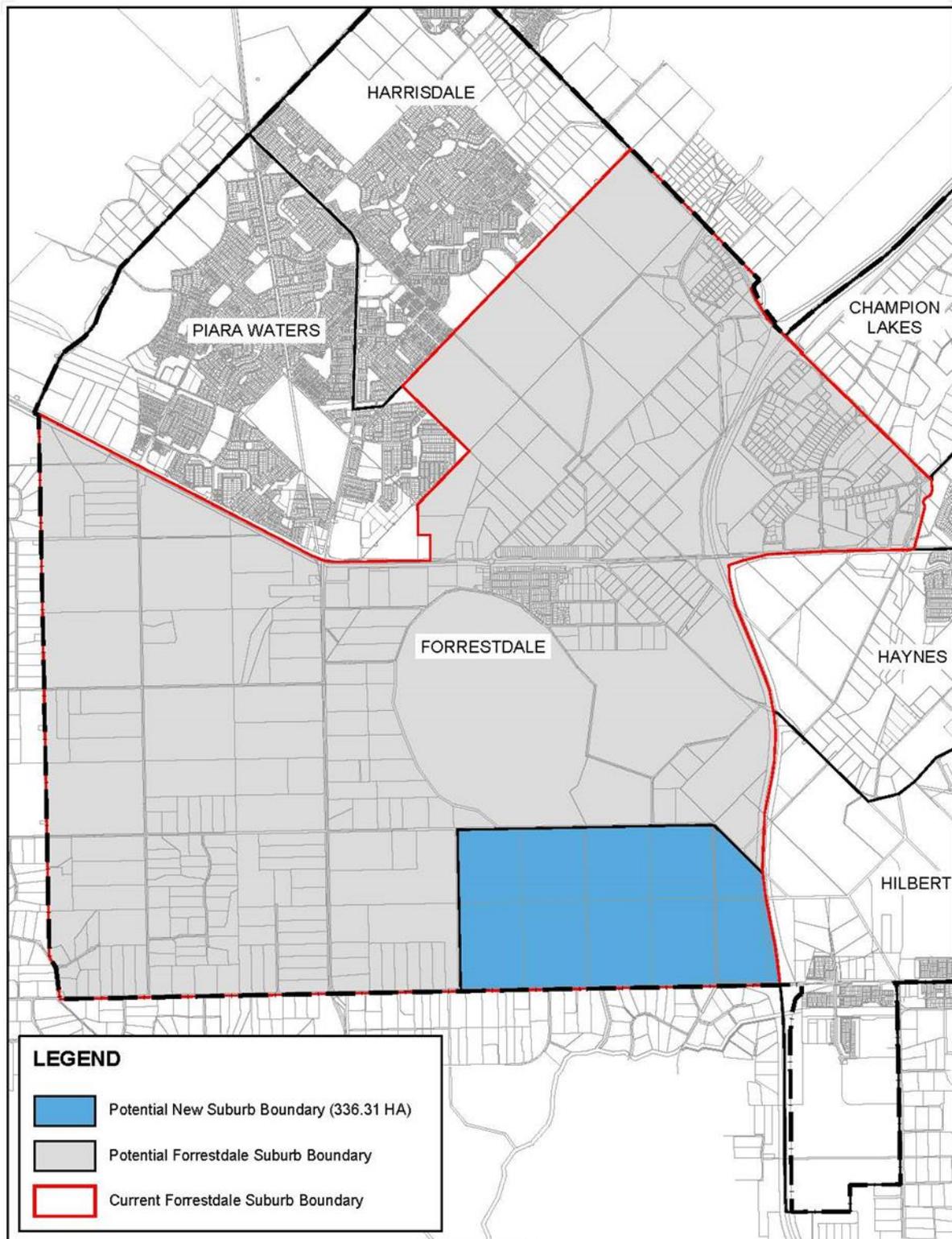
D39/10/21

That Council resolve to:

1. **Sell Lot 300 (16) Numulgi Street, Armadale by way of private treaty.**
2. **Give local public notice, including an invitation for submissions (Notice), on the City's proposal to sell Lot 300 to Habilitas Pty Ltd (ACN 642 332 858) (Habilitas) on the terms set out in the letter from Habilitas to the City dated 23 August 2021 pursuant to and in accordance with the provisions of section 3.58(3)(a) of the *Local Government Act 1995*.**
3. **Note that a report will be prepared for Council's consideration at a later date should any submissions be received during the public notice period.**

**Moved Cr J H Munn
MOTION CARRIED**

(7/0)



**Existing and Proposed
Locality Plan**

500 0 500 1000m SCALE 1 : 50000

DATE 13 November 2019 - REVISION 1001
p:\a\localagenda_d\awings\2019\12\december\rowley_road_industrial_area_sesigno_tamand00_chighrowley_road_industrial_areas.dwg

Based on information provided to and with the permission of the
Western Australian Land Information Authority (LIDAR) and the
Aerial Photography Agency (APAG), Perth and the
Aerial Photography Agency (APAG), Perth and the



3.1 - SUBURB RENAMING - A PORTION OF FORRESTDALE (ROWLEY ROAD BUSINESS PARK)

WARD : RANFORD
FILE No. : M/589/21
DATE : 30 September 2021
REF : SS
RESPONSIBLE : EDDS
MANAGER

In Brief:

- At its meeting in April 2020, Council resolved to recommit the above item to create a new suburb and suburb name for the future Industrial area located at the corner of Rowley Road and Tonkin Highway, Forrestdale.
- The City has further researched additional suitable names as listed with this report.
- Recommend that Council support the proposed boundary for the new suburb identified in the attachment to this report and advertise the following names to landowners and relevant stakeholders including CHAG, for public comment:
 - Pratt
 - Salmeri
 - Kargotich
 - De Bont; and
 - Quenda

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

- 2.5.1 Ensure the City's planning framework is modern, flexible, responsive and aligned to achieving the outcomes of the Strategic Community Plan and Corporate Business Plan.
- 2.5.5 Seek opportunities to preserve, document and acknowledge the heritage of the City.



Aerial Plan
Rowley Road Industrial Area



SCALE 1 : 30000

DATE 13 November 2019 - REVISION 1901
p:\a\coad\agenda_drawings\2019\12 december\rowley_road_industrial_area_serjio_famiano\00_dwg\rowley_road_industrial_areas.dwg

Based on information provided by and with the permission of the
Western Australian Land Information Authority trading as Landgate (2017).
Aerial photograph supplied by Landgate. Trademark by Landgate.



- 3.2.1 Prioritise the creation and promotion of a positive image and identity for the City in order to change the perception and narrative about Armadale and make it a location of choice for residents, businesses and visitors.
- 3.3.1 Ensure the City has contemporary strategies and dynamic planning frameworks to be responsive to economic development opportunities and trends.

Legal Implications

Land Administration Act 1997

Council Policy/Local Law Implications

Council Policy - Naming of Roads, Parks, Places and Buildings

Budget/Financial Implications

Advertising costs can be accommodated within the Planning Services budget.

Consultation

Landgate's Topographic, Names and Addressing (TNA; formerly Geographic Names Committee).

BACKGROUND

At its meeting in January 2020, Council resolved to support the boundary of a new suburb (area associated with the South Forrestdale Business Park) and renaming of this area. The names; Doobarda, Moodjar, Oxley and Lockard were considered.

The City engaged with landowners and selected community groups such as the Community Heritage Advisory Group (CHAG) and Aboriginal Elders at the City's Champions Centre to consider the current list of names and if there were any other possible suggestions. Additional names such as 'Kwenda' and 'Beera' were recommended.

During public consultation a total of 12 submissions were received with support for the names 'Oxley', 'Lockard', 'Moodjar', 'Kwenda' and 'Quenda'. The City met with Landgate and the names 'Oxley', 'Lockard' 'Mooddjar' and 'Kwenda' did not satisfy Landgate's Topographic, Names and Addressing.

At its meeting on 14th April 2020, Council, considered the additional names and resolved to recommit the proposal pending further investigation of alternative names of a new locality in the area bounded by Tonkin Highway, Rowley, Oxley and unnamed Roads and Regional Reserve.

DETAILS OF PROPOSAL

The area is planned to be developed as an industrial area and the new suburb and name is intended to establish an identity, separate to the existing Rural and Industrial areas of Forrestdale. It is anticipated that this will make the area distinguishable from the larger Rural Forrestdale locality and avoid any confusion with the Forrestdale Business Parks East and West located to the north of the proposed new locality. The area is proposed to become a new Industrial Development Zone and become a Strategic Employment Area for the City of Armadale.

In November 2020 a memo was circulated to Councillors which identified a list of names from the themes - 'World War Two veterans' also allowing for additional nomination of new names.

Feedback from Councillors was received that provided support for the name "Quenda" and additional names such as 'Pratt', 'James' and 'Salmeri' were suggested as all played an important part in creating and protecting Forrestdale and its lake. Alternative some early land owners from the Forrestdale area are: 'Kargotich'; 'MacFarlane'; 'Hunt'; and 'de Bont'.

The names 'James', 'Hunt' and 'MacFarlane' are not suitable due to the existing suburbs of 'St James', 'Huntingdale' and 'MacFarlane (QLD)'. Both 'Pratt' and 'Salmeri' appear to be possibly suitable.

In order to progress this renaming Council's consideration is sought on the following names:

- Pratt
- Salmeri
- Kargotich
- De Bont
- Quenda

ANALYSIS

Suburb Naming Process

To rename a portion of an existing suburb, the City would be guided by Landgate's Policies and Standards for Geographical Naming in WA. Local governments and other authorities are to ensure that all naming submissions conform to the policies outlined in Section 1 'General Policies and Standards'.

The renaming of a suburb or portion of is guided by Section 4 'Localities', which states that "*for the purposes of these policies, a locality is a uniquely and clearly defined administrative area which may also be commonly referred to as a 'suburb' in an urban area.*" This section outlines how localities can be named, renamed or have their boundaries determined or realigned. Section 4.4 'Naming and boundary amendments' provides an outline to how to amend a locality boundary, including:

- The amendment supports the requirements of the WA Police, emergency service responders and Australia Post;
- The amendment alleviates difficulties by the community and businesses in gaining access to and from the area;
- The benefits of the proposal to the community as a whole;
- The size of the area and the proposed boundaries; and
- The amendment facilities correct street addressing requirements as included in Australian Standards AS/NZS 4819:2011.

Section 4.9 'Review of Localities' states that the "*boundaries for localities in areas that are subject to urban development and residential infill shall be reviewed regularly and amended where appropriate*".

Appendix 1A of the Policy advises of the name submission process used for all submissions. The general process steps are as follows:

- Check information;
- Apply the policies;
- Consult with Aboriginal communities if the proposed new name is derived from an Aboriginal language;
- Consult with emergency service response and other stakeholders. Such consultation should be undertaken prior to public consultation to ensure that unsuitable proposals are not unnecessarily provided to the public;
- Consult with the public, including community, residents, ratepayers and businesses;
- Council consideration - The local government's decision to accept or reject a proposal needs to be formally recorded. This also applies when the decision is made under delegated authority;
- Lodgment of submission to Landgate seeking approval of the submission;
- Review of submission by Landgate's Topographic, Names and Addressing (TNA; formerly Geographic Names Committee);
- Landgate recommendation to Minister for Lands; and
- Minister for Lands decision.

Suburb Name Options

There are a number of names with local connections that can be considered for use as the locality / suburb name. In addition there are possible aboriginal names that could be considered suitable. The list of names is detailed below:

Quenda - Kwenda / Quenda are a type of bandicoot which are small marsupials that live on the ground and are found in the southwest of WA. Our local Aboriginal Elders suggested the name Kwenda as one of the names to be put forward for the new Forrestdale locality. The reason for this is because the Kwenda resides in this area and highlighting this animal as a suburb name may assist with education about the Kwenda and in particular the fact they are different to rats and are in need of protection as a native animal. The Elders suggest that the Kwenda is promoted to schools as a totem animal to the Aboriginal people and in this way children can be educated about the need for the Kwenda's protection including safeguarding its habitat. The name Kwenda was identified as not being able to meet Landgate's Policies and Standards for Geographical Naming in WA, but Quenda was suitable therefore a possible suggested option.

Pratt - Ian Pratt he had a role in organising the Forrestdale Progress Association and local sports clubs for many years.

Salmeri - Steve Salmeri was extensively involved in the promotion of Forrestdale and the Forrestdale Lake. Mr Salmeri was one of the main organisers of the Progress Association and local sports clubs for many years.

Kargotich - Early residents. Originally named 'North South Road no.2' on the Peel Estate. The Kargotich family were prominent in the district and Peter Kargotich, farmer, was a member of the Armadale / Kelmscott Road Board 1957-1977 and third President of the Armadale / Kelmscott Shire Council 1965-1973. He was a successful local businessman and was instrumental in the transfer of the Byford area to the Shire of Serpentine-Jarrahdale in July 1977.

De Bont - Early residents / landowner 'Paul de Bont' owned the Forrestdale store for a number of years.

OPTIONS

Council could consider the following options:

1. Support the proposed new suburb boundary and support the new suburb names of: ‘Quenda’; ‘Pratt’; ‘Salmeri’; ‘Kargotich’ and ‘DeBont’ for advertising;
2. Elect not to propose a new suburb boundary and name maintaining that status quo;

CONCLUSION

With the progress of the MRS amendment to establish the full extent of the future South Forrestdale / Rowley Road Industrial Area and lodgment of the Stage 1 Structure Plan for the Industrial estate, it is timely for the City to support the establishment of a new suburb and suburb name that would support the future industrial business park and reduce the overall size of the suburb of Forrestdale.

Advice from Landgate and suggestions from the community confirm that the suburb names as mentioned above could be considered as suitable for the new suburb and is likely to meet the suburb naming guidelines as stipulated by Landgate’s Policies and Standards for Geographical Naming in WA.

Following the close of the advertising period, a report on the proposed names and submissions received will be presented to Council for its consideration.

ATTACHMENTS - There are no attachments for this report.

Committee Discussion

Committee discussed the proposed new locality names and possible acceptance/non-acceptance of the proposed names by Landgate. Committee considered that the proposed names ‘Quenda’, ‘Pratt’, ‘Kargotich’ and ‘DeBont’ were unsuitable and requested that the names ‘Doobarda’ and ‘Salmeri’ be possible options to name the new locality.

RECOMMEND

D40/10/21

That Council:

1. **Support the proposal to consider a new locality in the area bounded by Tonkin Highway, Rowley, Oxley and unnamed Roads and Regional Reserve as proposed in the attachment to this report, and support the names of ‘Doobarda’; and ‘Salmeri’ as possible options to name the new locality, and proceed with public consultation including:**
 - **Letters be sent to all landowners within the proposed new locality, and Community Members of CHAG and History Reference Group seeking comment on the proposed new locality and its boundary and canvassing the suggested names.**
 - **Advertisements be placed in the local newspaper seeking wider public support.**

Moved Cr D M Shaw
MOTION CARRIED

(7/0)

COUNCILLORS' ITEMS

Nil.

EXECUTIVE DIRECTOR DEVELOPMENT SERVICES REPORT

Nil.

The Chair, Cr Donna Shaw acknowledged that this was her last meeting as Chair of Development Services Committee and gave the following farewell speech to the Committee:

"It's with quite mixed emotions that I read this speech, as I think we all understand how much I absolutely love Development Services.

When I started on Council 12 years ago, I did so with the main goal of improving the amenity of our suburbs, and being part of this Committee has enabled me to have a direct influence over the types of development we see in our community. I remember walking around Camillo as a teenager and just thinking that we could do better, and I can really feel a shift in the direction of Armadale for the better. I'm glad to have been a small part in that.

None of this would be possible if it wasn't for the tireless efforts of the staff. To give an idea of the amount of work that goes into preparing each Development Services agenda, since 2009 they have prepared 13,056 pages of agenda with such a wide range of topics, be it policies, development applications, legislative reforms, public health plans and compliance matters. And those are just for the meetings I have attended and kept records for when reviewing the minutes.

The agenda is only one component, and the Officers have a whole range of matters to deal with behind the scenes that are dealt with under delegation. There have been 17,251 lots created in Armadale since 2009, and I've never underestimated the pressures of working in a high growth Council, mixed with preparing detailed reports to ensure Councillors have all the information they need to make a decision.

I'm always so impressed by the level of commitment and dedication from the staff within the Development Services Directorate both for matters for Council and in their day to day duties. The City is extremely fortunate to have such industry professionals who take ownership of their reports and have a genuine care for the outcomes being produced. This is evident in the multiple awards the City has won, be it master builders awards, award winning public health plans or just the innovate solutions to day to day challenges and little wins against developers to push for a better outcome.

As a Councillor I would like to take this opportunity to express my sincere thanks to the staff for making our role that much easier by being so diligent. I think the processes and growth of the City will only improve under Jo's leadership and there are some very exciting times and also rapid change ahead for Armadale.

I was 21 when I became Chair of this Committee, and I don't think I would have been able to even start if it wasn't for the support and guidance provided by both former Mayor, Henry Zelones and then Director, Ian MacRae. I remember sitting in the committee room before meetings discussing matters with both Ian and Paul, who was manager at the time, and they were always so supportive. Ian would whisper suggestions to me whilst the meeting was underway to make sure I'd stay on track, and make hilarious comments. It was often difficult to try and keep a straight face when the public was in the room during the meeting. He was a profound influence on me and helped shaped my abilities as Chair of this Committee.

Unfortunately Paul is not here tonight but I regard Paul to be the consummate professional who has taught me so much, often in an indirect way, just in the way that he carries himself with the public and also with elected members. Paul has been a safe pair of hands, and the Committee has always been able to trust his judgement and recommendations for items appearing on the agenda. This has been invaluable, particularly with controversial or complicated items. Paul has helped me not only as a Councillor, but also has a planner with his insight into government and the planning system in general, and I feel very fortunate to have being able to work with Paul for such a long period of time. Councillors have often commented that this is one of the most difficult Committees to Chair given the nature of the agendas, but with Paul as director, whoever the new Chair is doesn't have to worry as he'll have it covered.

I've really enjoyed listening to deputations from various consultants over the years, and poking holes in all of their arguments. Sometimes the role was difficult - especially when there were impassioned calls from the community to either proceed or not proceed with a development. It was sometimes tricky balancing what I knew was a better planning outcome or statutory requirement, with the genuine concerns of the community, such as dealing with the Canning River Structure Plan in Kelmscott, Amendment No.89 or Pindari Restoration House. I'd like to think I made balanced decisions and I always tried to make these decisions with the long term best interests of Armadale at heart.

To my long suffering Deputy Chair, Caroline - you drive me absolutely crazy when you drop questions on me 2 minutes before walking into a meeting, but I've never met a more diligent Councillor, and you being so thorough and meticulous has made me a better Chair, as I've always had to be on my toes. Thank you for being my Deputy Chair all of this time, and hopefully we see you re-elected in the near future. The community probably doesn't realise how committed you are to this role, and you're the perfect example of a Councillor who genuinely cares about the outcomes for Armadale as a whole.

I'm extremely proud that I've had the opportunity to shape the future development of our communities and look forward to seeing a number of design changes implemented through various scheme amendments and local planning policies come to light as future development occurs. Being the Chair of this Committee has been more than just a job for me, I truly love what I do and what we've been able to achieve together, and I thank everyone who has been a part of this journey with me. I look forward to seeing you all in WALGA planning training in the near future".

* * *

Mayor Butterfield, on behalf on the Committee conveyed appreciation and gratitude to Cr Shaw with particular mention of the recognition of her professional capability over the past years as the Chair of the Development Services Committee.

MEETING DECLARED CLOSED AT 7.26 PM

DEVELOPMENT SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
4 OCTOBER 2021		
ATT NO.	SUBJECT	
1.1 ROAD NAMING - KEANE ROAD, FORRESTDALE		
1.1.1	Proposed Realignment Plan - Road Renaming - Keane Road, Forrestdale	
1.1.2	Schedule of Submissions - Road Renaming - Keane Road, Forrestdale	
2.1 SALE OF LOT 300 (16) NUMULGI STREET, ARMADALE		
2.1.1	TPS No.4 - Zoning Map - Lot 300 Numulgi Street, Armadale	
2.1.2	Photographs - Lot 300 Numulgi St, Armadale	

The above attachments can be accessed from the Minutes of the Development Services Committee meeting of 4 October available on the City's website

CITY OF ARMADALE

MINUTES

OF COMMUNITY SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 5
OCTOBER 2021 AT 5.30PM.

PRESENT:

Cr K Busby (Chair)
Cr C A Campbell JP (Deputy Chair)
Cr G Nixon
Cr S Peter JP
Cr D M Shaw
Cr M Silver
Cr J Keogh

APOLOGIES:

Nil

OBSERVERS:

Cr J Munn
Cr R Butterfield
Cr G Smith

IN ATTENDANCE:

Mr N Kegie	A/Executive Director Community Services
Mr J Lyon	Executive Director Corporate Services
Ms M Todd	Manager City Governance
Ms A Owen-Brown	Executive Assistant Corporate Services

PUBLIC:

Nil

*“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

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was not read as there were no members of the public present.

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 7 September 2021 be confirmed.

Moved Cr G Nixon

MOTION CARRIED

(7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

None of the items listed require clarification or a report for a decision of Council.

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COMMUNITY SERVICES COMMITTEE

5 OCTOBER 2021

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1.1 - NAMING OF FACILITIES - WILLIAM SKEET AND FORRESTDALE HUB

At the Council meeting held on 13 September 2021, Cr Shaw referred the following matter to the Community Services Committee.

That the matter of naming of the new facilities at the Forrestdale Hub be referred to the Community Services Committee.

Comment from Cr Shaw

The purpose of this referral matter is for Council to consider naming of the new facilities at the Forrestdale Hub, due for construction in 2022/23.

Cr Shaw's detailed comments are outlined in a memo forwarded under separate cover.

Officer Comment

Three facilities will be impacted by the redevelopment of the Forrestdale Hub.

Forrestdale Hall – the current hall, which is being demolished with a new hall to be built on the same location.

William Skeet Pavilion – the current main sporting facility which is occupied by the clubs that make up the Forrestdale Sporting Association. This building is being demolished and rebuilt.

Ian Pratt Pavilion – which is the current separate ablution block on the western side of the William Skeet Reserve. This building is being demolished with new ablution/change facilities to be integrated in to the main sporting facility

The redevelopment of facilities at the Forrestdale Hub provides an opportunity for Council to review the names of the facilities and to consider opportunities to name specific rooms and spaces within the buildings. Recent examples where this has occurred are the redeveloped Armadale District Hall and Kelmscott Hall (D73/11/19 refers).

Considerations are:

Council Policy DEV1 – Naming of Roads, Parks, Places and Buildings.
Relevant Landgate Policies and approval processes.

Suggested Officer Recommendation

That Council:

1. Receive further information regarding options and suggestions to consider in reviewing names of buildings and rooms within the buildings in the redeveloped Forrestdale Hub.
2. Provide feedback regarding names for buildings and facilities included in the Forrestdale Hub redevelopment.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

C33/10/21

That Council:

1. Receive further information regarding options and suggestions to consider in reviewing names of buildings and rooms within the buildings in the redeveloped Forrestdale Hub.
2. Provide feedback regarding names for buildings and facilities included in the Forrestdale Hub redevelopment.

Moved Cr D M Shaw

MOTION CARRIED

(7/0)

COUNCILLORS' ITEMS

1. Highland Gathering Committee (Cr Colin Campbell)

Cr Campbell extended his thanks to officers for the work they've done on the Highland Gathering. The event went exceptionally well; feedback from stallholders and stakeholders was that they were pleased with the event. Commendations all round.

2. Current Community Services Committee (Cr Kerry Busby)

Cr Busby extended his thanks to the current Committee members and Councillors for their support and the way they have handled the items that have come through the Committee over the last two years, especially with the challenges of COVID-19. He also extended his thanks to Neil Kegie and his team. Thanks to Angela for stepping in tonight and also thanks to Louise Jarosz and Rebekah Mines for the work they have done.

3. Current Community Services Committee (Cr Grant Nixon)

Cr Nixon extended his thanks for Cr Busby for his Chairmanship over the period.

4. Current Community Services Committee (Cr Michelle Silver)

Cr Silver extended her thanks to Cr Campbell for stepping in as Chair during the period.

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

1. Current Community Services Committee

As this is the last time the current committee meets before the upcoming local government election, the A/Executive Director Community Services extended his thanks to the Committee for their work and for their support of staff. He also extended his thanks to the Chair and staff.

MEETING DECLARED CLOSED AT 5.36pm

CITY OF ARMADALE

MINUTES

OF CORPORATE SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY,
5 OCTOBER 2021 AT 7:00PM.

PRESENT: Cr J H Munn CMC (Chair)
Cr C A Campbell JP (Deputy Chair)
Cr E Flynn
Cr K Busby
Cr C Frost
Cr G Nixon
Cr J Keogh

APOLOGIES: Nil.

OBSERVERS: Cr S Peter
Cr G Smith
Cr R Butterfield
Cr C Wielinga

IN ATTENDANCE: Ms J Abbiss Chief Executive Officer (*via Teams*)
Mr J Lyon Executive Director Corporate Services
Mr N Kegie A/Executive Director Community Services (*via Teams*)
Mr G Windass A/Executive Director Development Services
Mr K Ketterer Executive Director Technical Services
Mr N Kegie A/Executive Director Community Services
Mr M Hnatojko Executive Manager Corporate Services
Mrs M Todd Manager City Governance
Mrs A Owen-Brown Executive Assistant Corporate Services

PUBLIC: Nil

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

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was not read.

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Corporate Services Committee Meeting held on 21 September 2021 be confirmed.

**Moved Cr E J Flynn
MOTION CARRIED**

(7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

None of the items listed required clarification or a report for a decision of Council.

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CORPORATE SERVICES COMMITTEE

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1.1 - LIST OF ACCOUNTS PAID - AUGUST 2021

WARD : ALL
FILE No. : M/614/21
DATE : 16 September 2021
REF : MH
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- The report presents, pursuant to Regulation 13(1), (3) and (4) of the *Local Government (Financial Management) Regulations 1996*, the List of Accounts paid for the period 1 August to 31 August 2021 as well as the credit card statements for August 2021.

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

4. Leadership
- 4.3 Financial Sustainability
- 4.3.2 Undertake active financial management to ensure that the annual budget is achieved and any variances are promptly identified and addressed.

Legal Implications

Section 6.10 (d) of the *Local Government Act 1995* refers, ie.

6.10 Financial management regulations

Regulations may provide for —

- (d) *the general management of, and the authorisation of payments out of —*
 - (i) *the municipal fund; and*
 - (ii) *the trust fund,*
of a local government.

Regulation 13(1), (3) & (4) of the *Local Government (Financial Management) Regulations 1996* refers, ie.

13. Lists of Accounts

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*

- (3) *A list prepared under subregulation (1) is to be —*
 - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

- (4) *After the list referred to in subregulation (1) has been prepared for a month the total of all other outstanding accounts is to be calculated and a statement of that amount is to be presented to the council at the meeting referred to in subregulation (3)(a).*

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures.

Consultation

Nil

BACKGROUND

Pursuant to Section 5.42 of the *Local Government Act 1995 (Delegation of some powers and duties to CEO)*, Council has resolved to delegate to the CEO (*Delegation Payment from Municipal and Trust Funds refers*) the exercise of its powers to make payments from the municipal and trust funds.

COMMENT

The List of Accounts paid for the period 1 August to 31 August 2021 is presented as an attachment to this report as well as the credit card statements for August 2021.

ATTACHMENTS

1. [↓](#) Monthly Cheque Listing and Credit Card Report - August 2021

RECOMMEND

CS63/10/21

That Council note the List of Accounts paid as presented in the attachment to this report and summarised as follows:

Municipal Fund

Accounts paid totalling \$9,253,095.27 on Batch 2640-2647, Cheques 033293-033296, Direct Debits & PY01.03 to PY01.04 and PY99.04 to PY99.08.

Credit Card

Accounts Paid totalling \$2,814.06 for the period ended August 2021.

Moved Cr G Nixon
MOTION CARRIED

(7/0)

1.2 - STATEMENT OF FINANCIAL ACTIVITY - AUGUST 2021

WARD : ALL
FILE No. : M/565/21
DATE : 30 August 2021
REF : AO/MH
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- This report presents the City's Monthly Financial Report for the two (2) month period ended 31 August 2021.
- This report recommends accepting the Financial Report for the two (2) month period ended 31 August 2021, noting there are reportable actual to budget material variances for the period.

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

4. Leadership
4.3 Financial Sustainability
4.3.2 Undertake active financial management to ensure that the annual budget is achieved and any variances are promptly identified and addressed.

Legal Implications

*Local Government Act 1995 – Part 6 – Division 3 – Reporting on Activities and Finance
Local Government (Financial Management) Regulations – Part 4 – Financial Reports.*

Local Government Act 1995 – s.6.11 Reserve accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) Subject to subsection (3), before a local government —*
 - (a) changes* the purpose of a reserve account; or*
 - (b) uses* the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.*

** Absolute majority required.*
- (3) A local government is not required to give local public notice under subsection (2) -*
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
 - (b) in such other circumstances as are prescribed.*
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.*
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account*

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The Statement of Financial Activity, as presented, refers and explains.

Consultation

Nil

BACKGROUND

A local government is required to prepare a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget for that month. The details in the statement are those as prescribed and the statement is to be reported to Council.

COMMENT

For the purposes of reporting other material variances from the Statement of Financial Activity, the following indicators, as resolved by Council, have been applied.

Revenue

- Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$100,000 and in these instances an explanatory comment has been provided.

Expense

- Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$100,000 and in these instances an explanatory comment has been provided.

For the purposes of explaining each Material Variance, a three part approach has been taken. The parts are:

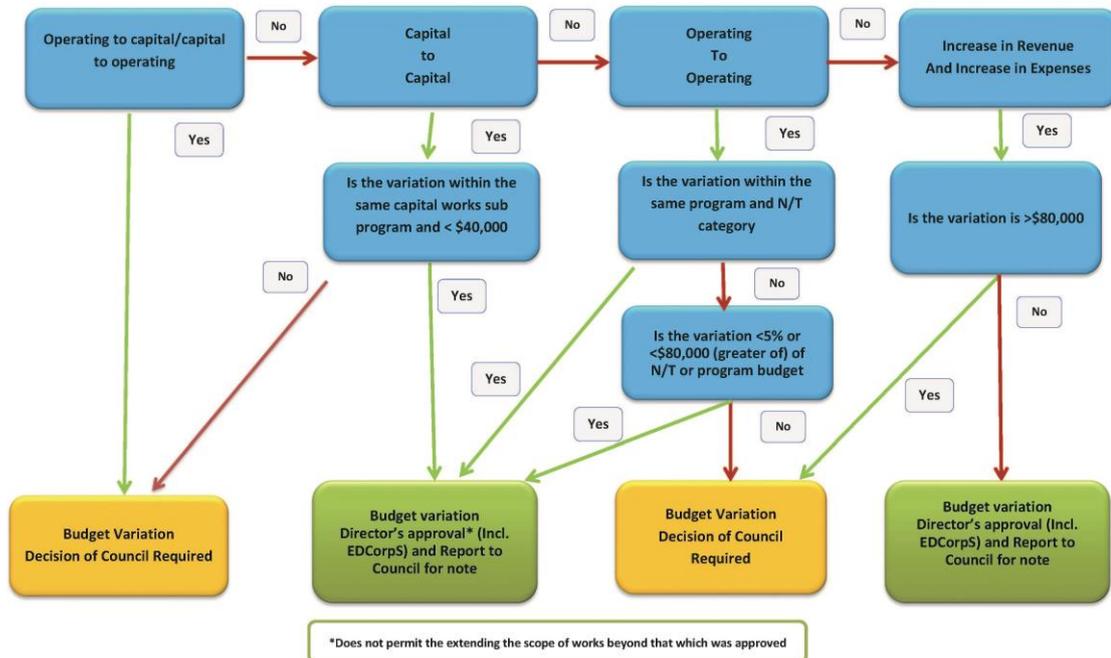
1. **Period Variation**
Relates specifically to the value of the Variance between the Budget and Actual figures for the period of the report.
2. **Primary Reason**
Explains the **primary** reasons for the period Variance. As the report is aimed at a higher level analysis, minor contributing factors are not reported.
3. **Budget Impact**
Forecasts the likely dollar impact on the Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, for circumstances may subsequently change.

At the 28 June 2021 Ordinary Meeting, Council adopted the Budget Variations Process Map. Budget variations are presented to Council for authorisation by 'Absolute Majority' in circumstances where a forecast variation requires a movement from:

- Operating to Capital
- Capital to Capital over \$40,000
- Capital to Operating
- Operating to Operating for amounts greater than 5% or \$80,000 (whichever is greater).



Budget Variation Process Map



DETAILS

Presented as an attachment is the Monthly Statement of Financial Activity for the two (2) month period ended 31 August 2021.

A further review of small balance rates as at the end of August 2021 was undertaken and a total of \$5.88 for 10 ratepayers (see attached for details) was written off as per the Primary Delegation CORPS 1.0 and Secondary Delegation CORPS 1.1 – Defer, write off, grant a concession or authorise a waiver for monies owing.

Capital Program Update

Included in the monthly reports is the status of the capital program as at the end of August to tie in with the monthly financials report. This is a historical perspective and the Executive Leadership Team is reviewing updated data every week.

There has been no change to the completion status from the July report in that there was \$5.5M worth of carry forward projects that were scheduled for completion in Qtr 1 - \$1.3M is completed with a further \$1M of the projects remaining on schedule for completion by the end of September 2021.

Skeet Road (\$926k) has received the necessary approvals but the finish date is reliant on Western Power completing the works. This will hopefully still occur in Qtr 1.

William Skeet Oval (\$578k) is now anticipated to be completed in November 2021 as the procurement for the netting and cricket wickets is now underway.

John Dunn Reserve (\$814k) is now anticipated to be completed in October 2021 as the site conditions during winter has delayed completion of the project.

The jetting truck (\$327k), flocon truck (\$254k) and Parks truck (\$250k) expected delivery dates have been extended further with delivery now likely between December 2021 and February 2022.

Rates Debtors

Included in the attachment is a reconciled breakdown of the total rates debtors outstanding at the end of August. This is a further enhancement to the Monthly Financial report.

As has been reported previously, the City's outstanding Rates and Charges debtors have increased significantly over the past year. This is despite a number of Ratepayers opting for the Smarter Way to Pay option, others entering into Special Payment arrangements and those experiencing financial hardship entering into arrangements in accordance with the City's financial hardship policy.

It is considered to be symptomatic of both the economic conditions and the effects of the responses to the COVID-19 Pandemic.

The rates and charges debtors analysis contained in the attachment shows that a focus is needed on:

1. 335 properties (1% of all rateable properties) which have outstanding payments that exceed two years or greater, to the cumulative value of \$1.55M*; and
2. 1,120 properties (3% of all rateable properties), which have outstanding payments less than two years, to the cumulative value of \$1.32M*.
**(for debts greater than \$250).*

These properties are currently not subject to a standard repayment plan or a special payment plan. Addressing this issue will require a concerted effort and a focus on facilitating payment arrangements for these ratepayers. Capacity to undertake this effort is limited as the City's rates officers continue to deal with a high volume of interim rates and property settlements. Therefore, a proposal will be forthcoming through a future Council report to increase the capacity of the rates team in the short term.

ATTACHMENTS

1. August 2021 - Monthly Financials - Council
2. Rates Written Off - 1-26 Aug 2021

Committee Discussion

Committee noted that the recommendation should reflect the outstanding Rates and Charges debtors and the recommendation was amended to include a second point.

RECOMMEND

CS64/10/21

That Council:

1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accept the Statement of Financial Activity for the one (2) month period ended 31 August 2021; and
 - i. Note that there are reportable actual to budget material variances for the period
 - ii. Note the \$5.88 small rates debts written off under primary Delegation 1.0 and Secondary Delegation CORPS 1.1.
2. **Note the City's outstanding Rates and Charges debtors have increased significantly over the past year and that a report will be presented to Council outlining immediate options for a recovery strategy.**

Moved Cr G Nixon
MOTION CARRIED

(7/0)

**

2.1 - BUSINESS RECOVERY ACCOUNT - REQUEST FOR FUNDING ALLOCATION

WARD : ALL
FILE No. : M/546/21
DATE : 25 August 2021
REF : MT/AO/KH/KK
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- To mitigate a number of business continuity and other risks, the City's Corporate Services Directorate (contracts and procurement) and Technical Services Directorate (City Parks) require fixed term resources to address work backlogs and an increase in the service demands.
- Funding for the short term resources may be sourced from the Business Recovery Account.
- Recommend that Council:
 1. Agree to allocate \$677,000 over two years from the Business Recovery Account to fund temporary staff resources for Contracts and Procurement (18 months) and City Parks, (24 months).
 2. Amend the 2021/22 Budget and the Four Year Budget accordingly.

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

4.2 A culture of innovation

4.4 Effective community engagement and communications

4.4.4. Promote excellence in customer experience in all areas of service delivery.

Legal Implications

Nil.

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

The Business Recovery Account was originally established with a budget of \$900,000. This was funded from the surplus derived from the FY20 year, after the budget was amended in response to the COVID-19 Pandemic.

In the previous financial year (FY21), Council approved an allocation for the provision of a short term contract position for the City's rates service and (CS/37/8/20) and a \$125,000 provision for the implementation of ICT Security Projects (CS/9/2/21), to assist with the implementation of the ICT Controls and Cyber security audits.

The 2021/22 Budget provision for the Business Recovery Account is \$876,720, which includes around \$115,000 committed for the ICT Security Projects Officer who was secured in May this year. The available (uncommitted) funds are **\$762,000**.

If Council supports the report recommendation, the \$677,000 of the available funds will be utilised over two years, leaving \$85,000 available.

Consultation

- Executive Leadership Team.

BACKGROUND

Business Recovery Account

The Business Recovery Account was established in 2020/21 in response to the impacts of the COVID-19 Pandemic responses. This account has available funds of \$762,000 in the 2021/22 Budget.

This proposal is to access Business Recovery funds for short term staff appointments, which will address a number of service and project delivery risks faced by the City (business continuity, quality, response and program delivery).

The departments particularly impacted in this respect are the City's Contracts and Procurement service and the City's Parks service (capital works).

In August this year, Council received a report on the extent of carried forward projects caused by a number of factors, including approvals of external agencies, the additional project works through the Federal Stimulus packages and market conditions. The projects carried forward, totaling \$27.8M, when added to the current year capital program establish a significant capital works program of \$77M. In the case of the Parks program, the budget of \$13M is four times the ordinary works program.

This proposal will assist in the ability of these departments to deliver the Capital Works Program and minimise projects carry forwards.

DETAILS OF PROPOSAL

It is proposed that the Business Recovery Account be utilised for:

1. Two (2) Contracts and Procurement Officers, for a duration of eighteen (18) months, employed on a fixed term contract, at a total cost of \$255,000
2. Two (2) Parks and Landscaping Project Management Officers for a duration of twenty four (24) months, employed on a fixed term contract, at a total cost of \$422,000.

This is a total of \$677,000, which utilises the fund.

Contracts & Procurement

The City's business areas rely on the support of the Contracts & Procurement service for preparing and evaluating service contracts and capital program tenders and contract. This year, the budget, including carried forward projects has provisioned capital works of \$77M.

By 31 August 2021, the City had delivered the equivalent level of the procurement service as the total service delivery level for the entire 2017 calendar year. That trend is expected to continue through the remainder of this year and into the coming years as the City's Capital program continues. During this period, the staffing allocations to the procurement department have remained unchanged, which has inevitably created a backlog of works for projects, and has caused delays.

Type	Calendar Year 2014	Calendar Year 2015	Calendar Year 2016	Calendar Year 2017	Calendar Year 2018	Calendar Year 2019	Calendar Year 2020	2021 (Jan to August)	2021 Projected
Tender/Panels/EOI	32	32	34	40	36	23	34	40	60
RFQ	2	12	52	60	71	74	50	60	80
TOTAL	34	44	86	100	107	97	84	100	140

The City's projected growth and project/service delivery commitments requires a higher capacity of tender and contracts service delivery requirements for at least the next eighteen months.

The majority of these projects/tenders/contracts relate to the increased capital allocations to the Parks Services capital program and to a lesser extent, the Property Services capital program.

The demand for procurement services has seen current output ability impacted. The resourcing levels for this area have been sufficient in previous years, however presently, the current level of resourcing is unable to meet the increased demand, without putting the program of works at risk. The demand is also constraining improvements to service delivery, which could in effect streamline aspects of the service.

It is therefore suggested that two additional staff resources be approved for the purpose of addressing the additional work involved in delivering these projects. The estimated costs are \$170,000pa including super and insurance, or \$255,000 for the eighteen month period.

Parks Capital Design and Construction

The capital works allocations for the Parks Department has increased at least fourfold compared to the past few financial years, and the resultant demands on the existing team has been significant. Many of the additional projects are linked to the COVID stimulus initiatives funded by the City and the State and Federal governments.

In the 2021 financial year, the Parks Development team delivered above-average level of actual expenditure for project implementation at \$4M. In addition \$4.3M was committed, to be expended in the first half of 2022 financial year. To date in the current financial year, \$1.9M has been expended. Despite this effort, it is evident the overall service delivery level is not achievable within the current staffing allocations.

FY 2017 Actual \$	FY 2018 Actual \$	FY 2019 Actual \$	FY 2020 Actual \$	FY 2021 Actual \$	FY 2022 Budget \$	FY 2023 4YB \$	FY 2024 4YB \$	FY 2025 4YB \$
3,418,000	3,535,000	3,611,000	2,709,000	3,953,000	13,417,000	2,892,000	3,831,000	3,922,000

It is therefore suggested that two additional staff resources be approved for the purpose of addressing the additional work involved in delivering these projects. The estimated costs are \$211,000pa or \$422,000 for the two years, including super and insurance.

These officers will be tasks with project delivery and will be required for a period of twenty four months.

Summary

It is proposed that the Business Recovery Account be utilised for:

1. Two (2) Contracts & Procurement Officers, for a duration of eighteen (18) months, employed on a fixed term contract, at a total cost of \$255,000.
2. Two (2) Parks & Landscaping Project Management Officers for a duration of twenty four (24) months, employed on a fixed term contract, at a total cost of \$422,000.

This is a total of 677,000, which utilises the fund over two years:

	FY22 (8mths)	FY23 (10mths)	FY24	TOTAL (18mths)
Contracts & Procurement Officers (2)	\$113,000	\$142,000	Nil	\$255,000
	FY22 (8mths)	FY23 (12mths)	FY24 (4mths)	TOTAL (24mths)
Parks & Landscaping Project Management Officers	\$140,000	\$211,000	\$71,000	\$422,000
	FY22 (8mths)	FY23 (12mths)	FY24 (4mths)	TOTAL (24mths)
Business Recovery Allocation	\$253,000	\$353,000	\$71,000	\$677,000

OPTIONS

1. Council may agree to the allocation of funds from the Business Recovery account, which will facilitate continuity of services and response times, the clearing of current backlogs, and the progression of the capital program for Parks. It will alleviate a number of risks in terms of business continuity and program delivery, and allow improvements in the business to continue.
2. Council may not agree to the funding allocation, which will inevitably impact the delivery of the program of works for Parks improvements.

This option would require the current program of works to be spread over two to three years, to align to the City's current capacity to deliver.

ATTACHMENTS

There are no attachments for this report.

Committee Discussion

The Executive Director Corporate Services advised the report contained three typographical errors to be corrected administratively in the Minutes.

RECOMMEND

CS65/10/21

That Council:

- 1 **Agree to allocate \$677,000 from the Business Recovery Budget to fund short term contract staff resources for up to 24 months for:**

Contracts and Procurement	\$255,000
Parks (Capital Projects)	\$422,000

- 2 Pursuant to s6.8 of the *Local Government Act 1995*, Amend* the 2021/22 budget as follows:*

Decrease from the Business Recovery Account

Business Recovery Account	\$253,000
---------------------------	-----------

Increase in Operating Expenditure

Governance	\$113,000
Parks	\$140,000

- 3 Agree to set aside the balance of \$424,000 required within the Business Recovery Reserve Account to fund the positions for the financial years ending 2023 and 2024.
- 4 Amend the Four Year Budget accordingly.

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

Moved Cr K Busby
MOTION CARRIED

(7/0)

2.2 - LIVESTREAMING OF MEETING (REFERRAL ITEM)

At the Council meeting held on 28 June 2021, Cr S Peter referred the following matter to the Corporate Services Committee.

That the matter of livestreaming of Committee and Council meetings through the City's online platform be referred to the Corporate Services Committee.

Comment from Cr S Peter

Typically, the council and committee meetings start at 7pm which is often dinner time for many residents; or people are heading home from work. The minutes of these meetings don't document the deliberations and the discussion between council members.

The primary purpose of streaming city council and committee meetings is to make discussions available to more residents. In addition, I believe broadcasting these meetings stimulates community involvement.

Livestreaming gives residents an opportunity to have greater access to their council meetings and briefings; and it will make it easy for people to engage in the council decision making process.

I believe that there is a growing expectation in the community around more transparency in decision making as well as more participation.

Having access to the meetings from smart devices gives residents the ability to tune into the live stream while they are going about their day to day business.

Livestreaming can cause a ripple effect that makes the community aware of what's happening, often motivating them to seek the change they desire.

I request that the City investigate the possibility of and options available for live streaming council and committee meetings

Officer Comment

Legal

The *Local Government Act 1995* and *Administration Regulations* do not expressly regulate the streaming or live streaming of Council or committee meetings. The only limitation would be where the meeting, or part of the meeting, was closed to deal with a matter specified under section 5.23(2) of the *Local Government Act*.

Recently, McLeods Barristers and Solicitors published general advice on the future of technology in Council meetings and this advice is attached for Councillors' information.

Financial

The cost of live streaming would be embedded in the upgrade costs of the audio and visual systems in the Council Chambers, Function Room and Committee Room. A proposal to the FY23 capital budget will be forthcoming and will be in the vicinity of **\$220,000 to \$250,000**.

An associated but separate project is the upgrade to the Corporate WiFi network. This network is six years old and will require a further \$160,000 to renew across the City's buildings.

Policy

The Minister for Housing & Local Government, the Hon John Carey MLA has stated publically his intent to legislate mandatory live streaming of Council meetings for all tier one and tier two Local Governments. Whilst the program to amend the Act and Regulations for this provision remains to be communicated, it is reasonable to assume that it is likely to become mandatory within the next few years.

Presently, the City is aware that the Councils of Perth, Stirling, Cockburn, Melville, Subiaco, Wanneroo, Joondalup, Cockburn, Kalgoorlie, Port Hedland, Busselton and Bayswater have implemented or are in the process of implementing livestreaming.

If Council were to implement livestreaming, the Council would need to amend the City of Armadale Standing Orders Local Law. This local law is currently being reviewed and a first draft of the reviewed document will shortly be presented to the Standing Orders and House Advisory Group (SOHAG).

Examples of live streaming

- City of Canning - Audio Only https://youtu.be/ODqQa4g_ex4
- Shire of Esperance - 1 Camera & Audio <https://youtu.be/4C8Qp68A-vw>
- City of Stirling - 2 Cameras & Audio <https://youtu.be/12o2DrcpFOU>
- Shire of Capel - 3 Cameras & Audio <https://youtu.be/uzA8xskeIPs>
- City of Subiaco - 4 Cameras & Audio https://youtu.be/xDEhn_fPygo

ATTACHMENTS

1. General Advice on the Future of Technology in Council Meetings - McLeods

Officer Recommendation

That Council note the advice from Officers.

Committee Discussion

Committee discussed the item in detail and proposed a new recommendation as detailed below.

RECOMMEND

CS66/10/21

That Council receive a report on:

- 1. Identifying possible funding sources to amend the 2021/22 Annual Budget to upgrade the City's audio and visual system.**
- 2. The timetable to amend the City's Standing Orders, which would accommodate the live streaming of Council and committee meetings.**
- 3. The possibility of implementing the livestreaming of Council and committee meetings in the current (FY22) financial year.**

Moved Cr C A Campbell

MOTION CARRIED

(7/0)

COUNCILLORS' ITEMS

1. Acknowledgements – Cr Campbell & Cr Munn

Cr Campbell extended his thanks to the Chair, officers and the Executive Director Corporate Services for their efforts over the last two years.

Cr Munn extended his thanks to the Executive Director Corporate Services, the Chief Executive Officer and officers for the effort they have put in during a difficult time and expressed they have all dealt with matters over the last two years in an exemplary manner.

Cr Munn also thanked Committee members for their support over the last four years and especially over the last two years..

CHIEF EXECUTIVE OFFICER'S REPORT

Nil.

EXECUTIVE DIRECTOR'S REPORT

Nil.

MEETING DECLARED CLOSED AT 8.08PM

CORPORATE SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
5 OCTOBER 2021		
ATT NO.	SUBJECT	
1.1 LIST OF ACCOUNTS PAID - AUGUST 2021		
1.1.1	Monthly Cheque Listing and Credit Card Report - August 2021	
1.2 STATEMENT OF FINANCIAL ACTIVITY - AUGUST 2021		
1.2.1	August 2021 - Monthly Financials - Council	
1.2.2	Rates Written Off - 1-26 Aug 2021	
2.2 LIVESTREAMING OF MEETING (REFERRAL ITEM)		
2.2.1	General Advice on the Future of Technology in Council Meetings - McLeods	Error ! Book mark not defined.

The above attachments can be accessed from the Minutes of the Corporate Services Committee meeting of 5 October available on the City's website

CHIEF EXECUTIVE OFFICER'S REPORT

11 OCTOBER 2021

INDEX

1. REPORTS

1.1 BUSHFIRE RESPONSE - ROLEYSTONE TURNOUT AREA89

1.2 COUNCILLORS INFORMATION BULLETIN - ISSUE NO 17/2021160

1.1 - BUSHFIRE RESPONSE - ROLEYSTONE TURNOUT AREA

WARD : HILLS
FILE No. : M/651/21
DATE : 7 October 2021
REF : JA/NK/RP
RESPONSIBLE MANAGER : Chief Executive Officer

In Brief:

- Council required (CS33/6/21) further information before considering a request from the Roleystone Volunteer Fire Brigade Inc. which would require the City to deregister the Roleystone Volunteer Bush Fire Brigade and have the Department of Fire and Emergency Services provide a bushfire response within the Roleystone Turn Out Area.
- Recommend that Council determine a preferred option for bushfire response in the Roleystone Turn Out Area

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

This report relates to the following objective in the City's 2020 – 2030 Strategic Community Plan:

- 1.4.1 Support a culture of volunteerism in the community and celebrate the contribution volunteers make to the City.

Legal Implications

Emergency Management Act 2005 (WA)

The *Emergency Management Act 2005* provides for the prompt and coordinated organisation of emergency management in the State and sets out:

- How an emergency situation or state of emergency is declared.
- State and local government emergency management arrangements including structures, roles, functions, delegations, policies and plans
- Powers during an emergency situation or state of emergency.

Bush Fires Act 1954 (WA)

The *Bush Fires Act 1954* aims to make better provision for diminishing the dangers resulting from bush fires and for the prevention, control and extinguishment of bush fires. Under the *Bush Fires Act 1954* a local government may:

- make local laws for and in relation to the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government (section 62(1)(b));
- in accordance with its local laws made for the purpose, establish and maintain one or more Bush Fire Brigades (section 41(1));
- at any time cancel the registration of a Bush Fire Brigade (section 41(3)).

In accordance with section 42A, any group of persons, however constituted and whether incorporated or not, may be established as a bush fire brigade under section 41(1) or 42(1).

Associations Incorporation Act 2015

The *Associations Incorporation Act 2015* establishes a scheme for the incorporation of associations and makes provision for corporate governance, financial accountability and matters relating to the rules and membership of incorporated associations.

Detailed confidential legal advice relating to this matter has previously been provided to Councillors.

Council Policy/Local Law Implications

Bush Fire Brigades Local Law 2019

The City of Armadale *Bush Fire Brigades Local Law 2019* sets out:

- How the City establishes Bush Fire Brigades.
- How Bush Fire Brigades are maintained and organised.
- The types of Bush Fire Brigade membership.
- Appointment, dismissal and management of members.
- How equipment of Bush Fire Brigades is managed.
- Rules governing the operation of Bush Fire Brigades.

Budget/Financial Implications

Depending on the option chosen by Council for the future of the Roleystone Volunteer Bush Fire Brigade and/or the current Roleystone Fire Station, there may be financial implications for the City. The financial implications are discussed within the report but would be subject to further detailed analysis dependent on the preferred option to be progressed by Council.

Consultation

1. Survey of Bush Fire Brigade Volunteers December 2019
2. Councillor Briefing – 13 May 2020
3. Councillor Workshop 29 June 2020
4. Roleystone Volunteer Fire Brigade workshop 12 October 2020
5. Roleystone Volunteer Fire Brigade workshop 10 December 2020
6. Councillor Workshop 21 May 2021
7. Meeting – Mayor, Deputy Mayor & CEO/DFES Commissioner & Staff 7 July 2021
8. Meeting – Councillors/RVFB Management Committee 27 July 2021
9. Meeting – Councillors/RVFB Members supporting a VBFB 10 August 2021
10. Meeting – Councillors/Officers 10 August 2021
11. Department of Fire and Emergency Services
12. Other Local Governments: Mandurah, Swan, Wanneroo, Kalamunda, Mundaring, Serpentine/Jarrahdale, Rockingham, Augusta/Margaret River
13. City's lawyers

BACKGROUND

On 28 June 2021 Council deferred, pending the receipt of further information, consideration of a request from the Roleystone Volunteer Fire Brigade (RVFB) which would require the City to deregister the Roleystone Volunteer Bush Fire Brigade (RVBFB) and have the Department of Fire and Emergency Services (DFES) assume responsibility for the provision of a bushfire response within the Roleystone Turn Out Area (CS33/6/21 refers).

One hundred and eleven questions or requests for information were subsequently submitted by Councillors. The City also received a further twenty six questions from a group of community members following a Community Meeting held on 17 August 2021.

At its 28 September 2021 meeting, Council resolved that a report responding to CS33/6/21 be presented to the first Council meeting in October 2021 (CS56/9/21 refers). This report attempts to provide answers to as many of the requests as was reasonably possible within the timeframe available for research and drafting.

COMMENT

The report:

1. Provides further information requested by Councillors grouped into the themes of:
 - (a) Context
 - (b) History of the Brigade and Station
 - (c) Operational Arrangements between the City and the Brigade
 - (d) Resourcing, Capacity and Demand
 - (e) Station Facilities
 - (f) Governance
 - (g) The Experience of Other Local Governments
2. Provides feedback from the DFES Commissioner.
3. Provides responses to questions raised by a group of community members following a community meeting held on 17 August 2021.
4. Sets out options available to Council in considering next steps.

1. FURTHER INFORMATION REQUESTED BY COUNCILLORS

This section of the report responds to part 1 of Council's June 2021 decision (CS33/6/21).

1. *Defer consideration of the recommendation pending receipt of further information.*

To aid readability, the further information has been collated into themes based on the matters raised, rather than as a random collection of responses.

1(A) CONTEXT

Over 19,500 bush fire service volunteers protect WA from bushfires through fire prevention and risk management, fire suppression and fire safety education. These volunteers operate through over 500 Bush Fire Brigades (BFBs), which are administered by their respective Local Governments.

BFB volunteer firefighters are trained to operate equipment, vehicles and appliances used in fire suppression operations. BFB volunteers are trained in:

- Personal and team safety
- Fire suppression methods
- Vehicle driving on and off road
- Communications
- First aid
- Leadership and emergency management procedures

Local Governments' responsibility for bushfire response is generally met through the creation and support of Volunteer Bush Fire Brigades in areas where they are needed. Currently there are 541 Volunteer Bush Fire Brigades throughout Western Australia under the control of 93 Local Governments. Obviously the majority of the inner metropolitan local governments do not have Bush Fire Brigades.

Bushfire Volunteers is the principal advocacy body for Volunteer Bush Fire Brigades in Western Australia. The *Bushfire Volunteers* website <https://www.bushfire.org.au/was-emergency-services/brigade-details/> lists Volunteer Bush Fire Brigade information as follows:

LGA	Number of brigades	LGA	Number of brigades
Albany	16	Katanning	4
Armadale	2	Kellerberrin	6
Ashburton	1	Kent	7
Augusta-Margaret River	10	Kojonup	12
Beverley	5	Kondinin	5
Boddington	4	Koorda	2
Boyup Brook	16	Kulin	10
Bridgetown-Greenbushes	10	Kwinana	2
Brookton	3	Lake Grace	9
Broome	1	Mandurah	1
Broomehill-Tambellup	5	Manjimup	25
Bruce Rock	3	Menzies	1
Bunbury	1	Merredin	12
Busselton	15	Moora	5
Capel	6	Morawa	4

LGA	Number of brigades	LGA	Number of brigades
Carnamah	3	Mt Marshall	6
Carnarvon	1	Mukinbudin	3
Chapman Valley	6	Mundaring	10
Chittering	6	Murray	5
Cockburn	2	Nannup	9
Collie	7	Narembeen	1
Coorow	7	Narrogin	10
Corrigin	7	Northam	7
Cranbrook	12	Northampton	9
Cuballing	1	Nungarin	6
Cunderdin	3	Perenjori	1
Dalwallinu	5	Pingelly	6
Dandaragan	5	Plantagenet	11
Dardanup	8	Quairading	6
Denmark	16	Ravensthorpe	9
Derby-West Kimberley	1	Rockingham	2
Donnybrook-Balingup	12	Roebourne	1
Dowerin	4	Serpentine-Jarrahdale	6
Dumbleyung	4	Shark Bay	1
Dundas	1	Swan	6
East Kimberley	3	Three Springs	3
East Pilbara	1	Toodyay	6
Esperance	16	Victoria Plains	4
Exmouth	1	Wagin	6
Gingin	11	Wandering	4
Gnowangerup	3	Wanneroo	4
Goomalling	5	Waroona	1
Gosnells	1	West Arthur	3
Greater Geraldton	13	Westonia	3
Harvey	8	Wickepin	5
Jerramungup	4	Williams	6
Kalamunda	1	LGAs: 93	Brigades: 541

DFES and Volunteer Services

In June 1997, a taskforce was established by the Western Australian Government to look at ways of improving planning and coordination of the State's emergency services. Following recommendations made by the taskforce, the Fire and Emergency Services of Western Australia (FESA) was created as a department under the Public Sector Management Act on 1 January 1998 as an interim arrangement. One year on, FESA was formally established as a statutory government authority replacing the Fire Brigades Board and the Bush Fires Board.

The establishment of FESA has brought together, under one board and one Chief Executive Officer (CEO) the:

- Fire and Rescue Service (FRS)
- Bush Fire Service (BFS)
- State Emergency Service (SES)
- Marine Rescue Western Australia
- Volunteer Fire and Rescue Service (VFRS)
- Volunteer Fire Service (VFS)
- Volunteer Emergency Service (VES)
- Emergency Service Cadets (ESC)

On 1 November 2012, as a result of a recommendation from the Perth Hills Bushfire Review 2011, FESA was restructured and became a government department, the Department of Fire and Emergency Services (DFES), headed by a Fire and Emergency Services Commissioner.

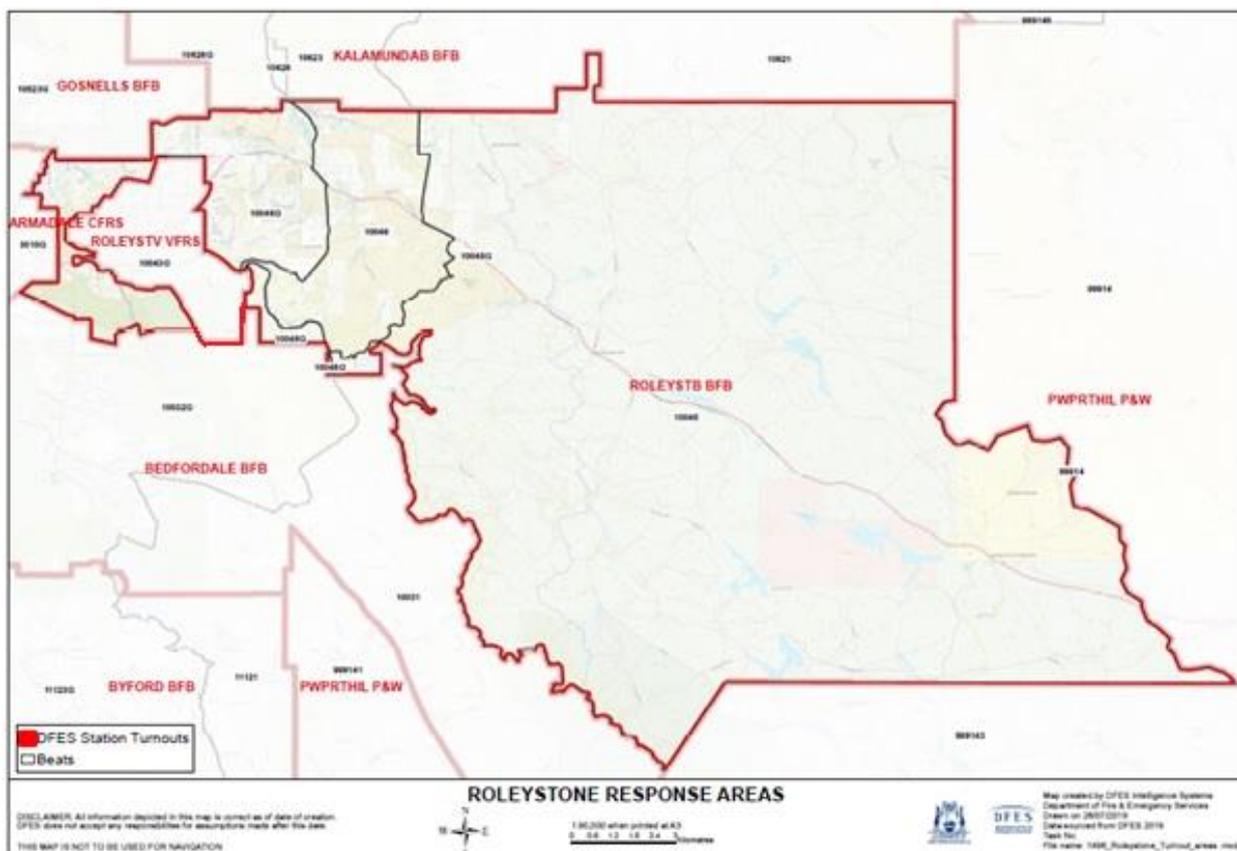
DFES is responsible for the Volunteer Fire and Rescue Service (VFRS) and Volunteer Fire and Emergency Service (VFES).

Volunteer Fire and Rescue Brigades (VFRS)

Volunteer Fire and Rescue Service Brigades undertake:

- Combating structural and bush fires
- Containing hazardous material spills
- Road crash rescue
- Fire safety education

VFRS Brigades are responsible for all fires within a gazetted fire district, including bushfires. The distinction with Volunteer Bush Fire Brigades is that VBFBs are responsible for a defined bushfire response area which excludes gazetted fire districts. The VFRS gazetted area and the VBFB bushfire Turn Out area for Roleystone are shown below.



The Volunteer Fire & Rescue Services Association of WA is the principal representative body for VFRS members. Their website notes that DFES operate 100 VFRS brigades throughout the State <https://www.vfrs.asn.au/about-us>. The gazetted areas for VFRS brigades are generally in regional townsites that need a structural fire fighting capability but are not large enough to warrant a career fire and rescue service.

Volunteer Fire and Rescue Services (VFRS)¹**Brigade Name (Local Government in which VFRS is located)**

Albany (Albany)	Kununurra (Wyndham-East Kimberley)
Armadale (Armadale)	Kwinana (Kwinana)
Augusta (Augusta-Margaret River)	Lake Grace (Lake Grace)
Ballidu (Wongan-Ballidu)	Lancelin (Gingin)
Beverley (Beverley)	Laverton (Laverton)
Boyup Brook (Boyup Brook)	Leonora (Leonora)
Bridgetown (Bridgetown-Greenbushes)	Mandurah (Mandurah)
Brookton (Brookton)	Manjimup (Manjimup)
Broome (Broome)	Margaret River (Augusta Margaret River)
Brunswick Junction (Harvey)	Meekatharra (Meekatharra)
Bunbury (Bunbury)	Merredin (Merredin)
Busselton (Busselton)	Moora (Moora)
Carnarvon (Carnarvon)	Mt Barker (Mt Barker)
Collie (Collie)	Mt Magnet (Mt Magnet)
Coolgardie (Coolgardie)	Mullewa (Greater Geraldton)
Corrigin (Corrigin)	Mundaring (Mundaring)
Cue (Cue)	Nannup (Nannup)
Cunderdin (Cunderdin)	Narrogin (Narrogin)
Dalwallinu (Dalwallinu)	Newman (East Pilbara)
Dampier (Roebourne)	Norseman (Dundas)
Denham (Shark Bay)	Northam (Northam)
Denmark (Denmark)	Northcliffe (Manjimup)
Derby (Derby-West Kimberley)	Pemberton (Manjimup)
Dongara (Irwin)	Pingelly (Pingelly)
Donnybrook (Donnybrook-Balingup)	Pinjarra (Murray)
Dumbleyung (Dumbleyung)	Port Headland (Port Headland)
Dunsborough (Busselton)	Quairading (Quairading)
Eaton-Australind (Dardanup)	Ravensthorpe (Ravensthorpe)
Esperance (Esperance)	Rockingham (Rockingham)
Exmouth (Exmouth)	Roebourne (Roebourne)
Falcon (Mandurah)	Roleystone (Armadale)
Geraldton (Greater Geraldton)	Secret Harbour Rockingham)
Gingin (Gingin)	Southern Cross (Yilgarn)
Goomalling (Goomalling)	South Headland (Port Headland)
Harvey (Harvey)	Toodyay (Toodyay)
Jurien Bay (Dandaragan)	Wagin (Wagin)
Kalamunda (Kalamunda)	Walpole (Manjimup)
Kalgoorlie (Kalgoorlie-Boulder)	Wickham (Roebourne)
Kambalda (Coolgardie)	Williams (Williams)
Karratha (Karratha)	Wongan Hills (Wongan-Ballidu)

¹ <https://www.vfrs.asn.au/vfrsdirectory>

Volunteer Fire and Rescue Services (VFRS)¹

Katanning (Katanning)	Wundowie (Northam)
Kellerberrin (Kellerberrin)	Wyalkatchem (Wyalkatchem)
Kojonup (Kojonup)	Yanchep (Wanneroo)
Kulin (Kulin)	York (York)

Volunteer Fire and Emergency Services (VFES)

VFES are multi-functional units operated by volunteers trained for a number of emergencies and natural disasters including:

- structure, bush and scrub fires;
- hazardous materials and emergencies;
- vehicle and industrial rescue;
- flood, storms and cyclones;
- cliff and cave rescues;
- land and air searches; and
- marine rescues.

To the best of the City's knowledge there are 26 VFES units in Western Australia. It has not been possible to determine within the timeframe of this report how many of these VFES units have involved the surrender of an existing Local Government VBFB.

Volunteer Fire and Emergency Services (VFES)²**Brigade Name (Local Government area in which VFES is located)**

Baldivis (Rockingham)	Jerramungup (Jerramungup)
Ballidu (Wongan-Ballidu)	Karnup (Rockingham)
Beacon (Mt Marshall)	Kondinin (Kondinin)
Bremer Bay (Jerramungup)	Marble Bar (East Pilbara)
Bruce Rock (Bruce Rock)	Morawa (Morawa)
Bidyadanga (Broome)	Northampton (Northampton)
Bullsbrook (Swan)	Onslow (Ashburton)
Coral Bay (Carnarvon)	Tambellup (Broomehill-Tambellup)
Eucla (Dundas)	Tammin (Tammin)
Fitzroy Crossing (Derby-West Kimberley)	Trayning (Trayning)
Halls Creek (Halls Creek)	Waroona (Waroona)
Hopetoun (Ravensthorpe)	Wyndham (Wyndham-East Kimberley)
Hyden (Kondinin)	York (York)

² <https://www.dfes.wa.gov.au/contactus>

Funding

Since its introduction in 2003, local governments have been able to access operating and capital grant funding via the Local Government Grants Scheme (**LGGS**), to administer and manage VBFBs and SES Units.

The funding for the LGGS comes from the Emergency Services Levy (**ESL**) which is collected by local government, on behalf of the State government, through the rates process. Given the ESL funds provide for a range of emergency and support services for the entirety of the Western Australian community, the ESL contributions collected within a local government do not align with the specific LGGS grants returned back to the local government.

In December of each year DFES provide local governments with an indicative LGGS operating grant allocation for the following financial year based on the average of the previous two (2) years completed acquittals, along with a schedule detailing the appliance/vehicle replacement program.

Local governments, in consultation with their VBFBs and SES Unit, have the option of either accepting the DFES offer, or submitting an alternate operating and capital grant application by late March.

DFES then review and assess the operating grant applications. The capital asset priorities are formulated for consideration by Capital Grants Committees established to oversee the capital funding allocations to local governments for VBFBs and SES Units.

The Capital Grants Committees each comprise of three DFES staff, being two Deputy Commissioners and Executive Director Corporate Services, two Local Government representatives, selected by the Minister for Emergency Services and one VBFB/SES volunteer selected by the President of the respective Associations. The Capital Grants Committees meet at least once a year, or as required, to perform their obligations as outlined in the *LGGS Manual for Capital and Operating Grants*

Local governments are notified on their final capital and operating grant allocation in May/June each year. Local governments are able to expend funds equal to their grant allocation in accordance with the eligibility guidelines contained within the *LGGS Manual for Capital and Operating Grants*.

Where a local government is not satisfied that the grant allocation and has been unable to satisfactorily resolve the issue with DFES, the Local Government CEO may refer the dispute to the ESL Referral and Grants Advisory Committee. The Committee's purpose is to increase transparency and provide independent scrutiny regarding the ESL and associated grants processes.

Each August local governments are required provide DFES with an acquittal on the LGGS expenditure for the preceding financial year.

Mitigation Activity Funding (MAF) grant funding program

The Bushfire Risk Management Planning Program was initiated in 2013 to address recommendations made by the Keelty Report, to support 45 prescribed local governments, identified as having high or extreme bushfire risk, fulfil their responsibilities under the State Hazard Plan for Fire (Westplan Fire) and State Emergency Management Policy 2.9 'Management of Emergency Risks', by developing a Bushfire Risk Management Plan (BRMP).

The program was piloted in four local governments, being the Shires of Augusta-Margaret River, Boyup Brook, Collie and Nannup, between February and July 2014 to prove the framework and tools, inform development of a software solution and confirm the ongoing support requirements for extension of the program to additional local governments.

It was progressively implemented by DFES across 16 priority and a further 22 optional local government areas from mid 2015, who were selected on a basis of their high bushfire risk and limited capacity to develop their BRMP. The City of Armadale was not identified as a priority local government as part of this phase.

In August 2016, DFES wrote to the City offering support and training to assist with the development of a BRMP. In September 2017, State Government funding enabled a further 11 regional local governments to commence development of their BRMP. The City of Armadale commenced development of their BRMP in February 2018 which has been approved by the Office of Bush Fire Risk Management.

As of July 2021, nearly \$31 million has been allocated to 48 local governments since the MAF program's inception, the most recent round of funding provided \$7.5 million to 26 local governments as follows:

Local government	Amount allocated	Number of activities
City of Albany	\$273,490.00	273
City of Busselton	\$500,000.00	41
City of Joondalup	\$499,000.00	14
City of Karratha	\$199,750.00	57
City of Kwinana	\$376,253.25	84
City of Mandurah	\$57,100.00	8
City of Swan	\$123,000.00	5
Shire of Augusta Margaret River	\$497,500.00	42
Shire of Bridgetown-Greenbushes	\$188,935.00	33
Shire of Dardanup	\$337,295.00	21
Shire of Denmark	\$497,900.00	80

Local government	Amount allocated	Number of activities
Shire of Donnybrook-Balingup	\$327,015.00	28
Shire of Gingin	\$500,000.00	2
Shire of Goomalling	\$249,850.00	14
Shire of Harvey	\$104,230.00	15
Shire of Jerramungup	\$141,625.00	78
Shire of Manjimup	\$287,240.00	33
Shire of Mundaring	\$500,000.00	11
Shire of Pingelly	\$221,000.00	35
Shire of Plantagenet	\$365,960.00	65
Shire of Ravensthorpe	\$258,000.00	98
Shire of Serpentine-Jarrahdale	\$288,000.00	25
Shire of Toodyay	\$500,000.00	54
Shire of Victoria Plains	\$212,141.00	20
Shire of Waroona	\$62,909.00	7
Shire of Woodanilling	\$4,800.00	2
TOTAL	\$7,572,993.25	1,145

The City is currently applying for \$395,404 in MAF funding through the current funding round (C29/9/21 refers).

1(B) HISTORY OF THE BRIGADE AND STATION

The Roleystone Volunteer Bush Fire Brigade was established in 1957 and, according to the Department of Mines, Industry Regulation and Safety, was later incorporated on 16 May 1984.

In July 1991, Council Resolution T367/91, the Finance and General Purposes Committee were requested to review Bushfire Brigade operations within the municipality with a view to rationalising Brigades and service areas.

In September 1991, Mr RJ Hall was appointed to prepare the Terms of Reference for the Bushfire Brigade Rationalisation and was subsequently appointed in November 1991, on recommendation of the Finance and Services Committee, to conduct the review.

The Bushfire Brigades Review, also known as the Hall Report, was completed by RJ Hall in August 1992 and accepted by Council in September 1992. The report recommended, amongst other things that:

Recommendation 12

"Discuss with the WA Fire Brigades Board the extension of the City of Armadale's existing Western Australian Fire Brigades Board gazetted fire district boundary to include the Forrestdale Townsite and the proposed new suburban development in the suburb of Wungong. Additionally, the W.A.F.B.B and Council will need to discuss the inclusion of the areas as described in Section 1.7 of the review covering the proposed Division 1, as well as the proposal for a new Gazetted Fire District to cover Roleystone."

Recommendation 20

"Select an appropriate site for the new Roleystone/Karragullen Bushfire Brigade, purchase and construct a transportable fire station on the selected site. The Roleystone/Karragullen Fire Station should be the same design and size as the proposed Wungong Station."

Recommendation 22

Relocate the Roleystone Bushfire Brigade, or establish a new Bushfire Brigade to cover the Roleystone/Karragullen area, as detailed on Map No. 1, Area 5, with membership drawn from the current Roleystone Bushfire Brigade and the Karragullen community.

At Council's meeting in September 1992 it was recommended that:

A Working Party, as recommended in the Review Document, be appointed immediately to:

- *Study and make recommendation to Finance and General Purposes Committee on submissions made by those organisation invited to comment.*
- *Study and make recommendation to Finance and General Purposes Committee on the Review Document recommendations, same to be inclusive of an implementation timetable.*

In May 1993 the City received the City of Armadale Standards of Fire Cover Report prepared by the Bush Fires Board.

At the Finance and General Purposes Committee meeting in June 1993, part of the City's recommendations read:

F216/93

"Prior to Council adopting a position on structural fire responses by volunteers Council seek advice from the WAFB of their views on the future of their attendance at fires, requiring entry procedures with breathing apparatus, outside of the gazetted WAFB Fire District. "

At the Finance and General Purposes Committee meeting in August 1993 it was reported that at the Meeting of the Swan Region Fire Protection Advisory Committee held on 27/5/93, delegates considered an item relating to the funding of a Review of Fire Fighting Services in WA. The Finance and General Purposes Committee subsequently resolved that:

Given that the terms of reference of the Report distributed by WAMA reflect many of the issues of concern expressed by Council as a result of matters raised in the Bushfire Brigades Review, it is recommended that Council support in principle the Review in full, and write to the Ministers for Emergency Services and Local Government , and local State Members of Parliament, accordingly.

It was further reported in September 1993 in relation to F216/93 that "...given the matters raised by the WAFB representatives, the proven ability of WAFB resources to respond to property fires outside the gazetted Armadale Fire District and the acknowledgment by the Bushfire Advisory Committee that the Bushfire organisation is not yet in a position to take on this extended role, it is recommended that, subject to Council receiving the assurances sought in the recommendation, Council's Bushfire organisation not be equipped with breathing apparatus facilities at this stage." The Finance and General Purposes Committee recommended:

F324/93 RECOMMEND:

1. *To ensure Council's legal responsibilities are protected, as outlined in the Bush Fires Board Standards of Fire Cover Model regarding the protection of structural property outside the WAFB Armadale Fire District, the WAFB Board be approached with the view to:*
 - a) *the WAFB confirming their preparedness to attend structural fires outside the gazetted WAFB Annadale Fire District and,*
 - b) *entering into a Mutual Aid Agreement with Council to provide for a reciprocal call scheme when required.*
2. *Subject to Council receiving the assurances sought in (1) above, no further action be taken in equipping Bushfire Brigades with breathing apparatus at this stage.*

In September 1993 the City took ownership of Lot 8 Peet Road. The property was referred to as the "The Tank" and was previously owned by the Ministry of Works. Also, at this time, a development application was submitted to the City for a shed on this site. The purpose of this shed was "to house Bush Fire Brigade Fire Units."

In January 1994 Council resolved F16/94

14. *In acknowledgment of the views of the Bushfires Board regarding Council's liability should Council not provide an appropriately equipped response to structural fires, Council enter into the Mutual Aid Structural Fire Suppression Plan for the City of Armadale, as attached to these Minutes, with the W.A.F.B. in order that the response of the W.A.F.B. to structural fires outside of the gazetted Armadale W.A.F.B. Fire District and the provision of breathing apparatus at such incidents is provided for.*
16. *A Working Party, comprising Council's Chief and Deputy Chief Bushfire Control Officers, a Council representative and a representative of the W.A.F.B., meet with the view to formulating an amendment of the Agreement referred to in (15) above, or a separate Agreement to provide for a response with breathing apparatus to incidents other than structural fires by the W.A.F.B.*

The purpose of the Mutual Aid Fire Suppression Plan was to ensure immediate response from the Fire and Rescue Service (FRS) to all fires within the City where a structure was under threat. This was necessary due to the City's Bush Fire Brigades not being properly equipped or trained to attend to structural fires in the non FRS gazetted localities.

In early 1997, WAFRS (Fire and Rescue Services of WA - previously Western Australian Fire Brigades Board) presented a proposal to the City for consideration. In essence, the proposal was to establish a separate, gazetted Roleystone Fire District to operate on a collocational basis with the City and WAFRS volunteers working from the existing premises

(Peet Road at that time). The WAFRS volunteers were to be drawn from the existing Roleystone resources for the purpose of creating a fully resourced and highly trained structural fire fighting and rescue unit for Roleystone.

The WAFRS budgeted \$290,000 in 1997/1998 to be expended on providing structural fire and rescue services in the Roleystone /Karragullen locality in anticipation of Council inviting them to provide the service. The money was to be spent on upgrading the Peet Road facility, provide appropriate appliances and resources, uniforms, communications and training.

At its meeting on 6 October 1997, Council adopted inter alia, the following part Recommendation F255/97

A working group be formed consisting of members of the WA Fire and Rescue Services/Bush Fires Board Joint Planning group, Cr F Green, Mr N Plowman, Mr R Van Uden and Mr A Duggleby for the purposes of :-

- i) Assessing and determining what services are needed in the locality of Roleystone/Karragullen;*
- ii) Determining how best to achieve and expedite the provision of those services for that locality;*
- iii) Applying the same tests as contained in (i) and (ii) above for the remainder of the City of Armadale.*
- iv) Notwithstanding the finding of the working group, Council remains firmly committed to accepting the WA Fire and Rescue Service commitment to provide 2 fire appliances and appropriate infrastructure to address the well documented structural fire fighting needs in the Roleystone area.*

In January 1998 Council endorsed the following recommendation:

F20/98

RECOMMEND

- A. A discussion paper (based on the document entitled "Discussion Paper – Fire Services Review" written by the Manager Administrative Services on 24 July 1997) be released for comment to the Bush Fire Service, Fire and Rescue Service and the City's Bushfire Advisory Committee with those organisations being requested to present their written responses within a period of 4 weeks.*
- B. A letter be forwarded to the Minister for Emergency Services expressing our concern at the delay in expending the \$290,000, committed by the Premier and funded in the 1997/98 Fire and Rescue Services budget for the provision of new fire fighting facilities and equipment in the locality of Roleystone.*

The Discussion Paper – City of Armadale Fire Services Review was circulated to all brigades and FESA in February 1998. The Discussion Paper contained the WAFRS proposal to collocate the WAFRS volunteer facility at the City's existing RVBFB station in Peet Road. At the same time a Fire Services Review regarding all City brigades was completed by FESA which also recommended the upgrade of Roleystone VBFB with structural capacity.

At a special meeting of the Bushfire Advisory Committee, held on 21 April 1998, all the responses received on the Discussion Paper were tabled. At that meeting it was recommended - *"the option, as represented in the FESA document, be the preferred option for the future direction of fire services delivery in the City of Armadale"*. The FESA response stated:

"The process of identifying and analysing the risks in the City of Armadale indicates that additional structural fire fighting services are required in the locality of Roleystone. The proposed re-location of Spearwood will ensure coverage of all emergency service requirements for the western area of Armadale. The existing fleet replacement program will deliver a GPA to Armadale Volunteers before the Year 2000. This will address rescue requirements in the Roleystone and Bedforddale area, as a first response for Rescue will be provided by the Armadale career firefighters. The following resource matrix and timeframe outlines a draft program for re-configunng fire & emergency service resources within the City of Armadale."

The position of FESA is that:

- *The FRS has placed into forward projections for capital acquisitions a figure of \$290 000 as an anticipated cost, should FRS establish a volunteer service at Roleystone. That does not mean that a budget allocation of \$290 000 has been provided or in fact approved.*
- *In the area of Roleystone, FESA recommends that the status quo remain for the Roleystone bngade, but upgrade the existing resources to include Breathing Apparatus equipment and BA training for current volunteer members. No Road Accident Rescue equipment to be provided to Roleystone, services to be provided by the Armadale career brigade.*

In April 1998 Council resolved:

F99/98

A letter be forwarded to the Minister for Emergency Services, expressing Council's appreciation of the Premier's announcement in his budget statement that \$290,000 will be recommitted, as part of a total of \$365,000, to be spent on upgrading fire and rescue facilites at Roleystone. The Minister also be asked to provide a breakdown as to how the budget funds will be expended and to advise of the anticipated timeframe for that expenditure.

Council minutes in July 1998 advise the Mayor attended a meeting with FESA to discuss the Council's Fire Services Review.

In August 1998 the Bushfire Advisory Committee recommended the working group formed in September 1997 be reformed for the purposes of:

- assessing and determining what services are need in the locality of Roleystone/Karragullen; and
- determining how best to achieve and expedite the provision of those services for that locality.

FRS had subsequently determined its Armadale Station could provide the rescue and structure services for Bedforddale, and the rescue services for Roleystone, but the need still remained to provide the additional structural fire fighting services for the Roleystone locality.

The Working Party, at its two meetings of 10 September and 7 December 1998 reached the following agreements/ recommendations:

10 September Agreements

- a) The townsite of Roleystone urgently requires an adequate locally based structural fire fighting capacity.
- b) FESA's FRS operational division should provide and manage that structural firefighting capacity on the basis of creating a Roleystone (Volunteer) Fire District.
- c) The Roleystone Fire District will need 16 BFS volunteers to take on 'Dual Registration' to establish the FRS presence.
- d) Area to be gazetted will approximate that indicated on the attached map. All (16) FRS registered volunteers will be provided with a full set of appropriate protective clothing.
- e) FRS registered volunteers will not be required to provide a rescue service. FRS will provide a fully equipped structural fire fighting appliance additional to existing bush fire fighting appliances.
- f) The structural fire fighting appliance will be available for mutual aid and be fully maintained by FRS (including availability of a temporary replacement appliance, when necessary).
- g) The additional appliance will be accommodated in the existing garage at Roleystone by re-locating the storage shed outside of the garage.
- h) FRS will attend to other works at Roleystone including additional communication needs and extending bitumen apron, together with some attention to associated drainage problems.
- i) COA will be required to commit to a mutually agreed hydrant provision and repair programme.
- j) COA will commit to retaining Bush Fire Service outside of the agreed structural boundary.
- k) The Working Party will convene its next meeting at the Roleystone VBFB Headquarters on Wednesday, 7 October 1998 in order to present the basic proposal to Brigade members/nearby residents and to receive questions/concerns from those present for further consideration and resolution, as appropriate, prior to presenting its final recommendations to Committee at the November 1998 BFAC Meeting.

7 December Recommendations:

- a) Agreement on the additional resource and the principal of the joint brigade in Roleystone be endorsed.
- b) That a Management Team be established to solve the operational issues of the colocation.
- c) The Roleystone Fire district as tabled at the BFAC Meeting of 17 November 1998 be gazetted.
- d) The Roleystone VBFB members prepare plans of the required changes to Brigade Headquarters in order to house the additional appliance, plus other requirements. The work continue on the hydrant risk assessment in Roleystone with a view to completing it as soon as possible.
- e) That nearby residents be advised of the proposals as soon as is practicable.

The above Agreements and Recommendations were presented to Council via the Bush Fire Advisory Committee Meeting Minutes and subsequently resolved as per Resolutions C243/98 and C330/98.

At its meeting on 15 December 1998 Council endorsed:

C330/98 RECOMMEND

Subject to the Bush Fire Advisory Committee's endorsement of its Working Party's recommendation in respect of provision of additional structural fire fighting resources in Roleystone, Council request the Fire & Emergency Services Authority of WA to:

- Take all necessary action to gazette and establish a Roleystone Volunteer Fire District, as depicted on the map attached to and forming part of these Minutes at Attachment "A3", at the earliest possible date; and*
- Review the Roleystone hydrant installation/maintenance schedule and present the modified document to Council for endorsement.*

Council then sought the written support of the members of the RVFB to implement the proposal. At the General Meeting of the RVFB on Wednesday 6 January 1999, the following motion was put forward:

"Roleystone Volunteer Bushfire Brigade should endorse Council's preferred option that Fire and Rescue Services provide and manage a structural fire-fighting capacity in Roleystone."

The motion was carried.

At its meeting in January 1999 Council further endorsed:

C24/99 RECOMMEND

(H) Council acknowledge that the City of Armadale Bush Fire Advisory Committee endorses the option that the Fire and Rescue Services provide and manage a structural fire fighting capacity in Roleystone on a dual registration, location basis.

The report noted that endorsement by the Bush Fire Advisory Committee (BFAC) was given at its Meeting held on 19 January 1999 and during the intervening period, whilst awaiting BFAC's endorsement, FESA officers took the initiative of inspecting Roleystone Brigade's Peet Road headquarters with a view to ascertaining what works would be necessary to properly accommodate the anticipated additional resources. FESA Officers observed that the existing facilities were substandard and given any upgrades would be a "band aid" solution. FESA officers informally suggested that Council consider re-locating - with a view that this could potentially be achieved at no net cost through selling the existing site and securing capital funding grants.

In February 1999 Council resolved:

C26/99

Council endorse in principle the relocation of Roleystone Fire Station to a site to be determined in Cross Park Roleystone on the basis of a new facility being established by way of minimum contributions of \$75,000 each from Council, FRS and BFS Grant with Council's contribution being offset by the sale of the existing Brigade site at Lot 8 Peet Road Roleystone.

At its February 1999 meeting, the RVFB voted, by a small majority, to advise the City that: *"The Roleystone Bushfire Brigade agrees to co-location with Fire and Rescue Services Volunteer Brigade at existing premises at Lot 8, Peet Road, Roleystone."*

In February 1999, a Steering Committee was formed and considered nine sites:

- Site 1: Portion Springdale Park (Reserve No. 44389 – 10.3795ha)
- Site 2: Lot 2 Chevin Road (4.9384ha and Council owned)
- Site 3: Prospective POS Chevin Woods
- Site 4: Reserve No. 44982 (6024m²)
- Site 5: Lots 112-114 Hilton Road, Lots 71 & 72 Westborne Road & Lot 70, Northward Road
- Site 6: Cross Park – Old Pre Primary School Site (3000+m² and Council owned)
- Site 7: Cross Park – rear of Family Centre (3000+m² and Council owned)
- Site 8: Cross Park – adjacent Roleystone Hall (3000+m² and Council owned)
- Site 9: Reserve No. 30115 (4629m²)

Eight criteria were adopted to aid selection for the most appropriate site for a new fire station accommodating a structural fire fighting VFRS brigade for the town site colocated with a bush fire service:

1. Presence of a reliable, year round and abundant supply of water preferably with reasonable outlet pressure;
2. Good access to road network of locality to be serviced;
3. Position on 'high side' of any significant hills to avoid prospect of fully laden appliances labouring up hill and thereby increasing response times;
4. Well or centrally located to the whole area to be serviced after taking into account possible future residential and/or commercial development;
5. Near to high structural fire risks such as shops, schools, petrol stations and medium density developments;
6. Minimal effect on native bush environment;
7. Minimal effect on surrounding amenity levels; and
8. Realistic availability of land for long term tenure

The Cross Park - old pre-primary school site - Jarrah Road was considered the best site for the establishment of a new fire station in Roleystone.

Despite petitions being received from the public against the location, due to concern about traffic safety, loss of bush and noise, at its May 1999 meeting Council resolved:

C191/99 RECOMMEND

The Roleystone Fire Station be relocated to the site previously occupied by the Pre-Primary School in Jarrah Road, Roleystone on the basis of a new facility being established by way of minimum contributions of \$75,000 each from Council, Fire and Rescue Service and Bush Fire Service grant with Council's contribution being offset by the sale of the existing Brigade site at Lot 8, Peet Road, Roleystone.

Additional funds were required from each party as the bid from the successful tenderer exceeded the budget by \$53,164. Opposition to the chosen site continued but the fire station was officially opened in December 2000.

City officers have not been able to ascertain the number of volunteers immediately prior to, and then after, the move to the new premises.

There were two appliances as part of the RVBFB prior to VFERS collocating into the Peet Road Bushfire Station ('the Tank') they being:

1. Toyota Landcruiser Fast Attack (FA)
2. Isuzu FFS-500 2.4R 2000ltr 4x4

The following three appliances moved across to the new Jarrah Road Fire Station in 2000:

1. RVBFB – Nissan Patrol Fast Attack (FA) – old Armadale West appliance
2. RVBFB – Isuzu FFS-500 2.4R 2000ltr 4x4 – old Armadale West appliance
3. RVFRS – Mazda Light Pump – 1st appliance

The following appliance replacements have subsequently occurred:

1. 2000 – RVBFB Toyota Landcruiser FA – replaced the VBFB Nissan Patrol FA
2. 2003 – RVBFB Isuzu FFS-500 2.4R 2000ltr 4x4 – replaced the VBFB Isuzu FFS-500 2.4R
3. 2003 – RVFRS Isuzu FFS-500 2.4U – replaced Mazda Light Pump
4. 2017 – RVFRS Isuzu Hazmat Structural Rescue (HSR) – replaced the 2003 VFERS Isuzu 2.4U

The current appliances are:

1. 2013 – RVBFB Toyota Landcruiser Light Tanker – replaced Toyota Landcruiser FA
2. 2019 – RVBFB Isuzu FTS 150-260 Auto 3.4U 3000ltr 4x4 – replaced Isuzu 2.4R
3. 2019 – RVFRS Toyota Landcruiser Light Tanker (High season appliance) – new appliance
4. 2019 – RVFRS Isuzu Hazmat Structural Rescue (HSR) – replaced the Isuzu HSR

Roleystone Volunteer Fire Brigade

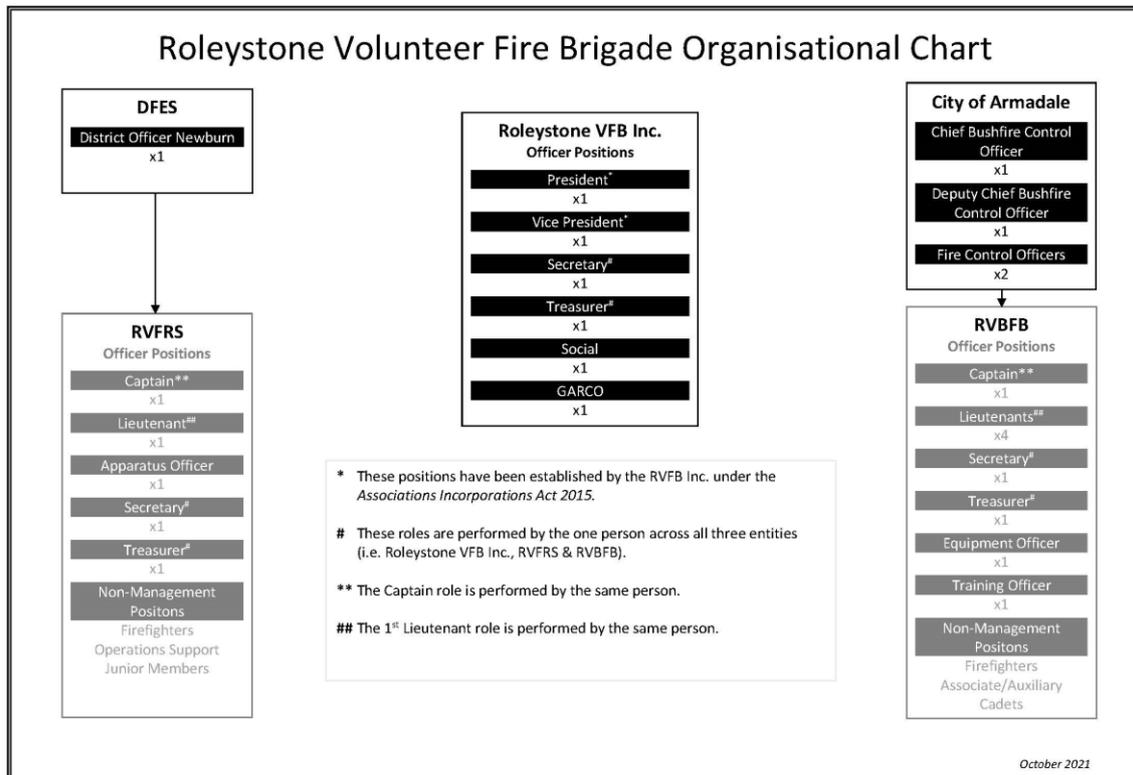
The Department of Mines, Industry Regulation and Safety (the Department) administer the registration and statutory obligations of incorporated associations.

The Department advises that the RVBFB was incorporated on 16 May 1984 as the Roleystone Volunteer Bush Fire Brigade Inc. On 9 May 2002 it changed its name to the Roleystone Volunteer Fire Brigade Inc (RVFB). The Roleystone Volunteer Fire Brigade Inc. is an Incorporated Association that contains members of the RVFRS and the RVBFB.

According to the Department's online site the RVFB's constitution or rules were last updated on 9 May 2002. Given the introduction of the *Associations Incorporation Act 2015* (WA) (2015 Act) these rules are not going to be compliant with the 2015 Act. Under section 201 of the 2015 Act, where an association's rules remain non-compliant with section 22 after 30 June 2019, then the Model Rules will apply as the rules of the association to the extent that the association's rules are non-compliant.

Almost all members of the RVFB are volunteers of both the RVFRS and RVBFB, referred to as being "dual registered". It is understood that the RVFRS is the only Volunteer Fire and Rescue Service with almost all of its members being dual registered Volunteer Bush Fire Brigade Members in the metropolitan area. While some Volunteer Bush Fire Brigades are incorporated under the 2015 Act as not for profit associations, the significant majority are not and operate as volunteer groups under the policies, guidelines and local laws of relevant Local Governments.

The organisational structure and relationships for the RVFB, RVFRS and RVBFB is illustrated in the following organisational chart.



Under First Schedule - Part 3, Clause 3.2 of the *City of Armadale Fire Brigades Local Law 2019* and r.181 of the *Fire Brigades Regulations 1943* the Captain is the most senior officer within the brigade structure and is responsible for managing the day to day affairs and activities of the brigade.

The positions of President and Vice President within the RFVB. are not recognised roles under either the *Bush Fires Act 1954* or the *Fire Brigades Act 1942*.

The RVFRS have, in more recent years, taken on road crash rescue responsibilities which means that dual registered members are now attending serious, fatal and often horrific incidents.

On 11 June 2018 the City received correspondence from the RVFB that stated:

On Wednesday 6th June 2018 the Roleystone Volunteer Fire Brigade held its Annual General Meeting during which the members voted unanimously in favour of investigating all options for the future direction and management of the brigade.

One of the options under consideration would involve the Bushfire Brigade moving to a DFES managed structure – and obviously this would require the Council to relinquish any current management or direction with the arrangement as it stands.

Would you please advise the Brigade formally if the Council is prepared to relinquish management of the brigade should this option be identified as the best way forward for both the Brigade and the Roleystone community.

On 20 August 2018 the City's CEO responded that he was committed to working with DFES on resolving issues. As such, on 18 September 2018, a meeting was held between the City, DFES and representatives from the RVFB where it was recorded that the City is fully supportive of the brigade and that the City was not seeking a change to the current model. It was agreed that a working group be formed with City, Brigade and DFES representation with an aim of resolving current issues and developing procedures to ensure future issues were managed in accordance with agreed processes.

1(C) OPERATIONAL ARRANGEMENTS BETWEEN THE CITY AND THE BRIGADE

Workshops involving the City and RVFB

In late 2020 the City commenced a series of workshops with representatives from the RVFB aimed at resolving matters relating to the relationship between the RVFB and the City. These matters had been identified in a baseline survey of the brigade conducted in December 2019 and received by the City in February 2020. The announcement of the COVID pandemic in March 2020 delayed the briefing of Councillors and the City's planned engagement with the brigade to discuss these issues. The workshops were independently facilitated and involved the Mayor, ward Councillors, five RVFB management committee members and senior CoA staff.

The focus of the first workshop held on 12 October 2020 was for both parties to establish a shared understanding of the issues in order to work towards an effective relationship between the RVFB and the City, and to do so with mutual respect and positive communication. Matters raised at the first workshop as perceptions or potential roadblocks included:

- the multiple pieces of legislation and rules governing the two brigades creating risks associated with lack of clarity as well as conflicting standards and procedures;
- the need for trust and commitment moving forward and clear expectations between the City, DFES and the Brigade; and
- improving the sense of value and mutual respect between the City and the RVFB to overcome perceptions of an historic lack of support, understanding and appreciation (albeit it was acknowledged that the level of support was improving).

The second workshop on 10 December 2020 provided an opportunity for the RVFB to set out their expectations of the relationship with the City. It was intended that the third workshop would provide the City with the same opportunity of setting out its expectations, with subsequent workshops to bring these two sets of expectations together, resolve differences and develop a shared understanding of how the RVFB and the City would work together moving forward. At the end of the second workshop the independent facilitator queried whether he was required as the workshops were progressing so positively.

The following table was provided by the RVFB at the second workshop outlining the commitments that the RVFB were willing to make, and their suggested expectations of the City for discussion and negotiation are shown in the third column including the underlined.

It is understood that the table was prepared through consultation with members.

Item	Roleystone BFB comments	Brigade's expectations of the City (notice periods subject to further discussion/negotiation)
1. OHS		
1.1 Injuries	Brigade to report all injuries to the CBFCO within 1 hour of injury (verbally). All paperwork submitted to CoA within 48 hours.	CoA provide current paperwork and provide OHS support if required.
1.2 Near Misses	Brigade to report all Near Misses to the CBFCO within 24 hours of incident (verbally). All paperwork submitted to CoA within 48 hours.	CoA provide current paperwork and provide OHS support if required.
1.3 Property damage	Brigade to report all Property Damage to the CBFCO within 24 hours of incident (verbally). All paperwork submitted to CoA within 48 hours.	CoA provide current paperwork and provide OHS support if required.
2. Vehicles		
2.1 Damage	Brigade to report all Vehicle Damage to the CBFCO within 24 hours of incident (verbally). All paperwork submitted to CoA within 48 hours.	CoA to organise repairs as soon as possible and suit operational requirement. Report to RVFB in accordance with 2.6 Removal from station (offline).
2.2 Planned Maintenance	Brigade will ensure vehicles are ready to be collected or dropped off for planned maintenance	Brigade to be notified <u>48 hours</u> prior (to assist planning training / burning requirements).
2.3 Breakdowns General (minor)	Brigade to report all vehicle breakdown to CBFCO within 1 hour (verbally).	CBFCO to organise repairs within <u>1 business day</u> .
2.4 Breakdowns Afterhours (urgent)	Brigade to report all vehicle breakdown to CBFCO within 1 hour (verbally).	CBFCO to organise repairs within <u>TBA</u> .
2.5 Inspections	Brigade will conduct a full vehicle inspection of each appliance every Monday night.	All records will be kept on station and available to the CoA to review at any time.
2.6 Improvements	Identified vehicle improvements will be provided to the CBFCO.	CoA to review brigade recommendations and approve or decline within <u>14 days</u> .
2.7 Removal from station (offline)	Brigade will contact DFES Communication Centre and will put a message over BART on removal and return.	CoA to inform the Brigade prior to removal and on return.
2.8 Cleaning products /Sundries	Brigade will place order for requested items to CBFCO.	CoA to place order within <u>7 days</u> .

Item	Roleystone BFB comments	Brigade's expectations of the City (notice periods subject to further discussion/negotiation)
3. Station		
3.1 Damage	Brigade to report any damage to the CBFCO within 24 hours of incident (verbally). All paperwork submitted to CoA within 48 hours.	CoA to organise repairs as soon as possible and suit operational requirement.
3.2 Planned Maintenance	Brigade will ensure the station is maintained and available for planned maintenance if required	Brigade to be notified where possible 48 hours' notice (to assist planning training / cadets/ meetings).
3.3 Breakdowns General (minor)	Brigade to report all station breakdowns to CBFCO within 24 hours (verbally).	CBFCO to organise repairs within <u>7 business days</u> .
3.4 Breakdowns Afterhours (urgent)	Brigade to report all Station breakdowns to CBFCO within 1 hour (verbally).	CBFCO to organise repairs within <u>TBA</u> .
3.5 Improvements	Identified improvements will be provided to the CBFCO.	CoA to review brigade recommendations and approve or decline within 14 days.
3.6 Occurrence book	Brigade members will complete the occurrence book on entry to the station and all incidents.	CoA and CoA contractors to complete the occurrence book on entry to the station. The occurrence book is available to be reviewed by the CoA at any time.
3.7 Cleaning	Brigade will clean the station weekly.	CoA to clean carpets <u>1x per year</u> .
3.8 Cleaning products /Sundries	Brigade will place order for requested items to CBFCO.	CoA to place order within <u>7 days</u> .
3.9 Yard	Brigade will maintain agreed yard area.	CoA to maintain area outside of the agreed yard area. CoA to clean the gutters <u>2x per year</u>
3.10 Stationary	Brigade will place order for requested items to CBFCO.	CoA to place order within <u>7 days</u> .
4. PPE/PPC		
4.1 Ordering	Brigade will place order for requested items to CBFCO.	CoA to place order within 7 days.
4.2 Stock levels	Brigade to retain a basic stock of PPE/PPC on station that is managed by the equipment officer (new/for old).	CoA to Audit brigade stock levels and maintain supply.
4.3 Return of equipment	Brigade will return all PPE to the CoA returned from members.	CoA to Dry clean and repair PPE/PPC to be re issued.
5. Incident Reporting (IRS)		
5.1 Brigade incident reports	Brigade to complete all BFB IRS reports within 7 days.	CoA can audit and access this information at any time via IRS.

Item	Roleystone BFB comments	Brigade's expectations of the City (notice periods subject to further discussion/negotiation)
6. Meetings		
6.1 General	Brigade will hold a General Meeting the 1 st Wednesday of every month (Except January).	CoA Rep to attend a minimum of 1 meeting per quarter.
6.2 Management	Brigade will hold a Management Meeting the 2nd Wednesday of every month.	CoA rep is welcome to attend any management meeting.
6.3 Community Engagement	Brigade CE meeting is held every (TBA).	CoA rep is welcome to attend any CE meeting.
6.4 EMT	Brigade representatives to attend meeting.	CoA will hold an EMT meeting <u>Bi monthly</u> .
6.5 Training	Brigade representatives to attend meeting.	CoA will hold a Training meeting <u>Quarterly</u> .
6.6 Special meeting CEO/ Mayor	Brigade to Invite CEO and Mayor to 6 monthly management meeting.	CoA CEO and Mayor to attend special meeting at agreed time.

Unfortunately the third workshop which was to be held in February 2021 was postponed due to the Woorooloo bushfires and COVID lockdowns. On 8 April 2021 the RVFB wrote to the City with its request that the RVBFB be divested to DFES.

As there were no further workshops following receipt of the request to divest the RVBFB, there has not been an opportunity for the City to respond to the items tabled by the RVFB or to raise and discuss the City's own expectations of the Brigade. Some of the operational matters that the City wished to raise with the RVFB included:

- the RVBFB appliances responding to RVFRS incidents (i.e. road crash rescue) without seeking approval from the City, leaving the City vulnerable should the appliances be required to attend to bushfire incidents.
- resolving issues in the way the Brigade manages ordering, distribution and return of PPE/PPC and ensuring that processes comply with funding guidelines.
- ensuring that lease conditions are adhered to and the City is informed about, and approves any proposed alterations to the building or the site prior to the brigade undertaking or seeking funding for works.

Some of the more strategic matters that the City wished to raise with the RVFB included:

- improving the level of understanding of the correct governance and administration of the various entities under their respective pieces of legislation being the RVBFB (*Bush Fires Act 1954* and the *City's Bush Fire Brigades Local Law 2019*), RVFRS (*Fire Brigades Act 1942*) and RVFB Inc (*Associations Incorporation Act 2015*) and how this relates to current practices and management structures with a view to achieving a consistent and compliant set of operating rules for the Brigades.

- achieving an overarching heads of agreement between the City and DFES over roles and responsibilities, including authority and decision making at incidents and with respect to disciplinary matters, to ensure there are clear and unambiguous processes between the Brigades, DFES and the City that are consistent with all relevant legislation and the City's local laws.
- ensuring that risk and liability to all parties is minimised and clarity is provided through the heads of agreement with DFES regarding insurance coverage and responsibilities.

Since the workshops were held, the City's CBFCO has been removed from the BART notification system by the RVFB on three occasions leaving a critical gap in communications and situational awareness.

Personal Protective Equipment (PPE) and Personal Protective Clothing (PPC)

Both the RVFRS and RVBFB are supplied with PPC utilising suppliers such as Stewart and Heaton Clothing Company, as well as Frontline Fire and Safety (who are also preferred suppliers for DFES). As a result, the quality of the PPC provided to both Services is equivalent, however there are differences in what is supplied based upon the specific needs of the Service (i.e. different helmets due to the differing safety considerations). The RVFB have made it clear to the City that they only want their PPC to be supplied from Stewart and Heaton as this is where DFES gets theirs.

An ongoing issue for RVFB is that under the requirements of the LGGS, which funds the operations of Bush Fire Brigades, the City is required to provide PPC directly to individuals rather than as general inventory to the Brigade. At times this has been at odds with the Brigade's wishes and has been a point of contention with the City.

An important consideration is that the yellow turnout PPC is recognised as being local government Bush Fire Brigade, while lime is considered Volunteer Fire and Rescue Service / Volunteer Fire and Emergency Service or career firefighter. It is important on a fireground to distinguish the relevant services via their uniforms so that they can be suitably tasked.

The City currently maintains a database of PPC that is issued to the RVBFB membership with all details including request, ordering and delivery recorded in the City's record keeping system.

The City keeps a small stock of PPC trousers in the storeroom in Lower 145 Jull Street, allowing a same day replacement. The PPC jackets and trousers are collected by the CBFCO, from Stewart and Heaton, on his way to/from work and are generally able to be supplied on station either that day or the next day at the latest. This has meant that 44.4% of requests received in the last year were completed in less than a week.

The supply of PPC stock has been impacted by COVID-19 and suppliers on the eastern states have not always been able to supply PPC in a timely manner. Even so, 83.3% of all PPC requests have been completed in less than 2 weeks.

Within reason, the City does try and supply PPC that can be used for both RVBFB and RVFRS activities. As an example, the City provides level 2 structural firefighter boots, however some equipment is specific to the individual service (i.e. helmets).

From Frontline Fire, the cost of Structural Firefighting Boots is \$244.53, Stewart & Heaton trousers are \$185.53, t-shirts from Excalibur Print for Bedforddale VFBFB are \$15.50 and from Stewart and Heaton for Roleystone VFBFB the cost is \$24.30 each. It is not known what DFES pay for their PPC.

Replacement of BFB PPE and PPC is on an as-needs basis.

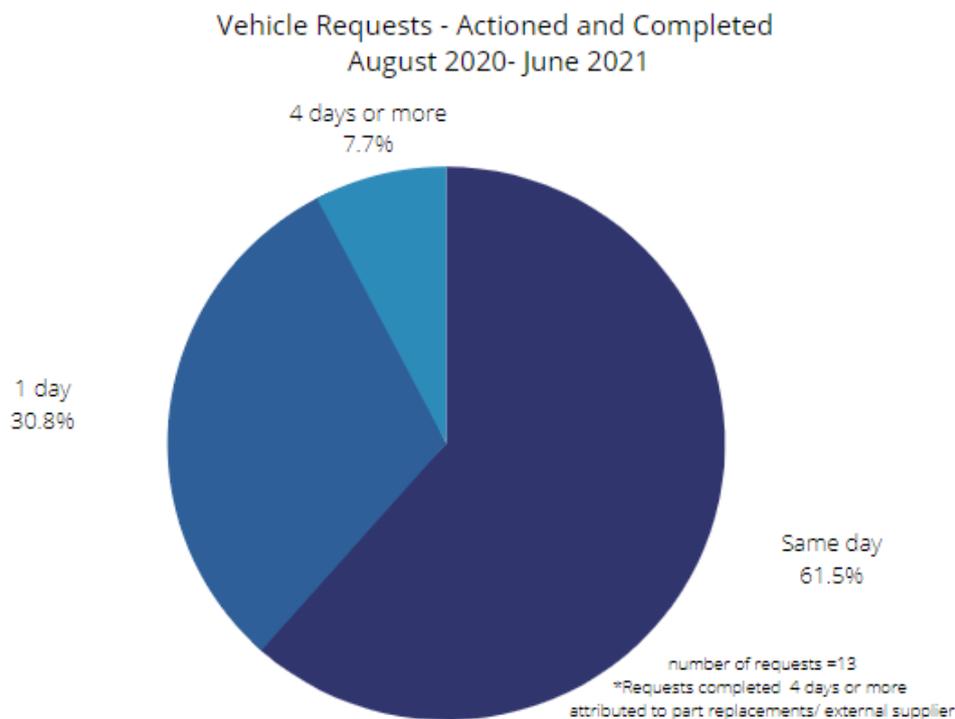
Within reason PPE and PPC can be used for both services, however as mentioned previously, there is specialised equipment that is specific to VFRS (i.e. structural tunics & pants, helmets and boots, which is referred to as Level 2 PPE). BFB only use Level 1 PPE for bushfire turnouts.

Maintenance and repairs to vehicles

The City's Emergency Services have a long established working relationship with the City's Workshop. The Workshop is fully aware of the importance of the City's fleet of fire appliances and prioritises relevant works and aim to minimise the time that they are off station. The BFB appliances are serviced every 6 months. When the Brigade report an issue to the City a workshop mechanic is tasked to attend the station as soon as possible. Where possible the issue will be rectified on station, however where this cannot be done, the appliance has to be brought back to the City's workshop.

As with any vehicle repairs however, the City is at the mercy of suppliers when it comes to parts availability. Furthermore, in the case of the heavy 3.4 trucks (3,000 litre 4 wheel drive) for both Bedforddale and Roleystone, issues have needed to be repaired under warranty meaning the appliances have had to go offsite to Frontline Fire and Safety in Malaga. All emails relating to vehicle requests for fire appliance faults/maintenance are recorded within the City's record keeping system.

The following graph shows response times for fire vehicle requests over a 12 month period, with 92.3% of requests being completed within one day.



On 26 August 2021, a bush fire appliance was removed from the station by the City for its winter service without prior notification to the Brigade. This resulted in a period of approximately one hour before the Brigade was informed and was not in accordance with established protocols.

The City understands that earlier this year, the DFES Workshop removed the RVFRS light tanker from the station without providing prior notification to the Brigade. The appliance's absence was only identified when Brigade members turned up to their regular Monday night training and duty crew handover. It is the City's understanding that the DFES Workshop provided a replacement appliance a couple of days later.

On other occasions the RVFRS have taken RVBFB appliances to FRS incidents without notifying the City. Given the importance of all parties knowing where their appliances are at any time, having processes that are agreed, documented and as fail safe as possible is essential. As noted previously in this report, this is an item that both the City and Brigade were wanting to work through during the workshops.

Response times for general requests

The CBFCO is available on mobile 24/7 to respond to all emergency service notifications. All correspondence received from the Brigade and any subsequent responses are recorded in the City's record keeping system. An analysis of response times over the last 12 months shows that 85.7% of correspondence is actioned and completed in less than a week.

Request from Roleystone Volunteer Fire Brigade - April 2021

On 8 April 2021, the City received correspondence from the RVFB indicating that, at a general meeting, members of the RVFB had “*voted in favour of ceasing all operational ties with the City of Armadale*” and that the RVBFB expected within 60 days that the City would present a clear strategy toward handing the management of the RVBFB to the DFES.

Following the request, a Councillor workshop was held on 21 May 2021, to seek policy guidance from Councillors on the future of the Volunteer Bush Fire Brigade in Roleystone. The workshop examined the two principal policy options to the status quo:

1. The City divesting the RVBFB to DFES.
2. The City retaining the RVBFB and supporting DFES to relocate the RVFRS to a purpose built facility elsewhere within the townsite.

The first part of the workshop was attended by the DFES District Superintendent - South East and the DFES Assistant Commissioner Metropolitan, who outlined the process by which DFES could assume overall responsibility for the dual functions of fire and rescue, and bushfire response should Council decide it wished to pursue this option.

The workshop was also attended by the City's lawyers who provided advice on the interaction of each policy option with numerous pieces of relevant legislation and the City's *Bush Fire Brigades Local Law 2019*.

Policy guidance from the workshop assisted in the development of a report presented to the Corporate Services Committee Meeting of 22 June 2021, recommending that Council retain the RVFB as a valuable service to the Roleystone Community and support DFES to relocate the RVFRS to a more appropriate and sustainable location.

Following deliberation, Committee amended the recommendation, and at the Council Meeting of 28 June 2021, Council resolved (CS33/6/21)

That Council:

5. *Defer consideration of the recommendation pending receipt of further information.*
6. *Request the Mayor, Deputy Mayor and Chief Executive Officer meet with the Commissioner of the Department of Fire and Emergency Services at the earliest opportunity.*
7. *Note that in the interim the status quo remains.*

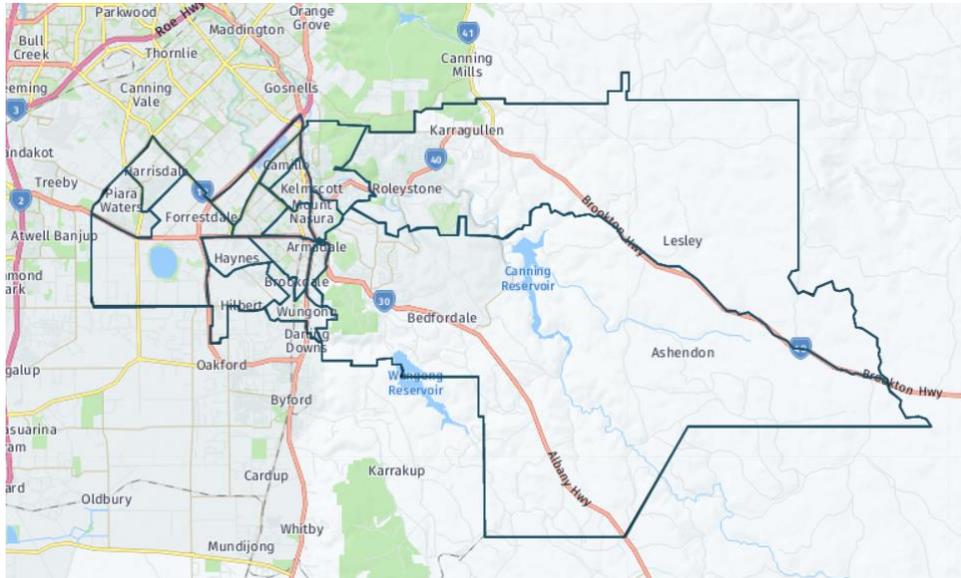
On 7 July 2021, the Mayor, Deputy Mayor and Chief Executive Officer met with the FES Commissioner, DFES Deputy Commissioner Operations and the DFES Chief Superintendent Metropolitan Operations. Following the meeting, the FES Commissioner provided a written response to the questions asked by the City, which had formed the basis of the discussion with the Commissioner and his staff. This response is provided in full in part 2 of this report.

The written response from the FES Commissioner was provided to the City's Councillors and an invitation extended to submit any further questions or request specific information that councillors would like to see included in a subsequent report.

1(D) RESOURCING, CAPACITY AND DEMAND

Projected population growth

According to the latest available ABS data, there is a current estimated population of 7,365 people living in Roleystone - Karragullen.



Population forecasts for Roleystone – Karragullen – Lesley are shown below:

- 2021 - 7,365
- 2026 – 7,470
- 2031 – 7,574
- 2036 – 7,690
- 2041 – 7,781

As the forecasts show, while there is an expected increase in population, it is not significant in and of itself to warrant additional resources. However, this does not mean that when it is coupled with the impacts of climate change that an argument for a change in the risk to resource allocation cannot be made.

Resourcing

Appliances (vehicles)

The RVFRS currently has 2 vehicles which are managed by DFES (One red Hazmat Structural Rescue (HSR) 8 tonne Isuzu truck and one red Toyota Landcruiser light tanker commonly referred to as “the red trucks”).

The RVBFB currently has 2 vehicles which are managed by the City (one white 3.4U heavy tanker and one white light tanker commonly referred to as ‘the white trucks’).

Both the RVFRS and RVBFB heavy tankers are equipped for bushfire, however the RVFRS HSR carries 1500 litres of water compared to the RVBFB 3.4U 3,000 litres. The RVFRS appliance also carries specialised equipment for structural firefighting and road crash rescue.

Either the RVFRS or RVBFB appliances can be turned out dependant on the nature of the incident. However, non-deployed appliances can also be turned out on request as back up where necessary.

The RVFB also have a bus which was purchased without the City's input. The City does not have the details as to when the bus arrived, how it was acquired and its level of usage. The City is not aware of any reason that the bus could not be stored off-site. Having the bus on-station does cause the engine bay area to be very cramped and it is not known whether the RVFB Inc have insurance for the bus appropriate to its use. The bus isn't an eligible appliance under the LGGS and the City is not familiar with other volunteer fire brigade groups having a bus, other than those used as Incident Control Vehicles. It is established practice within the industry that the SES are responsible for personnel movement and can be called upon to transport firefighters to and from incidents.

Volunteers

The City and Councillors have been contacted by members of the RVFB who have expressed an alternate desire for a stand-alone, City operated VBFB. This raised the question as to whether there were sufficient experienced members to form a new management committee and to establish a membership base capable of providing an effective service.

The City understands that approximately 25 current and past members of the RVFB are likely to transition to a stand alone City operated Volunteer Bush Fire Brigade. This includes a number of experienced, long serving RVBFB members with some having served for significant periods as office bearers in previous management committees. At a recent meeting involving these RVFB members and Councillors, the members indicated that there would be experienced members available to fill the management committee roles needed to operate the brigade effectively.

With regard to the availability of crews, 6 would be an optimal number required to turn out to operate the two vehicles - 4 for the heavy tanker and 2 for the light tanker. This could increase to 8 with the crew for the heavy tanker accommodating a maximum of 6, depending on the incident.

The members indicated that an initial membership base of 25 would provide for effective operational coverage, allowing for stand by rostering of crews and coverage for availability.

Unfortunately as this matter has progressed, there have been claims made that there have been times when the Bedforddale BFB has not been able to supply a crew during the days despite having a large number of members. Records indicate that the Bedforddale BFB has 57 members, with 8 of them being non-active firefighters. Enquiries have been made and no evidence has been found to support the claim that fires were not responded to by the Bedforddale BFB during the day. Notwithstanding the above, responses cannot be guaranteed from any volunteer fire service. Call out procedures always incorporate contingences that take this scenario into consideration.

The City does not have access to DFES records regarding the total VFRS numbers over time. Similarly the year the DFES cap was raised from 25, the reason for the cap, why it was raised and whether the City was consulted have not been able to be determined within the time available. It is also not known whether the change in the cap was influenced by an increase in the Risk to Resource assessment.

As at 6 October 2021, the RVBFB membership is 54, with 7 on leave of absence, 13 Associate members, which means there is a total of 34 active members.

There have been 84 cadets at RVFB since 2001, and there are 18 junior members/cadets at this point (as at 6 October 2021) who operate under the DFES youth procedures.

In terms of asset replacement, there has been 2 x 2000ltr 4WD rural appliances, 1 x 3000 4WD Urban and 4 x Light Tankers for the BFB since 2002. The BFB don't own any variable message boards or buses, these are owned by the RVFB Inc. The City does not have information regarding the replacement of RVFRS assets.

The City has access to the full name, residential address, contact telephone, gender, next of kin, service history and training records of the Brigade Volunteers. The City's BFB volunteer applications don't request specific information of employment details, therefore the City doesn't have records of the 'day job' location of volunteers, or the exact number of DFES employees that have been in the RVFB or on the management committees over the years. City Officers are aware of DFES employees having been part of the RVFB management committee, including the current management committee. The City has not been able to conduct an analysis to determine whether there is a correlation between DFES officer involvement with local government bush fire brigades and subsequent DFES take over of these brigades.

In terms of a central communications hub for the brigade, the City has a subscription to BART (Broadcast. Alert. Respond. Turnout.) for both Bedforddale and Roleystone BFBs. BART is an independent national cloud-based app used by emergency services agencies (government and non government) as well as other large companies (such as Rio and Coles) to assist in managing call out and other information sharing activities. The City also has standardised email distribution lists for communications to brigade volunteers. There is no difference in communications between Roleystone and Bedforddale brigades, nor should there be. A survey of 6 other large local governments with volunteer brigades in the Metropolitan and Peel areas indicated that the City communicates with its brigades in a similar manner.

Emergency services personnel are eligible for a number of service awards. The National Medal (Commonwealth) and Long Service Medals (BFB & VFRS) are managed by DFES. The City presents BFB & SES Long Service Awards. The City's brigades have historically managed their annual awards presentation evening. Senior DFES Officers, along with City Councillors and Senior Officers attend on behalf of their respective organisations. The City presented a CBFCO award for both Senior Fire Fighter of the Year and Cadet Fire Fighter of the Year at the Bedforddale 2021 Annual Dinner, however this offer was declined by the RVFB. A review and formalisation of the acknowledgement and service awards for the City's Bush Fire Brigades within a Council Policy is recommended.

Culture and Approach

The Ferguson Report³ into the January 2016 Waroona fires highlighted the fundamental differences between the command and control culture of the DFES fire and rescue service and rural bush fire brigades. With respect to the establishment of a Rural Fire Service the Special Inquiry found that:

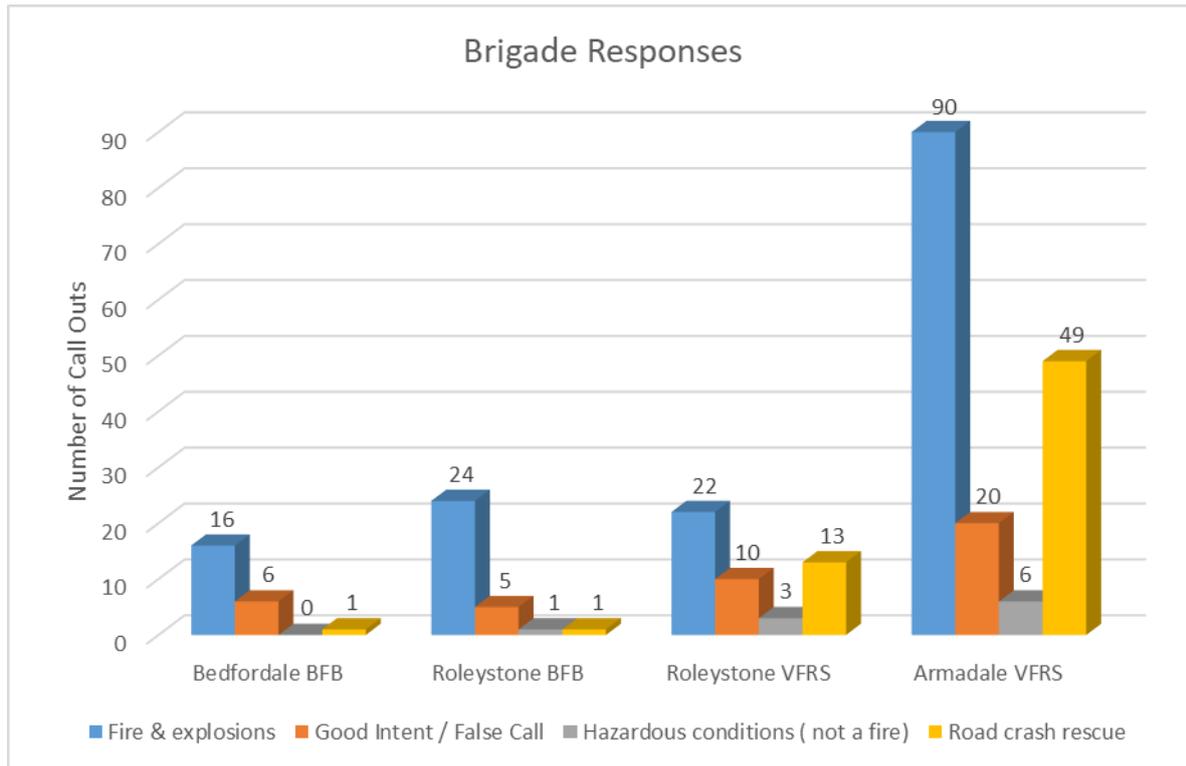
The creation of a service sitting wholly within the structure of DFES is also not recommended by the Special Inquiry. As outlined in this Chapter, DFES has not demonstrated a sufficient capability to manage rural fire, and as an agency adopts methodology and approaches which are unsuited to the rural fire context. It is also a unionised environment, and does not sufficiently involve or utilise volunteer bush fire

³ "Reframing Rural Fire Management" Report of the Special Inquiry into the January 2016 Waroona Fire

brigades, which are the backbone of rural fire management....In the Special Inquiry's view, it is difficult to envisage a structure within DFES, other than a sub-department acting with relative autonomy and independence that can deliver rural fire services across the spectrum of prevention, preparedness and response in a more effective way than is currently the case.⁴

Capacity and Demand

The following graph shows call outs by type for the 2020/21 financial year for the Bedforddale Volunteer Bush Fire Brigade, the RVFB, the RVFRS and for comparison, the Armadale Volunteer Fire and Rescue Service.



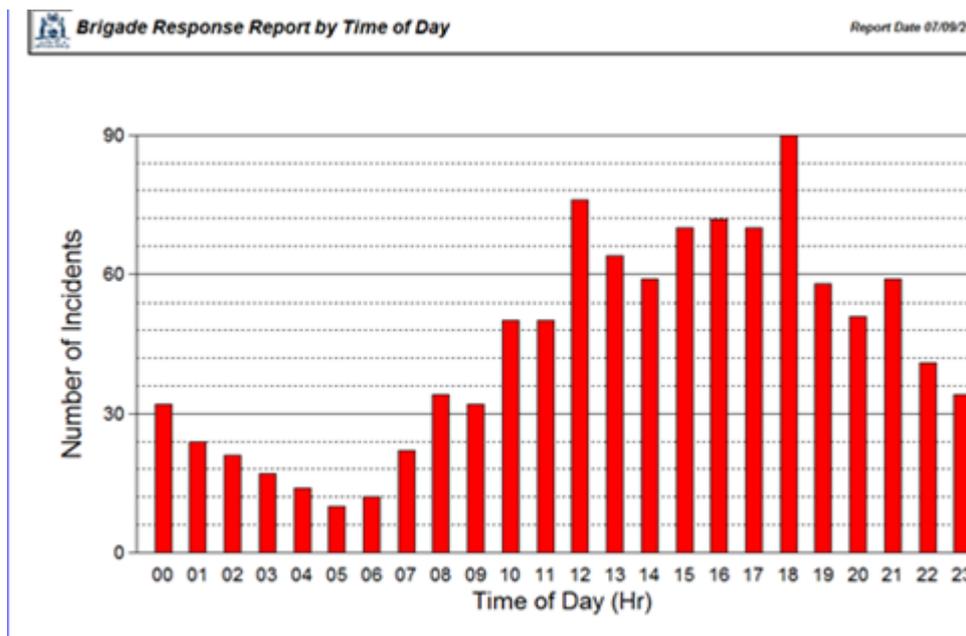
Source: DFES - Incident Statistic System (ISS)

The RVFRS has 2 red trucks, the same number of appliances as the Armadale Volunteer Fire and Rescue Service, which responds to significantly more incidents. The figures in the graph would indicate that capacity exists with the RVFRS to allow for growth, at least with respect to the number of appliances, however this is ultimately a matter for DFES to consider, as they are responsible for the VFRS.

The RVFRS have attended 1062 incidents since 1/7/1998, with the highest number of incidents occurring at 6pm at night.

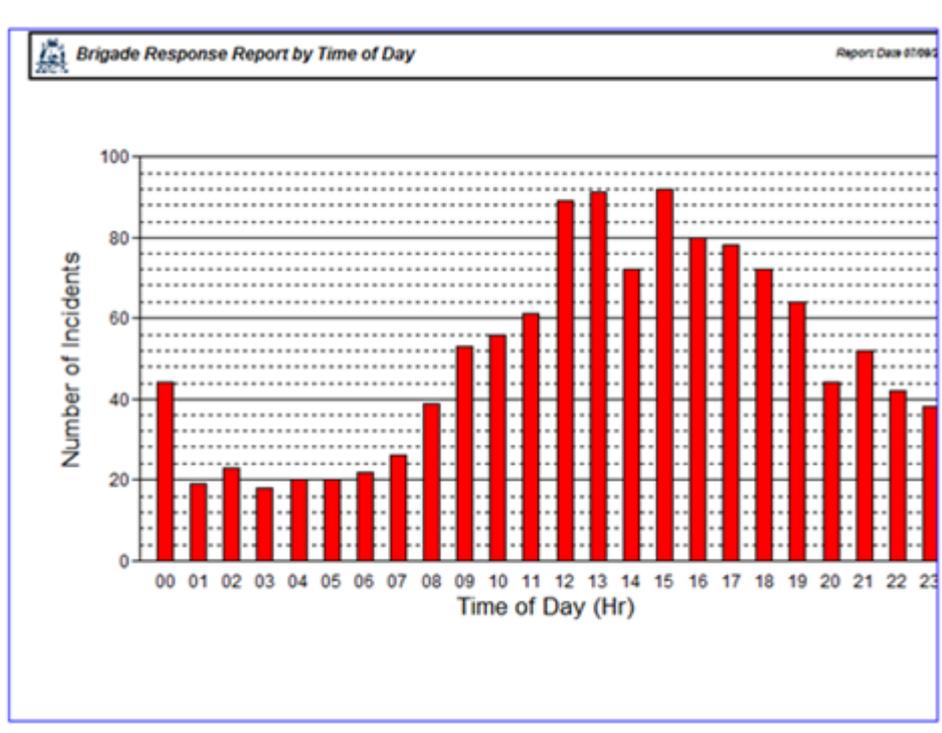
Filter : Report for Brigade 198 ROLEYSTONE VFRS from 01/07/1998 to 07/09/2021 Total Incidents = 1,062

⁴ pg 258



The RVBFB have attended 1215 bushfires since 1/7/1980, with the highest number of incidents occurring at 3pm in the afternoon.

Filter : Report for Brigade 6560 ROLEYSTONE BFB from 01/07/1980 to 07/09/2021 Total Incidents = 1,215



The most recent 'risk to resource' (R2R) process for Roleystone was undertaken in 2015 and DFES have advised that the outcomes of this process may no longer be considered the most current potential analysis. Risk to Resource (R2R) assessments of a fire service are used to consider the local strengths and opportunities that exist, as well as identifying threats and weaknesses, with the intention of ensuring that the firefighting resources remain appropriate to the threat that exists. The process is used by DFES to ensure that there is a fair and

strategic distribution of firefighting resources across the State. Information gathered from the process provides a firm foundation for any requests to the DFES Capital Grants Committee for additional/changed resources. There have been three R2R assessments of the City over the last decade, one for the district, one accompanying a request for a regional 12.2 Bulk Water Tanker for Roleystone, and one requesting an additional 3.4 urban appliance for the Bedforddale VBFB. Both these requests were unsuccessful. A copy of the 2015 R2R for Roleystone has been included as a confidential attachment to this report.

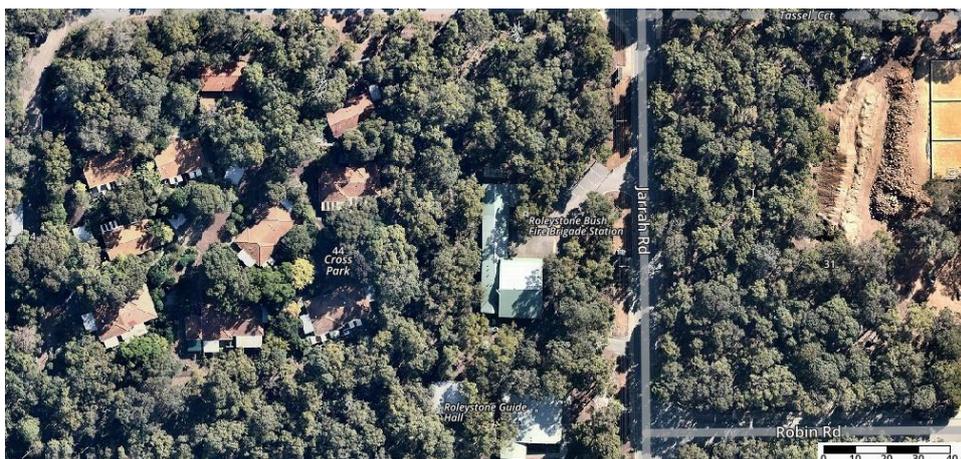
Volunteer Bush Fire Brigade profile selection criteria is outlined under Appendix I of the LGGS Manual for Capital and Operating Grants
<https://www.dfes.wa.gov.au/emergencyserviceslevy/ESLGrantsDocs/LGGS-Grants-Manual.pdf>.

Both Bedforddale and Roleystone VBFB are classified as Urban Defensive and the existing appliances are in line with this profile. There is no standardised brigade profile regarding numbers of BFB volunteers, it is a matter for the City to consider, depending upon individual circumstances (i.e. member availability, FIFO workers, etc.).

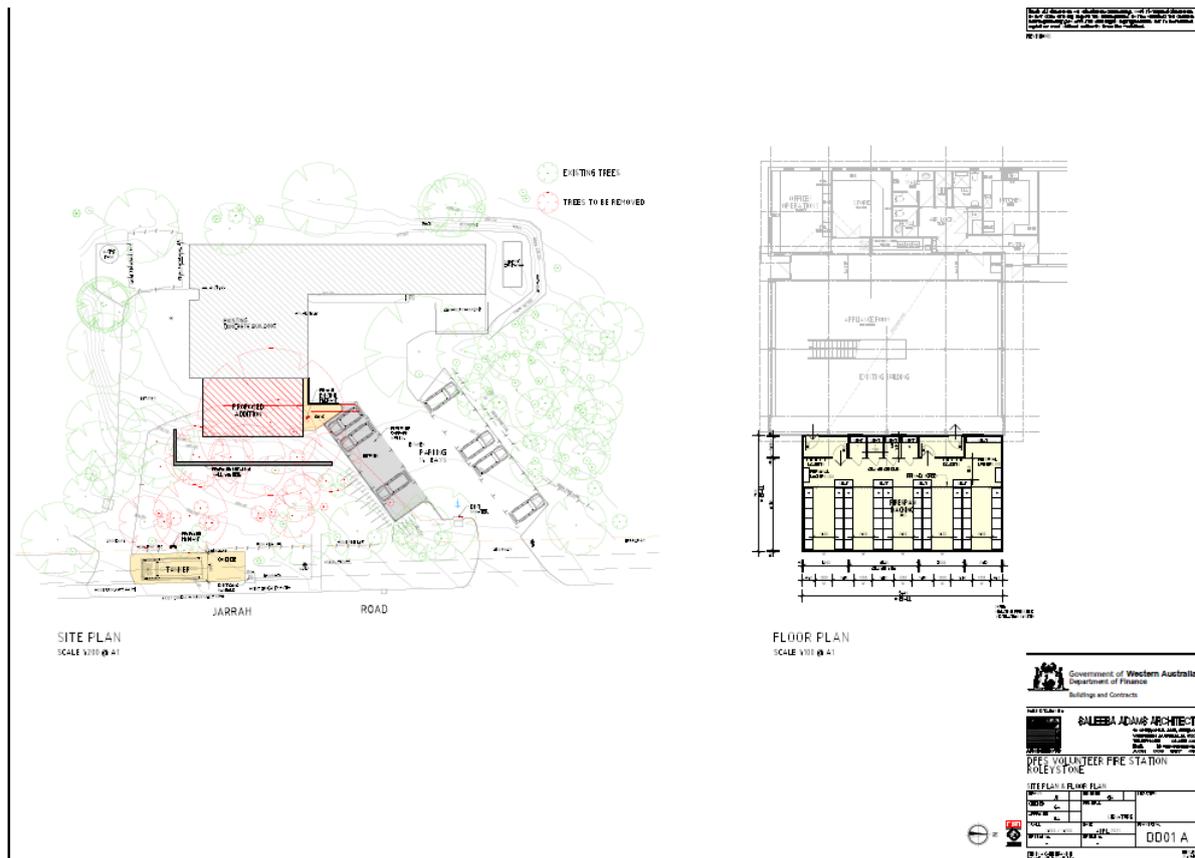
1(E) STATION FACILITIES

Capacity of Facility

The Roleystone Fire Station was officially opened in December 2000 to accommodate the two colocated brigades and was further extended by 91m² in 2008. The building is currently approximately 550m² in size and sits on a 3250m² vegetated portion of Cross Park in the Roleystone townsite.



DFES have indicated that a further 107m² extension of the building is now required, which does not include the associated retaining wall works, car parking and tanker filling area. The existing slip road past the vehicle bays is lost, the hydrant adjacent to the building is being removed and the existing tanker filling area is shown on the plans as having to be relocated on the verge due to the constraints of the site. The extension and associated works are outside of the current leased area for the premises and do not include any Asset Protection Zone that may be required.



The Roleystone Fire Station of 550m² is accommodating a volunteer fire and rescue brigade with 2 appliances serving a gazetted town site area of 1,245ha, and a bush fire brigade with 2 appliances serving a turn out area of 29,733ha. The two brigades are collectively serving a population of 7,365 people.

For comparison, the new Bedforddale Bush Fire Station sits on an area of 4900m² with a building of 1000m², accommodating a single bushfire brigade with 2 appliances, and serving an area of 10,850ha and a population of 3,100.



Irrespective of the management outcome chosen by Council for the Roleystone VBFB, the opportunity for the City to work closely with the State and Federal government to explore opportunities, including on State land, for a new purpose built facility for Roleystone that comfortably allows for current and future operations (as for Bedforddale) should be explored.

Occupancy arrangements

The RVBFB and the RVFRS currently share the same facility with a majority of the members being "dual registered" as volunteers for both services. The current facility is located at Cross Park, part of lot 100 on plan 2533 situated at 44 Jarrah Road, Roleystone on freehold land owned by the City.

In general terms, the colocation of emergency services is promoted by DFES as indicated in clause 2.7 of the *LGGS Manual for Capital and Operating Grants* states the following -

"A collocated facility is an emergency service building that houses two or more emergency services. The collocated emergency services retain their own identity and autonomy but share the emergency services facility and some equipment thereby minimising unnecessary duplication.

DFES continues to actively promote the establishment of these facility types that provide for integrated emergency services that are both functional and cost effective."

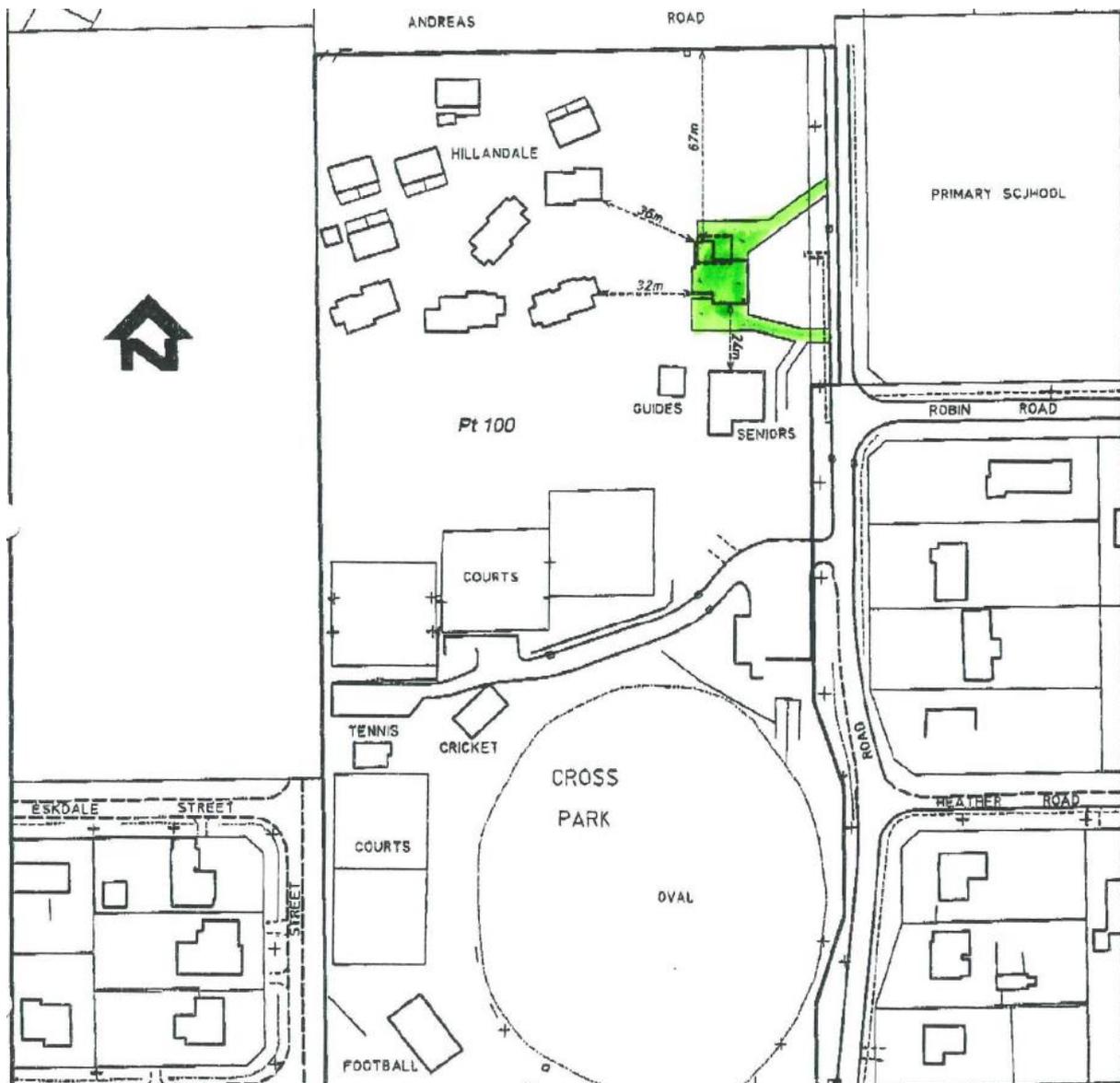
Membership to a Volunteer Fire and Rescue Service, including maximum allowable numbers, is prescribed under r.159 of the *Fire Brigades Regulations 1943*. Ordinarily under the regulations the maximum allowable number of active members is forty (40).

However r.159(6) of the *Fire Brigades Regulations 1943* allows the FES Commissioner to increase the number of active members because of special circumstances that apply to the brigade. It is the City's understanding that the number of active members for the Roleystone VFRS has been increased to sixty (60).

The *Bush Fire Act 1954* doesn't place a cap on the maximum membership, therefore local governments are able to set the maximum allowable number of volunteer bushfire fighters through their local law, if they choose. The City doesn't place a cap on the number of active members for the RVFB.

The current statutory occupancy capacity of the building is 72, although Council has the ability through a lease agreement for its facility to set a figure less than the maximum allowable should other considerations come into play (parking, noise etc).

The current Roleystone Fire Station facility which is owned by the City was leased to the then Fire and Emergency Services Authority for a period of 21 years commencing on 9 December 2001 and expiring on 8 December 2022. The premises that are the subject of the lease are the whole of the building on the land as is delineated in green below.

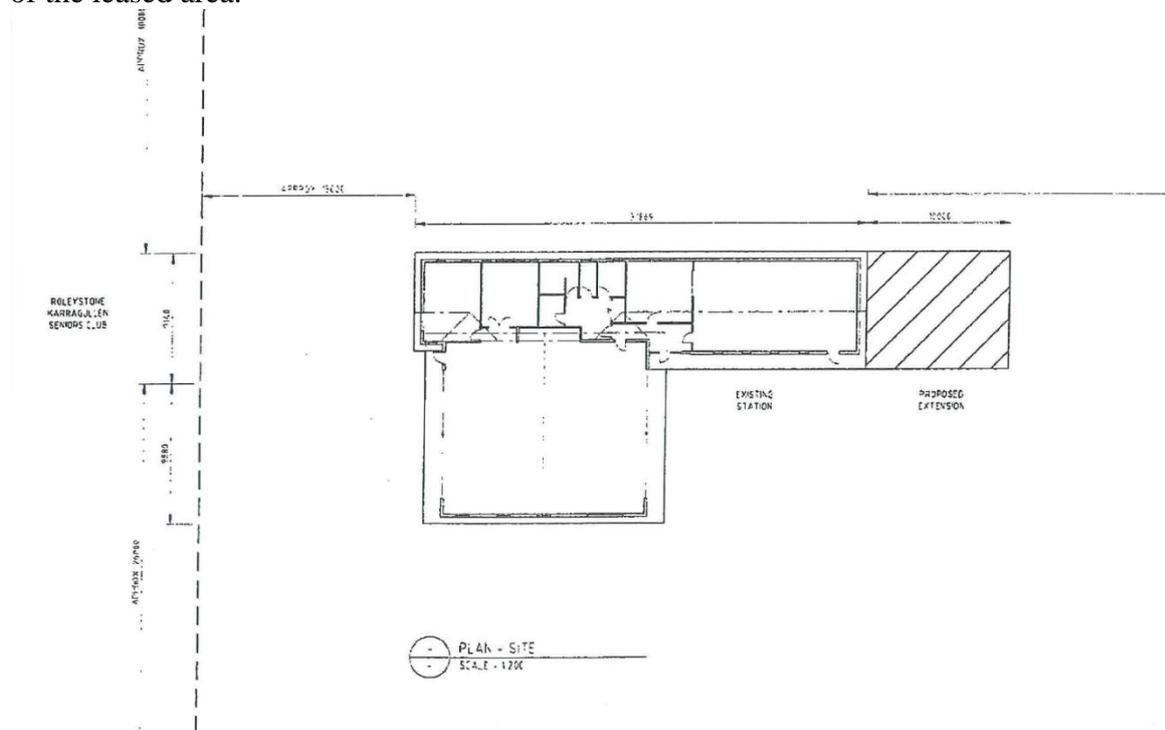


While FESA were granted a lease, access to the facility by the Bush Fire Brigade Volunteers was provided for under Clause 10 of the lease. Additionally, during the course of normal operations, the City's Chief Bushfire Control Officer attends the station to carry out his statutory duties under the *City of Armadale Bush Fire Brigades Local Law 2019* in his capacity as Chief of the City of Armadale Volunteer Bush Fire Brigades.

10. ACCESS TO PREMISES

The Lessee shall permit the Lessor to have access to the premises at all reasonable times, with reasonable notice being given except under emergency situations whereby no notice is required. For the purposes of this lease, members of the City of Armadale Volunteer Bush Fire Brigade will have the same access rights as those Volunteer members of the Lessee.

A Deed of Variation was executed on 21 May 2008 to extend the leased area to allow for a 91.4m² expansion of the premises, as shown in the following diagram which now forms part of the leased area.



Rent is set at \$1 per year with arrangements for other ongoing costs covered in Clause 11 of the lease schedule;

11. OUTGOINGS

- 11.1 OUTSIDE OF THE RENT, THE LESSEE & THE LESSOR EQUALLY WILL PAY WATER, ELECTRICITY AND GAS CONSUMPTION, AND OTHER STATUTORY CHARGES (WHERE APPLICABLE), AND ALL TELEPHONE CHARGES (INCLUSIVE OF ALL SERVICE AND RENTAL COSTS AND ALL CALLS).
- 11.2 ALL MAINTENANCE COSTS ASSOCIATED WITH THE NEW FACILITY WILL BE BORNE BY THE CITY OF ARMADALE.

The RVFB undertake general cleaning of the building, however maintenance is managed by the City using funding from the LGGS.

Requirements for Building Modifications

While the City has not yet received a formal proposal for building modifications, plans for an extension to the current station were received from DFES by the City on 4 October 2021. DFES have indicated that a further 107m² extension of the building is now required for lockers and change cubicles, which does not include the associated retaining wall works, car parking and tanker filling area. The existing hydrant adjacent to the building is being removed and the existing tanker filling area is shown on the plans as having to be relocated on the verge due to the constraints of the site. The extensions do not address accommodation of the bulk water tanker identified for Roleystone under the R2R assessment. Previously, the Brigade has inquired about construction of an additional storage shed and also a 'crash pad'

for road crash rescue training, although the District Superintendent has since advised these will not form part of any proposal for the site.

The *Building Act 2011* states that any upgrades, alterations or additions require compliance with current building standards (current Building Code of Australia [BCA] requirements) and include an upgrade for accessibility from the "principal entrance" of the building to the upgrade or addition. For example, if additional facilities were proposed, the path of travel (down passages, through doors etc) from the principal entrance of the building to the additional facilities would need to be upgraded to current disability standards and the new facilities would have to fully comply with current BCA requirements.

In regard to bushfire management plans and asset protection zones, these are usually imposed through the planning process rather than the building permit process.

Cross Park is owned by the City as a freehold lot and is reserved for 'Parks and Recreation Local' in the City's Town Planning Scheme No.4 (TPS 4) and zoned 'Urban' under the State Government's Metropolitan Region Scheme (MRS). In general, with respect to any building modifications to the current fire station, the bushfire protection requirements would be dependent on the entity undertaking the modifications as follows:

- Local Government project: The subject land is zoned land under the MRS. The Department of Planning, Lands and Heritage's Planning Bulletin 94 sets out in what circumstances an exemption from a requirement to obtain Planning Approval for a "public work" would apply. Although this proposal would be classified as a "public work" by a "Public Authority" an exemption from Planning Approval under the MRS is not available for the subject purpose on land "zoned" under the MRS. An application for Planning Approval would be required to be lodged with the WAPC. The Local Government can recommend conditions to be imposed regarding bushfire protection but it would be up to WAPC to decide whether to impose such conditions.
- RVFB project: On the assumption that the Brigade is a separate incorporated entity and will be entirely responsible for constructing the asset with no CoA financial or project management involvement, a public works exemption would not apply and planning approval would be required under both the City's TPS No.4 and the MRS but the City will be the determining authority under both Schemes and would be able to impose conditions related to bushfire management/protection if it was deemed necessary.
- DFES project: It would likely meet the definition of a 'public work', however the approval of the Western Australian Planning Commission (WAPC) is required under the MRS. The application would be required to be lodged with the Local Government who would then refer it to the WAPC for determination and would recommend conditions to be imposed if the application is approved. It would be up to the WAPC to decide if an assessment of bushfire protection would be required or not – the WAPC have required this for numerous other uses in Roleystone and may seek advice from DFES.

Internal modifications would not require planning approval, if consistent with the current use of the land.

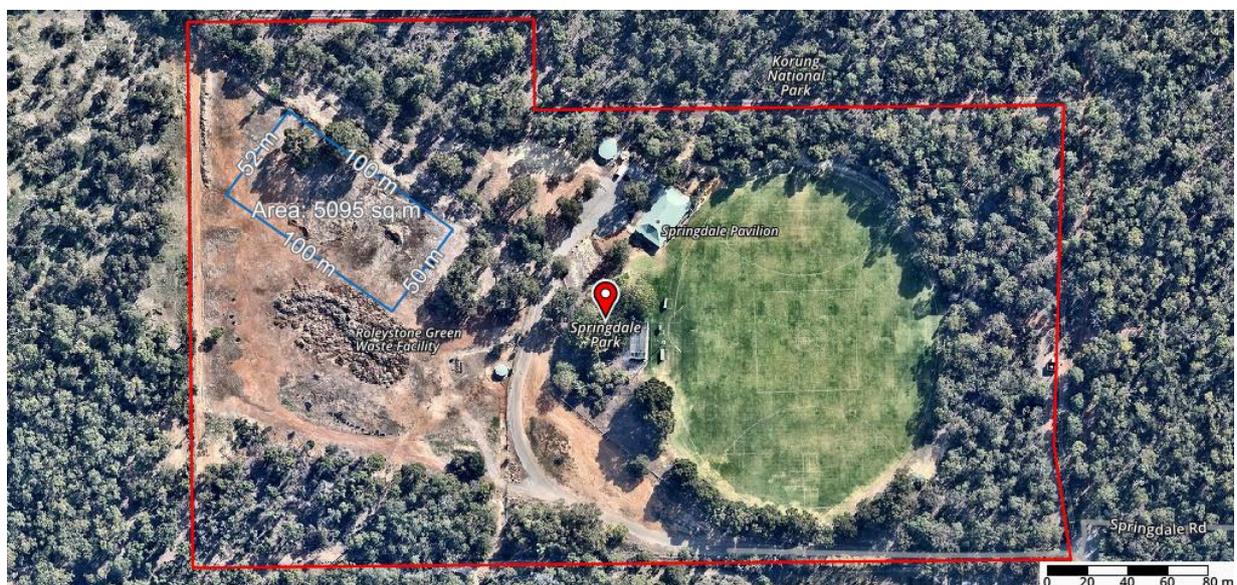
Alternative sites

Should Council decide that the RVFRS should be relocated from the current facility, the City would provide support to continue the current colocation until a new facility within the current gazetted townsite area was secured. This would allow the City's RVBFB to remain in situ in a City facility on City owned land for the long term.

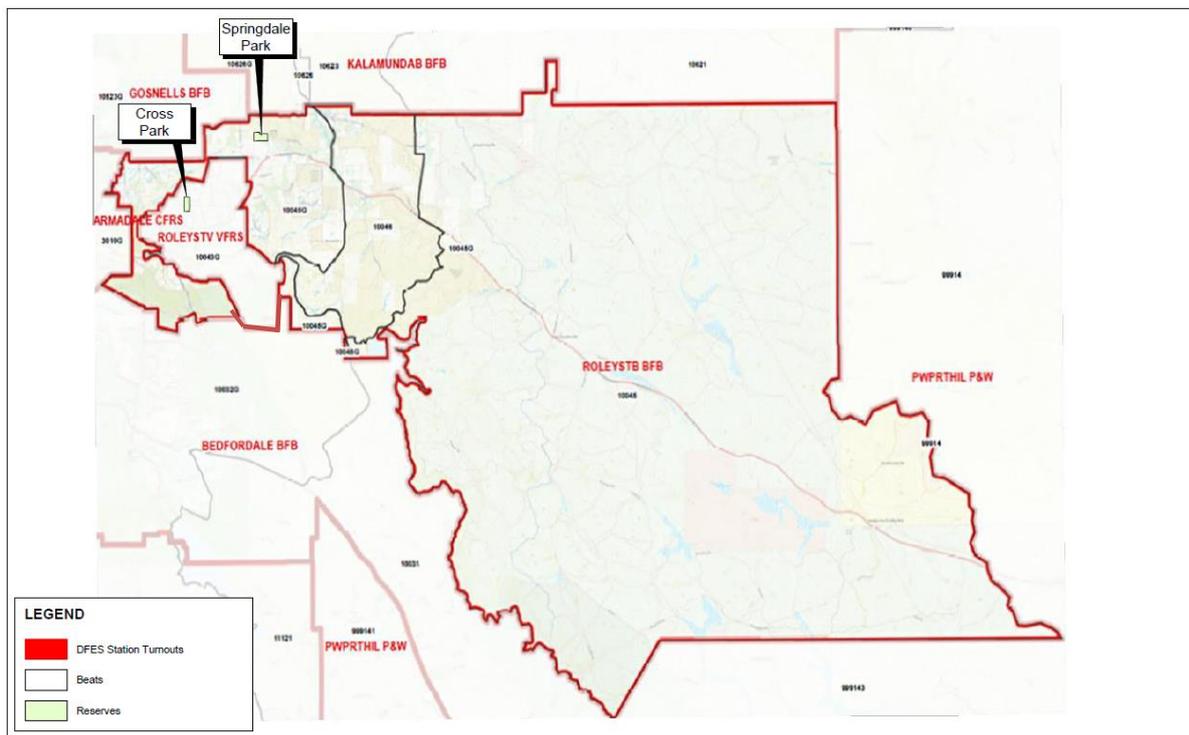
However, if the Council was to form the view that the RVFRS could remain in situ at the existing fire station providing fire and rescue and bushfire response within the gazetted townsite area, but that the site was not capable of providing for the operational needs of two brigades, or that the governance complexities and cultural differences between the two brigades were insurmountable, then a separate VBFB station located within the Roleystone Turn Out Area could be considered.

Portion Springdale Park (Reserve No. 443898 – 10.3795 ha)

Springdale Reserve is a Crown Reserve vested in the City for "Recreation" Purposes and reserved for State Forest in the Metropolitan Region Scheme (MRS). Springdale was previously considered as a potential location for the current Roleystone Fire Station in 1999 with the assessment being recorded as *"Level. Clear site available. Isolated location with above average costs associated with provision of water, power and telephone. Careful investigation of site necessary due to previous use as landfill facility."* The map below shows that the site could adequately accommodate a 5000m² area, similar to the area of the new Bedforddale Fire Station. This would allow for additional appliances and significantly more volunteers as there is no cap imposed by local government on bush fire volunteer numbers.



The following map shows the location of Springdale Park and Cross Park in relation to the Roleystone VFRS and VBFB response areas.



Roleystone Response Areas

DATE 4 October 2021 - REVISION 2101
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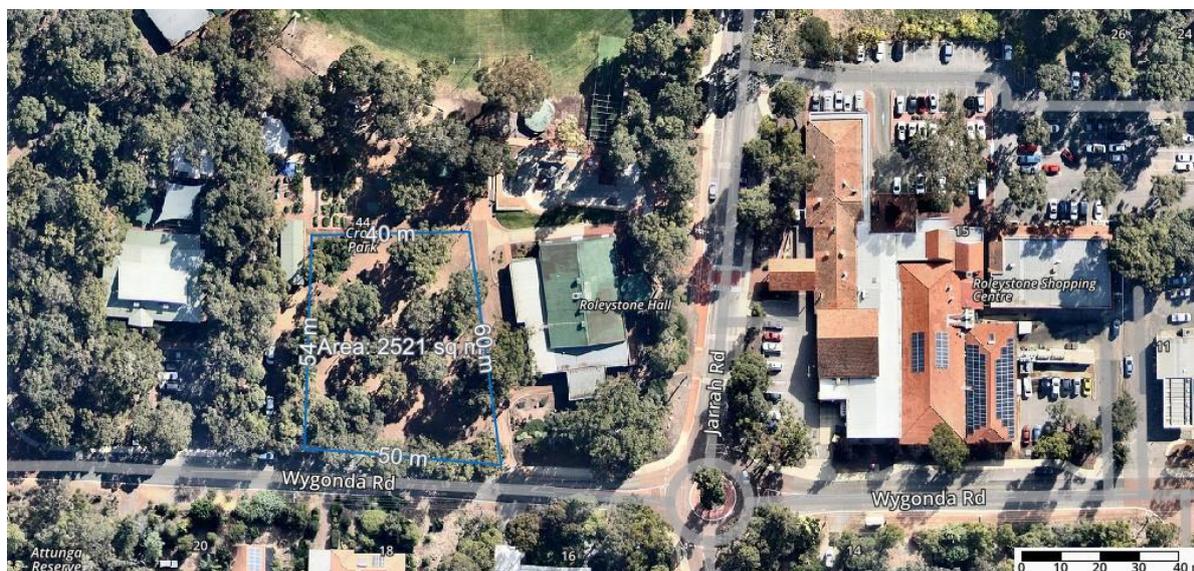
1300 0 1300 2600m SCALE 1 : 130000

Based on information provided by and with the permission of the
Western Australian and Aboriginal Land Trusts and Landgate (2015).
Aerial photograph supplied by Landgate, Perth/area by Hawthorn.



Cross Park – (adjacent Roleystone Hall 2500m²+ and Council owned)

Alternatively, if Council preferred that a new RVBFB was located within the townsite area, then a site on Cross Park adjacent to the Roleystone Hall was considered in 1999 as a possible location for the current Roleystone Fire Station with the assessment being recorded as *“Level site which would require removal of several large trees. Development would substantially reduce Hall parking facility. Opposite dwellings but adjacent to all services.”*



1(F) GOVERNANCE

Residual Responsibilities

Regardless of the bushfire response option decided by Council, the City will retain responsibility for aspects of bushfire planning and management including:

- Preparedness, mitigation and recovery.
- Maintaining a Bushfire Risk Management Plan.
- Enforcement responsibilities under section 59(3) of the *Bush Fires Act 1954* (eg. Fire break notices, illegal burns etc).
- Setting and varying prohibited and restricted burn times.
- Declaring harvest and vehicle movement bans.

Issuing of fire permits

If a VFES model was adopted, the City would retain responsibility for issuing *Permits to Set Fire to the Bush* ('fire permits') under s.18 of the *Bush Fires Act 1954* via Fire Control Officers (FCOs) appointed under s.38(1) of the Act. The City could continue to allow the existing FCOs from the RVFB to issue fire permits, however restrictions would still need to be incorporated into their authorisations to limit their powers to the issuing of permits only.

Gazetted fire districts

Gazetted fire districts are constituted, adjusted or abolished by the Minister by publishing a notice in the Government Gazette in accordance with s.5(2) of the *Fire Brigades Act 1942*. Gazetted fire districts are generally established utilising local government boundaries or townsite boundaries as set out under s.26 of the *Land Administration Act 1997*.

Gazetted fire districts are regularly reviewed by DFES, in consultation with local government, to ensure they remain contemporary and match the current risk profile.

The gazetted fire district for the Roleystone townsite was first established in 1999, with Araluen Estate forming part of the original gazetted area. Whilst there are no records, it would be reasonable to believe that the Churchmans Brook Estate wasn't included at the time because it was part of the Bedforddale BFB response area and in the infancy of being developed. Similarly, there are no records of why Waterwheel and Ridgehill Estates were not included in the gazetted area.

1(G) THE EXPERIENCE OF OTHER LOCAL GOVERNMENTS

Seven local governments were approached for feedback on their relationships with their VBFB, VFRS or VFES as applicable:

- Mandurah
- Serpentine Jarrahdale
- Swan
- Wanneroo
- Kalamunda
- Mundaring
- Rockingham

A summary of the feedback has been included as a confidential attachment to this report.

In addition to the survey questionnaire noted in the preceding table, more detailed consultation was undertaken with the City of Rockingham and Shire of Augusta-Margaret River regarding their recent experiences in transitioning bushfire response to DFES.

City of Rockingham VBFB transition to VFES

There are two recent examples within the metropolitan area, both in the City of Rockingham, where VBFBs have been divested to DFES. In 2016 and 2019, the City of Rockingham transferred two VBFBs, Baldvis and Singleton respectively, over to DFES to become Volunteer Fire and Emergency Services (VFES) Units.

In June 2014, as a result of a recommendation from the City's Bush Fire Advisory Committee (BFAC), the City wrote to the FES Commissioner requesting that DFES carry out a Risk to Resource assessment for the Baldvis Fire District. The request stemmed from a concern that due to the growth and development within Baldvis, the primary responsibility for structure fires (dwellings, buildings etc.) was beyond the equipment and training of the Baldvis VBFB.

In April 2015, the City received a response from DFES advising the Risk to Resource Assessment had been completed and it had identified the need for a structural fire fighting capability, including breathing apparatus, within the Baldvis Fire District. The DFES response also put forward options to achieve this capability which involved the City's Baldvis VBFB and the Rockingham VFRS.

The DFES options were:

1. The relocation of the Rockingham VFRS from the current location on Dixon Road to the Baldvis VBFB Station (DFES preferred option), which would result in either:
 - Forming a combined Rockingham/Baldvis VFRS which would provide structural fire fighting capacity to the Baldvis Fire District ;
 - Forming a combined Rockingham/Baldvis Volunteer Fire Service (used mainly in regional Western Australia to provide for all hazards) which would also provide structural fire fighting capacity; and
 - Creating a co-located Brigade whilst maintaining the Rockingham VFRS and Baldvis VBFB as separate identities on the same site which also would provide structural fire fighting capacity.
2. Transferral of the existing Baldvis VBFB to a VFRS under the DFES umbrella.

A working group was formed consisting of City and DFES representatives along with volunteers from Rockingham VFRS and Baldvis VBFB to explore the option of collocating at the Baldvis Station. Ultimately Rockingham VFRS members weren't inclined to relocate to the Baldvis Station and the option was abandoned.

Given that DFES's preferred option wasn't achievable City Officers developed a number of alternative options that enabled the City and DFES to establish Structural Fire Fighting capacity in Baldvis:

- Option One - The provision of a DFES career FRS to service the Baldvis Fire District;
- Option Two - The transferral of the Baldvis VBFB to a DFES VFRS;
- Option Three - The relocation of the Rockingham VFRS to the Baldvis Fire District;

- Option Four - The extension of the career FRS gazetted Fire District to cover some areas of the Baldivis Fire District; or
- Option Five - Maintain the status quo of current arrangements where the Baldivis VBFB is supported by career FRS stations.

In July 2016 Council provided in principle support for the transferral of the Baldivis VBFB to a VFES or VFES Unit on the condition that sufficient consultation occurred with key stakeholders, primarily the Baldivis VBFB.

Discussions between the City, DFES and Baldivis VBFB ensued with all parties backing the transferral in order to provide structural fire-fighting capabilities to the Baldivis community. In November 2016, the Baldivis VBFB was formally transitioned into a DFES VFES Unit.

In August 2018, the Singleton VBFB commenced discussions with the City and DFES representatives about the future of the brigade and the potential for increased functions and responsibilities within the City. At the Singleton VBFB general meeting held on 19 December 2018, volunteers voted in favour of becoming a DFES managed VFES Unit.

The City subsequently consulted with DFES regarding the matter and the FES Commissioner provided 'in principle' support for the transition of the Singleton VBFB to a VFES. During consultation, DFES indicated that if the Singleton VBFB was converted to a VFES, it would be allocated 'natural hazards' training and responsibilities whilst maintaining its primary role in combating bushfires.

The transferral was supported by the membership of the Singleton VBFB who saw the move as an opportunity to broaden their skills and experience to include combatting natural hazard emergencies. In July 2019 Council supported the transferral of the administration and operations for the Singleton VBFB to DFES to become a VFES Unit.

Shire of Augusta-Margaret River transition

The Shire of Augusta-Margaret River is currently working through the process of partially transitioning two of the ten VBFBs within the Shire to DFES, these being the Rosa Brook and Wallcliffe VBFBs.

In 2013 the Shire agreed to review and consider the transferral of all bush fire brigades to DFES. In August 2014, as a result of a recommendation from the Shire's Bush Fire Advisory Committee (BFAC), the CEO wrote to the FES Commissioner seeking further information on the transferral process.

The request arose due to the Shires within the Kimberley region having recently transitioned the management of their bush fire brigades across to DFES and the Shires within the Pilbara region embarking on a similar transition.

In April 2016, the CEO wrote to the FES Commissioner requesting approval to develop a Steering Committee consisting of brigade representatives, the Chief and Deputy Chief, along with Shire and DFES representatives.

On the 14 September 2016, Council supported the following recommendation from the Steering Committee that had been provided to the 17 August BFAC meeting:

Prior to any decision being made on a proposed pilot program for the transfer of the Shire's Bush Fire Brigades to DFES, adopts the following process to be communicated to all parties on the Steering Committee and BFAC being:

- a) That the draft Transition Framework for the Transfer and Management of the Shire's Bush Fire Brigades be finalised and presented to the CEO;*
- b) That the CEO seeks independent external advice from other local governments and relevant parties and provides that feedback to the Bush Fire Brigades and the Steering Committee and to Councillors;*
- c) That an interim report be provided to Council on whether to progress the pilot proposal for the transfer of Bush Fire Brigades to DFES; and*
- d) Council determines whether to proceed further with the proposal.*

On the 16 December 2016 a letter was received by the Shire from the FES Commissioner acknowledging the outcome of the 14 September 2016 Council meeting and supporting further investigation and work regarding the transition of local government brigades over to DFES.

During 2016-17 the Wallcliffe brigade conducted several internal meetings to discuss the option of transitioning to a VFES brigade. The members of the Wallcliffe brigade are "dual registered" volunteers similar to the RVFB with the VFES servicing a small gazetted area within the Wallcliffe townsite.

The brigade performed its own research into the transition and held meetings with key stakeholders including the Shire, DFES and the VFES Executive Officer. Ultimately, those discussions led to the brigade voting unanimously in favour of following through with the proposal on 30 August 2017.

Council considered the proposal and, following further investigations and consultation with all 10 brigades, decided to request that DFES assume partial responsibility for the Rosa Brook and Wallcliffe brigades and that the Shire retain full responsibility for the remaining eight.

It is the City's understanding that Shire and DFES Officers explored expanding the gazetted fire districts to enable DFES to assume bushfire response responsibilities, however DFES and the Council did not support the proposal. Given this position the Shire determined that they retain responsibility for ongoing 'response' activities.

Furthermore, internal advice suggested that under the *Bush Fires Act 1954* local governments could not hand over their responsibility for areas outside of the gazetted fire districts, therefore the Shire believed that 'response' activities could not be transitioned over to DFES.

The Shire also believes that a VFES established under the *Fire and Emergency Services Act 1998* has limited access to powers under Part IV of the *Bush Fires Act 1954* and therefore VFES volunteers may find themselves acting *ultra vires* when providing a response within the local government response area.

Accordingly the Shire, through their volunteer Chief Bush Fire Control Officer ('CBFCO'), will continue to be responsible for the management of all fires within the Rosa Brook and Wallcliffe local government response areas, and operationally the brigades will continue to be answerable to the CBFCO unless a s.13 notice under the *Bush Fires Act 1954* is in place.

In May 2020 a draft MoU was developed after consultation between the Shire, DFES and the Brigades. On the 10 June 2020 the Shire received written approvals from Wallcliffe and Rosa Brook Brigades accepting the MoU. On the 22 July 2020 the Council formally endorsed the transfer of Wallcliffe and Rosa Brook Brigades to DFES.

In summary, the functions being transitioned to DFES are administrative.

The Shire is currently awaiting endorsement of the draft MoU between themselves and DFES that captures the arrangements as described.

2. FEEDBACK FROM DFES

Response from FES Commissioner

On 7 July 2021, the Mayor, Deputy Mayor and Chief Executive Officer met with the FES Commissioner, DFES Deputy Commissioner Operations and the DFES Chief Superintendent Metropolitan Operations. The purpose of meeting was one of fact finding, to understand the position and implications for DFES of the City pursuing any one of the three possible options that are available.

The three options discussed were:

1. That the City agrees to the request and hands the bush fire brigade responsibilities over to DFES
2. That the City rejects the request and retains its bush fire brigade, separates from the Volunteer Fire and Rescue Service and does not renew a lease with DFES for the current facility
3. That the City rejects the request and retains the status quo and all parties work to resolve any issues

Following the meeting, the FES Commissioner provided the following written response to the questions asked by the City, which had formed the basis of the discussion with the Commissioner and his staff.

In regard to point one, I would consider any approach on this matter and will await the outcome of a decision by Council. My current position whenever DFES is approached by either Bushfire Brigade volunteers or Local Government is that a transfer of Bushfire Brigades (VBFB) to DFES would have to come via an approach from the Local Government with the volunteers supporting such a move. If an approach is made then a number of issues would need to be considered including the future of the current building use and the response area. The current site of the Roleystone VFRS is still considered suitable by DFES in regards to the response to the Roleystone Gazetted Fire District. The majority of the population within Roleystone is around the town site and this has not changed greatly since the original risk to resource was completed. Over time DFES seeks to improve facilities across the state in line with improvements around Health and Safety and Australian Standards. The proposal for a possible expansion of the current site includes a new tunic room, female/male change rooms and Breathing Apparatus Servicing facilities. DFES would obviously engage with the City in the first instance if and when the proposal is formalised and having regard to any decision made by Council. You also mentioned a possible Service Level Agreement to ensure there was a continued commitment to LG activities such as Australia Day, mitigation works and Community Engagement activities. Whilst we have MOU's with other Local Governments where DFES has been handed transferred control of VBFBs, typically SLA's aren't required as DFES would continue to work closely with the LG and the volunteers to support such community based activities moving

forward. In regard to a possible handback after a transfer from the City to DFES, this is something that has not been requested in the past and is something unlikely to be supported unless there are exceptional circumstances.

In regards to point two, I would be disappointed if the DFES lease on the Roleystone Fire Station facility was not renewed. DFES has not explored the option of finding another site for the Roleystone VFRS, there is currently no available funding and there are currently higher priorities for DFES across the state. If the City chose this path then DFES would work closely with the City on a relocation, noting that timeframes would need to be determined based on funding and suitable land availability. We would seek the City's support to continue the current colocation until a new facility was built.

In regards to point three, if the volunteers were willing to consider this option, DFES would be more than happy to assist with any mediation with the current dispute. DFES would also work to clarify processes and procedures to ensure volunteers are well informed about DFES and City requirements. It is noted from yesterday's discussion it would appear that the current position of the members of the Roleystone Volunteer Bushfire Brigade would not see this as a likely way forward however the needs of the community should also be considered. Based on the current information you provided, separating the management structure of both brigades and having them operate out of the same facility would not seem tenable. I understand this was tried in the past without success.

There were also some general questions:

1. *Will the current cap on membership numbers remain?*

The current membership numbers for the VFRS have recently been reviewed and will remain at 60 however DFES continually monitors membership numbers against response requirements and the numbers can be increased with FES Commissioner approval. This is allowed for in the Fire Brigades Regulations 1943 Section 159 (6)

2. *Is there a need for future expansion of the service and appliances given increased residential growth and a drying climate?*

DFES is satisfied with the Resource to Risk allocations at Roleystone.

3. *Will there be a change in the level of resources/appliances? Some are citing an overall loss of appliances in other areas where this [handover to DFES] has occurred.*

DFES has no intention of reducing the number of appliances at Roleystone based on the current resource to risk.

4. *Is there sufficient need for a VFRS brigade given the number of incidents or could the Volunteer Bushfire Brigade take over these activities?*

The requirement for a VFRS at Roleystone remains unchanged since its implementation in 1999.

I can also advise the requirements of the DFES Code of Conduct as they apply to Volunteer Fire and Rescue Service (VFRS) volunteers have recently been highlighted with the leadership of the Roleystone VFRS. It is my expectation this will be adhered to.

Of key importance in this matter is the delivery of emergency services to the community of Roleystone and DFES will support the City to ensure this continues at the high standard it has been.

Once again thanks for your time yesterday and I am available to answer any other questions you may have or to meet again should it be required.

Following feedback from Councillors since the meeting with Commissioner, and taking into account the matters raised at the Community meeting on 17 August 2021, a further series of questions were forwarded to the Commissioner. The questions and the response received on 4 October 2021 from DFES are provided below.

“Council is seeking further information regarding the operations and governance structures around the Roleystone Volunteer Fire Brigade, and also the two functions of the brigade being VFRS and VBFB, as part of its deliberations regarding the future of the City’s relationship with the brigade. While the City has a broad understanding of some matters relating to the VFRS, comments directly from DFES on issues directly related to the VFRS function may help facilitate a better understanding of these matters. Information in response to the following questions would be appreciated.”

1. What criteria are used to determine a gazetted fire district?

Response:

The criteria are based on risk. If the risk profile of an area/development/townsite requires a DFES Brigade to be established, then gazettal of an area as a Fire District would follow.

Fire Districts are declared to designate the respective areas serviced by Career Fire and Rescue Service and Volunteer Fire and Rescue Service and to legally extend ‘operational’ powers available under the Fire Brigades Act 1942 to those services and their volunteer and career officers.

Emergency Services Levy (ESL) category boundaries are declared specifically for ESL charging purposes to designate the ESL category classification of properties within each of those boundaries.

2. With regard to the Risk to Resource assessment for Roleystone and Bedfordale

- **What criteria are used in assessing Risk to Resource?**
- **Is the current Risk to Resource adequate?**
- **How many VFRS personnel are required?**
- **How many BFB personnel are required?**
- **Is the current fleet of vehicles for the FRS and BFB adequate for now and the future?**
- **Does the current Risk to Resource allow for population growth?**

Response:

DFES is currently in the process of developing a contemporary Risk to Capability (R2C) Framework to replace the Resource to Risk Process. The R2C Framework will utilise the latest available data, information and research to underpin a comprehensive risk assessment (informed by local knowledge and stakeholders) and the determination of capability-based risk treatments, including prevention, preparedness, response and recovery.

The most recent Resource to Risk Process for Roleystone and Bedfordale was undertaken in 2016 and 2020 respectively. The outcomes of this process may no longer be considered the most current potential analysis.

DFES works directly with VFRS at a local level (in accordance with the provisions of the Fire Brigades Act of 1942) to determine appropriate personnel numbers to ensure service delivery is maintained. This is also dependant on the range of services provided to treat local risks. The R2C Framework will provide a standardised risk-based methodology to assist in this determination in the future.

Local Governments are responsible for the determination of the number of BFB personnel required within a BFB based on their own risk assessments. The DFES R2C Framework may be used by DFES to assist Local Governments in determining personnel numbers in the future.

The current fleet is supported by a state-wide network of Career and Volunteer fire and emergency services stations, brigades, groups and units. This will continue to be reviewed and improved in accordance with the development and implementation of the R2C Framework.

The project to replace the current Risk to Resource model is continuing to be modelled within DFES. The key outcome of the project is to present an evidence based and analytical process to determine the most appropriate capability to service the needs of staff, volunteers and the community alike.

The project outcome is intended to ensure that future growth, capacity and local risks are given specific consideration in determining the capability requirements. The evidence-based process will provide a collaborative and consistent process for resource allocation that enables Local Governments, Volunteers and DFES personnel to contribute to future directions of service delivery and capability.

- 3. Does DFES have a policy or procedure that stipulates response times by DFES to the brigades following queries relating to:**
- **Supply (including replacement) of PPE and PPC?**
 - **Urgent and non-urgent vehicle and other equipment repairs and maintenance?**

Response:

DFES does not have a specific policy regarding response times to brigades as DFES regional staff are in constant communication with volunteers.

Supply (including replacement) of PPE and PPC

Timeframes for the supply of PPE and PPC are reflected in contractual arrangements with the supplier. DFES has an Asset Register which produces asset plans to inform replacement schedules for procurement and budgeting purposes.

Urgent and non-urgent vehicle and other equipment repairs and maintenance

When a vehicle fault report is provided to Plant & Equipment by a DFES BGU an assessment is made as to the category of defect based upon the appliances ability to continue to respond to emergencies.

- Priority One

Continued use of the appliance or equipment is not possible or poses an unacceptable risk of personnel injury, equipment, or environmental damage then the appliance will be taken out of service. A technician will be dispatched for immediate response.

- Priority Two

Appliance may continue to be used with monitoring as it is still capable of performing tasks within specified restrictions without unacceptable risk of personnel injury, equipment, or environment a damage. The defect will usually be attended to by end of the next working day.

- Priority Three

Appliance meets technical integrity requirements for all specified operating conditions and has acceptable wear within defined limits. Defects of a minor nature may be left until the appliances next service (up to 12 months) or when a technician attends to another appliance defect at the BGU.

- 4. Can you please provide a copy of any plans/concept that have been developed in anticipation of a proposal to the City for an expansion of the current Station?**

Response:

The attached plans (21/188079) are upgrades to the current facility to address safety and operational issues. These plans have not been presented to the City for approval due to the recent discussions surrounding the leased facility. Furthermore, no master plans have been developed by DFES Asset Management as this is a leased facility.

- 5. How would DFES continue to provide a FRS to the Roleystone area if the VFERS relocated from the current facility?**

Response:

*A new facility would be required.
DFES would seek the City's support to continue the current colocation until a new facility was secured.*

- 6. How would DFES ensure adequate response times if the VFERS relocated from the current facility?**

Response:

DFES would be required to relocate to a site within the central area of the Roleystone Gazetted Fire District to maintain appropriate response times.

- 7. Has DFES identified any alternative sites for a VFERS?**

Response:

No

8. What are the general specifications of a stand-alone VFRS station?

Response:

The general specifications of a stand-alone VFRS are as follows:

- *Appliance bay*
- *Breathing Apparatus store*
- *Tunic room*
- *Change rooms*
- *Showers*
- *Unisex accessible toilet (UAT) and shower*
- *Kitchen*
- *Office*
- *Country Communication System (CCS) desk*
- *Training room*
- *External Training area/Road Crash Rescue pad*
- *Storage Shed*
- *Secure parking*
- *Patio*

9. What are the funding options to construct a new station for the VFRS if one was required?

Response:

The funding for construction of a new VFRS station would be dependent on a successful submission to WA Govt Treasury. This process may take a number of years as this funding would be in addition to existing budget allocations. With regards to existing DFES assets, DFES Asset Investment Program (AIP) includes provision for upgrades to, and replacement of, VFRS/VFES facilities. This program is delivered based on the Strategic Asset Program prioritisation of replacements utilising the useful life cycle of an asset as guidance.

10. Does DFES have the systems, resources, budget and personnel to manage and support the bushfire response function for Roleystone which currently sits with the City through the RVBFB?

Response:

Yes, this can be managed within existing resources within the region. LGGS funding provided for Roleystone BFB would cease and alternative ESL funding commences.

11. Does DFES have the systems, resources, budget and personnel to manage and support the bushfire response function of all BFBs in the state if a decision was made to transfer this responsibility from Local Governments to DFES?

Response:

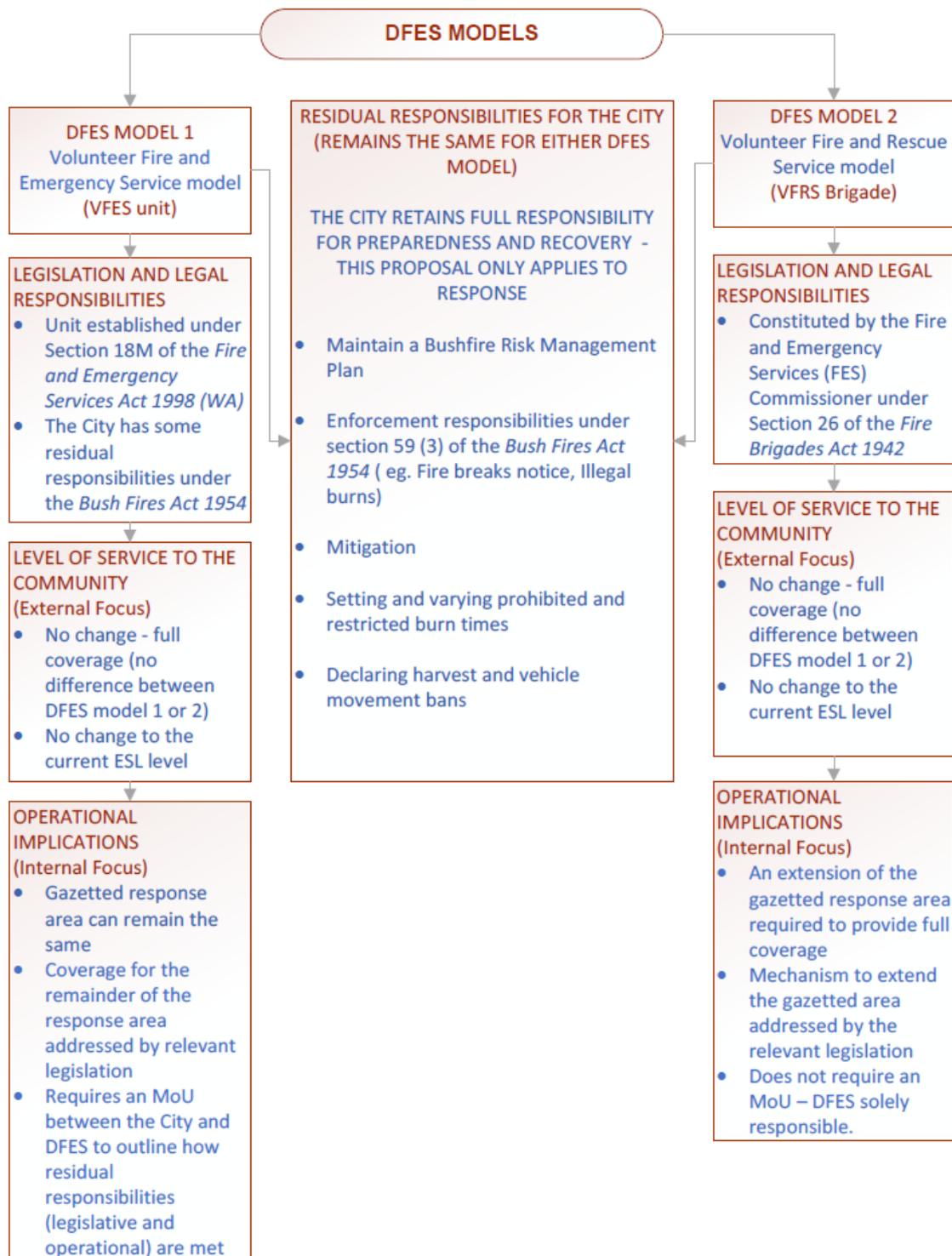
No.

As noted in the June 22 Corporate Services report (CS33/6/21) a Councillor workshop was held on 21 May 2021, to discuss the future of the Volunteer Fire Brigade in Roleystone. This workshop was attended by the District Superintendent (DFES) and the Assistant Commissioner Metropolitan (DFES) who outlined the process by which DFES could assume overall responsibility for the dual functions of fire and rescue, and bushfire response should Council decide it wished to pursue this option.

That process, as advised by DFES, consists of:

- Council determining that it wishes to pursue making alternative arrangements to the status quo;
- Informing the FES Commissioner of Council's desire for DFES to assume responsibility for bushfire response;
- Coming to an agreement, acceptable to both DFES and the City on an alternative arrangement; and
- Pending agreement by the FES Commissioner, the City would deregister the current Roleystone Volunteer Bush Fire Brigade and DFES would assume responsibility for bushfire response in the relevant area.

Should Council decide to approach the Commissioner of DFES to consider assuming responsibility for bushfire response in the Roleystone Turn Out Area, and DFES was open to that approach, DFES would consider which of two models should be implemented.



Should Council decide to request that the Commissioner accepts the divesting of the RVBFB to DFES, it is at that point that detailed discussions would commence as to the nature and timing of the transition. Based on the experience of other Local Governments, this is a very lengthy process.

3. RESPONSES TO QUESTIONS RAISED BY COMMUNITY MEMBERS FOLLOWING A COMMUNITY MEETING HELD ON 17 AUGUST 2021.

The City received a series of questions following a meeting convened by a group of community members on 17 August 2021. The questions and responses are provided in the following table.

Top Ten Questions as Prioritised from Community Meeting Held on 17 August 2021

Question – CM 1

Has the City considered the legal and community implications that may result if there is a delayed or inadequate response to an incident stemming from reduced capability of either group as a result of a decision to separate the brigade which later proves to be a factor in significant impact to the community or injury of brigade members?

Response:

For any future model, whether the functions of the two groups are integrated or separate, the legal requirements of the City as a Local Government and DFES to provide an adequate response for their areas of responsibility remain, as is the case throughout the State.

Question – CM2

If the brigade is split where will the respective brigades be located BFB and FRS?

Response:

As indicated in the June Council report, it was anticipated that the BFB would be located in the existing fire station and that the FRS would relocate. It is the responsibility of DFES to determine where a VFRS would operate from, however the City would support DFES to relocate the VFRS to another location. The FES Commissioner has indicated that if the City chose this path then DFES would work closely with the City on a relocation, noting that timeframes would need to be determined based on funding and suitable land availability. DFES would seek the City's support to continue the current colocation until a new facility was built.

Question – CM3

What benefit does the City believe it receives for retaining the BFB? Conversely what additional risks or burdens does the City believe would need to be managed if the BFB were divested to DFES?

Response:

The benefit of retaining or divesting the VBFB that the City has supported and managed for 60 years is the issue that Council is currently considering. Council's determination in June 2021 (CS33/6/21) was to defer consideration of this matter pending receipt of further information.

Top Ten Questions as Prioritised from Community Meeting Held on 17 August 2021

Question – CM 4

Have the City considered in their risk assessments if they decline to renew the lease for the VFRS brigade the risks that:

- a. DFES declines to build a new station to house them in Roleystone resulting in potential loss of the service to Roleystone*
- b. A new station is built but it is not located in central Roleystone resulting in delayed response times.*

Response:

- a) Given the gazetted Roleystone district there would be a legal imperative under the *Fire Brigades Act 1942* for the FES Commissioner to maintain a suitable level of service for the area. This question was directed to DFES and the response from the Commissioner was that he would be disappointed if the DFES lease on the Roleystone Fire Station facility was not renewed. He advised that DFES has not explored the option of finding another site for the Roleystone VFRS, there is currently no available funding and there are currently higher priorities for DFES across the state. The Commissioner stated that if the City chose this path then DFES would work closely with the City on a relocation, noting that timeframes would need to be determined based on funding and suitable land availability. The Commissioner advised that he would seek the City's support to continue the current colocation until a new facility was built.
- b) As indicated for question 1, DFES is responsible for providing an adequate level of service and must continue to do so regardless of the operating model and this would be a consideration in determining the location of a future station.

Question – CM5

What risk assessments have been completed to ensure that the brigade/s have the necessary resources to function under each scenario? Also what risk assessments have been completed in considering a transition plan?

Response:

As indicated in the June 2021 report, if Council were to decide to request that the Commissioner accept divesting of the RVBFB to DFES, then it is at that point that negotiations would commence and the details of the transition would be determined and a risk assessment of the transitional arrangements would be conducted between the City and DFES. The FES Commissioner has made it clear that the City would need to make a decision to request the divesting of the RVBFB before a transition plan would be progressed.

Top Ten Questions as Prioritised from Community Meeting Held on 17 August 2021

Question – CM6

Why does CoA not want to let DFES takeover BFB? What would they be losing funding?

Response:

Part 1. Council has not yet made a decision about letting DFES takeover the BFB.

Part 2. The capital equipment and operational activities of the BFBs are externally funded through the LGGS administered by DFES via income from the Emergency Services Levy (ESL). These funds are acquitted each year. If the City chose to divest the RVBFB to DFES, then the City would receive reduced LGGS funding proportional to the reduced Bushfire Brigade expenditure due to the transfer of the Roleystone BFB. This does not impact the City's financial position in any way.

Question – CM7

Has there been an independent review. Not Council led?

Response: No.

Question – CM8

Is there an alternate report that was considered by the City prior to compiling the paper submitted for consideration on 22nd June 2021 at the Corporate Services Committee meeting?

Response:

No, the June 2021 report at the Corporate Services Committee was the first report presented to a Council meeting for decision on the April 2021 request to divest the RVBFB to DFES.

Question – CM9

If a change is to be made to the structure of the brigade as CoA is suggesting, how would they ensure and then demonstrate that the same or better functionality as we currently have is maintained?

Response:

Under the *Bush Fires Act 1954*, the City is currently responsible for maintaining the RVBFB. Under the *Fire Brigades Act 1942*, the responsibility for maintaining the VFERS falls to DFES. If the City chooses to retain the RVBFB separate to the current arrangement with the RVFRS, then the City understands that approximately 25 current and past members of the RVFB are likely to transition to a stand alone City operated Volunteer Bush Fire Brigade. With regard to the availability of crews, 6 would be an optimal number required to turn out to operate the two vehicles - 4 for the heavy tanker and 2 for the light tanker. This could increase to 8 with the crew for the heavy tanker accommodating a maximum of 6, depending on the incident. The members indicated that an initial membership base of 25 would provide for effective operational coverage, allowing for stand by rostering of crews and coverage for availability.

Top Ten Questions as Prioritised from Community Meeting Held on 17 August 2021**Question – CM10**

Does DFES have the ability to legally undertake the role of the BFB under the Bush Fires Act?

Response:

No, a DFES managed service would either be administered under the *Fire and Emergency Services Act 1998* or the *Fire Brigades Act 1942*. However, the City's research with other local governments has identified questions with respect to legal and liability issues for VFES volunteers when responding in a local government bushfire response area and the practical impacts of work around needed to address the fact that the *Bush Fires Act 1954* was not originally drafted with such a situation in mind. The legal position of the City with respect to residual duties and liabilities under the *Bush Fires Act 1954* is also not clear and would require significant time to examine and then comprehensively address in a MoU with DFES that would have to contain legally binding commitments to protect the City.

Other Questions From Community Meeting**Question – CM11**

If the brigade were to come under the management of DFES, do DFES have the systems, budget and resources to undertake these activities for Roleystone?

Response:

The response from the initial meeting with the Commissioner as to the DFES position on taking over the RVBFB was non-committal and indicated that DFES would need to consider a number of issues with the Commissioner stating *"If an approach is made then a number of issues would need to be considered including the future of the current building use and the response area."* In the response received on 4 October 2021, where this specific question as to whether DFES was adequately resourced to take over the Roleystone VFBFB was put to DFES, the response was *"Yes, this can be managed within existing resources within the region. LGGs funding provided for Roleystone BFB would cease and alternative ESL funding commences."*

Question – CM12

If the BFB is transferred to DFES what will happen to the council budget that would otherwise be allocated to the BFB?

Response:

The capital equipment and operational activities of the BFBs are externally funded through the LGGs administered by DFES via income from the Emergency Services Levy (ESL). These funds are acquitted each year. If the City chose to divest the RVBFB to DFES, then the City would receive reduced LGGs funding proportional to the reduced Bushfire Brigade expenditure due to the transfer of the Roleystone BFB. This does not impact the City's financial position in any way.

Other Questions From Community Meeting

Question – CM13

Is it normal for a Council to own the land on which an FRS station is located as the City does in Roleystone?

Response:

It is not unusual for government agencies and government funded services to operate from leased local government facilities or to have government agencies or government funded organisations build and operate facilities on local government land. A survey of other local governments indicate that there are mixture or arrangements with some having VFRS located in City buildings on City land, while others have VFRS located in DFES facilities. It is understood from the meeting with the Commissioner however, that DFES generally have VFRS located in DFES facilities.

Question – CM14

If a new station is required as a result of this decision who would be responsible for paying for it? Do they have the capacity and willingness to do that?

Response:

If the new station was a VFRS station, the State government would be responsible for the costs. The FES Commissioner has advised that if the City chose this path then DFES would work closely with the City on a relocation, noting that timeframes would need to be determined based on funding and suitable land availability. DFES would seek the City's support to continue the current colocation until a new facility was built. If the City decided to have a separate VBFB at a different location and leave the VFRS in the current facility, then the City would be responsible for the costs.

Question – CM15

Has anyone made a firm commitment that a second station would be built if it is required as a result of considering this decision?

Response:

As stated above the FES Commissioner has advised that if the City chose this path then DFES would work closely with the City on a relocation, noting that timeframes would need to be determined based on funding and suitable land availability. If the Council were to resolve to have a stand-alone VBFB at a different location and leave the VFRS in the current facility, then identification of funding will form part of the consideration. Given the cost of the new Bedfordale Bush Fire Brigade Facility was in the order of \$1.2m, funding sources such as loans, reserves, grants or election commitments would be considered as part of the City's budget processes to construct a new Roleystone VBFB facility if Council was to determine a second station was required.

Other Questions From Community Meeting**Question – CM16**

If a new station is required as a result of this decision, what approval processes would it be subject to? Are all approvals within the scope of the City or are some external approvals required?

Response:

Permission would be required from the landowner of freehold land or permission from the management authority in the case of Crown Reserves. The purpose of a Crown Reserve may need to be changed to "Community Use, Fire Brigade" or similar to accommodate a new station. This is a relatively simple process.

The planning approval process would depend on who was constructing the building. If the land is zoned under the MRS, then the following would apply:

- City project: It would meet the definition of a 'public work' and be exempt from planning approval requirements under the City's Town Planning Scheme No.4 (TPS 4) but not under the MRS (Refer to Planning Bulletin 94 DPLH). The City would be required to lodge an application for Planning Approval with WAPC under the MRS for a "public work" by a "public Authority" on land zoned under the MRS.
- Brigade project: On the assumption that the Brigade is a separate incorporated entity and will be entirely responsible for constructing the asset with no CoA financial or project management involvement, a public works exemption would not apply and planning approval would be required under both the City's TPS No.4 and the MRS but the City will be the determining authority under both Schemes
- DFES project: It would likely meet the definition of a 'public work', however the approval of the Western Australian Planning Commission (WAPC) is required under the MRS. The City would be given the opportunity to recommend conditions to be imposed by WAPC in the decision.

If the land is reserved in the MRS, then the WAPC's approval is likely to be required. It is likely that DFES would provide advice and direction on fire matters and the WAPC's SPP for Bushfire Prone Areas.

Question – CM17

If the BFB is moved under DFES management how will the City manage the interaction with the Brigade/DFES? What new requirements might this bring up?

Response:

The City would no longer be responsible for bushfire response. The City will continue to liaise with and work in conjunction with the brigade regarding preparedness, enforcement and mitigation activities.

Other Questions From Community Meeting**Question – CM18**

Other shires have considered moving their BFBs under DFES management what have been the reasons for and against? How many have ultimately decided to move to DFES?

Response:

DFES has taken over the management of BFBs in the Kimberley and Pilbara regions at the request of the individual local governments due to their limited internal capacity and extremes of distance making it difficult for smaller and poorly resourced local governments to effectively manage their BFBs.

In 2017 and 2019 respectively, the City of Rockingham transferred two BFBs over to DFES to become Volunteer Fire and Emergency Services (VFES) brigades, namely the Baldivis and Singleton BFBs. At the time the BFBs were established, their response areas were predominantly rural, however over the ensuing years they had become urbanised within rapidly growing residential developments with the need for structural firefighting capacity becoming more prominent.

The Bushfire Volunteers website notes that 93 Local Governments in Western Australia operate 541 individual Volunteer Bush Fire Brigades. As such, local governments manage four times the number of volunteer brigades than DFES.

Information from the DFES website indicates that DFES operate 100 Volunteer Fire and Rescue Services and 26 brigades under the Volunteer Fire and Emergency Services (VFES) model. It is not known how many of the 26 VFES brigades were transitioned from VBFBs.

The Shire of Augusta-Margaret River is currently going through the process of transitioning two of the ten BFBs in the Shire to DFES. This follows an initial proposal from one of the brigades to move to DFES and subsequent consultation with all ten regarding their preferred operational model. The Shire made their initial request in April 2016.

Question – CM19

Regardless of the decision made, CoA will need to maintain a relationship with the Brigade/s, what commitments are they willing to make to work to improve that?

Response:

The City has maintained operational relationships with its Bush Fire Brigades and has been committed to supporting them for over 60 years and would continue to do so if the decision is to retain a stand-alone brigade or the status quo. If the decision was to deregister the Roleystone VBFB and hand responsibility for bushfire response to DFES, then the City would be seeking to lock in documented service levels from DFES to ensure service to the community is sustained. The FES Commissioner has indicated they are not prepared to commit to a service level agreement but would consider a non-binding memorandum of understanding. If the City hands over its VBFB, DFES have advised that the City would not be able to reverse the arrangement in the future unless there were exceptional circumstances.

Other Questions From Community Meeting**Question – CM20**

Has a transition plan for either scenario been developed, and could we see them? How will the CoA ensure the services provided are continued through a transition period?

Response:

A transition plan would be developed in consultation with DFES if the Council decides to request that DFES take over responsibility for bushfire response in the City's response area and if DFES, on considering all of the issues, decide to take over this responsibility. From the examination of the City of Rockingham and Shire of Augusta-Margaret River experiences, this will be a lengthy process.

If the City decides to retain a stand-alone VBFB in the current station then, as requested by the FES Commissioner, the City would work with DFES to transition into a new facility. Again, this is unlikely to happen quickly.

If Council decides to retain a stand-alone VBFB and relocate the service to a new facility, this would also require the preparation of a transition plan and may involve consideration of temporary relocation options in the interim before a purpose built facility is constructed.

Question – CM21

Why did the CoA make the recommendation to split the brigade in the paper tabled to Corporate Services committee on the 22nd June 2021 that was subsequently considered by and voted on by Council? It is unclear in the report why that recommendation was made.

Response:

Following the request from the RVFB to divest the RVBFB to DFES, a Councillor workshop was held on 21 May 2021, to seek policy guidance from Councillors on the future of the Volunteer Bush Fire Brigade in Roleystone. The workshop examined the two principal policy options to the status quo:

1. The City divesting the RVBFB to DFES.
2. The City retaining the RVBFB and supporting DFES to relocate the RVFRS to a purpose built facility elsewhere within the townsite.

The first part of the workshop was attended by the DFES District Superintendent - South East and the DFES Assistant Commissioner Metropolitan, who outlined the process by which DFES could assume overall responsibility for the dual functions of fire and rescue, and bushfire response should Council decide it wished to pursue this option.

The workshop was also attended by the City's lawyers who provided advice on the interaction of each policy option with numerous pieces of relevant legislation and the City's *Bush Fire Brigades Local Law 2019*.

Policy guidance from the workshop assisted in the development of the report presented to the Corporate Services Committee Meeting of 22 June 2021, recommending that Council retain the RVBFB as a valuable service to the Roleystone Community and support DFES to relocate the RVFRS

Other Questions From Community Meeting

to a more appropriate and sustainable location. The recommendation was consistent with a policy position that valued the City's 60 year-long commitment to the Roleystone Volunteer Bush Fire Brigade, acknowledged that the current station required extensions by DFES for the RVFRS to continue to operate from the facility, and the need to simplify the multiple governance layers within the current arrangements.

Following deliberation, Committee amended the recommendation, and at the Council Meeting of 28 June 2021, Council resolved (CS33/6/21)

That Council:

- 1. Defer consideration of the recommendation pending receipt of further information.*
- 2. Request the Mayor, Deputy Mayor and Chief Executive Officer meet with the Commissioner of the Department of Fire and Emergency Services at the earliest opportunity.*
- 3. Note that in the interim the status quo remains.*

Question – CM22

Why did the initial report presented to Council only consider the response aspect of the emergency management framework, since the City clearly provide services that are outside the scope of this aspect that would change?

Response:

There are four elements to the City's involvement in bushfire control:

- Preparedness
- Mitigation
- Response
- Recovery

The June 2021 report dealt with the 'response' element as, even if the City decided to divest the RVBFB to DFES, the City would still retain responsibility for Preparedness, Mitigation and Recovery.

Question – CM23

Has the City undertaken an overarching risk assessment of the changes that are likely to occur in each case being considered? Can the community be made aware of their findings?

Response:

When making a decision on this matter, Councillors will form an assessment of the reputational, legal, financial and operational risks involved based on a multitude of sources including, but not limited to:

- information contained within Council agenda reports and advice received from City officers;
- legal advice from the City's solicitors;
- correspondence and engagement with the FES Commissioner and staff;
- correspondence and engagement with local Members of Parliament, both State and Federal;
- correspondence, engagement and representations made by the RVFB and its members in support of deregistering the RVBFB and DFES providing a bushfire response outside of the gazetted townsite area;

Other Questions From Community Meeting

- correspondence, engagement and representations made by RVFBF members who wish to stay with the City;
- correspondence, engagement and representations made by community members;

Question – CM24

The local laws require a BFB Committee be formed with a minimum of 6 members, the majority of which require significant leadership as well as firefighting skills. If the Brigade is split and the majority of its existing members including its Committee do not continue with the BFB, how will this be managed within the available volunteers by the City?

Response:

Through consultation with volunteer bushfire fighters, it appears evident that a suitable BFB structure could be adequately established utilising existing volunteer resources. The City understands that approximately 25 current and past members of the RVFB are likely to transition to a stand-alone City operated Volunteer Bush Fire Brigade. This includes a number of experienced, long serving RVFBF members with some having served for significant periods as office bearers in previous management committees. At a recent meeting involving these RVFB members and Councillors, the members indicated that there would be experienced members available to fill the management committee roles needed to operate the brigade effectively.

Question – CM25

If the Brigade is split and the majority of members continue with the VFRS only, will there be enough volunteers to ensure the BFB's availability is not compromised, and the remaining members are not burnt out? Keeping in mind that structural fire for the majority of the hills ward would require a turnout of a BFB alongside the FRS.

Response:

BFBs do not generally respond to structural fires within the gazetted fire district, unless requested by the DFES Communications Centre. The current system whereby brigades provide back up to each other, including requesting back up from the Bedforddale Brigade and brigades outside the City, would continue and there would be no impact expected on the current level of service.

The City understands that approximately 25 current and past members of the RVFB are likely to transition to a stand alone City operated Volunteer Bush Fire Brigade. With regard to the availability of crews, 6 would be an optimal number required to turn out to operate the two vehicles - 4 for the heavy tanker and 2 for the light tanker. This could increase to 8 with the crew for the heavy tanker accommodating a maximum of 6, depending on the incident. The members indicated that an initial membership base of 25 would provide for effective operational coverage, allowing for stand by rostering of crews and coverage for availability.

Other Questions From Community Meeting

Question – CM26

If all BFBs were moved to operate under DFES would DFES have the system, budget and resources to maintain the functions for all shires?

Response:

DFES have indicated they do not have the system, budget and resources to take over the bush fire brigade functions of all Local Governments.

OPTIONS

(4) Options are available to Council

Option-1 **Request further information**

Firstly, Council need to determine if they have sufficient information on which to make a decision. If there remains essential information that is outstanding, then direction on what information is required and a reasonable timeframe to provide the information needs to be given to City officers to enable a further report to Council.

Option-2 **Remain involved in a collocated RVBFB and RVFRS facility**

Council could resolve to remain involved in a collocated RVBFB and RVFRS facility in Roleystone and could further recommend:

a. Whether the collocated brigades operate as separate entities within the same facility

From a governance only perspective, the retention of a collocated RVBFB and RVFRS with "dual registered" members would be simplified if the RVFB Inc. is wound up and the RVFRS is managed by DFES, and the RVBFB is managed by the City, each with their own operational command structure and rules.

b. If the collocated brigades operate as a single command structure, how the governance issues can be resolved including:

- i. whether to wind up the current Incorporated Association**
- ii. whether to amend the Rules with the City's Local Law**

If the status quo of two separate brigades, established and administered under separate legislation, but attempting to operate under one command structure was to be retained, then a comprehensive and methodical review and alignment of the governance rules and systems of the RVBFB and RVFRS to simplify and standardise processes and procedures, and provide clarity with respect to roles and responsibilities, would be required.

A Working Group could be established with suitable representation and adequate legal and advisory members. With the willingness of all parties, it is possible for the differences between the DFES and City brigade rules to be resolved which would likely require amendments to the City's *Bush Fire Brigades Local Law 2019*. Having an Incorporated Association with membership from both the RVFRS and RVBFB and a third separate management structure and rules provides additional complexity and confusion. The constitution of the RVFB Inc. has not been updated since 2002, as required, and has now been effectively replaced by the Model Rules within the *Associations Incorporation Act 2015* and it is unclear if the RVFB has been operating in accordance with these.

c. Whether the collocated brigades operate from the existing facility or whether a new collocated facility is needed

The Roleystone Fire Station sits on an area of 3250m² with a building of 550m², accomodating a volunteer fire and rescue brigade with 2 appliances serving a gazetted town site area of 1,245ha, and a bush fire brigade with 2 appliances serving a turn out area of 29,733ha. The two brigades are collectively serving a population of 7,365 people.

For comparison, the new Bedforddale Bush Fire Station sits on an area of 4900m² with a building of 1000m², accommodating a single bushfire brigade with 2 appliances, and serving an area of 10,850ha and a population of 3,100.

DFES have indicated that a further 107m² extension of the Roleystone Fire Station is now required, which does not include the associated retaining wall works, car parking and tanker filling area. The existing slip road past the vehicle bays is lost, the hydrant adjacent to the building is being removed and the existing tanker filling area is shown on the plans as having to be relocated on to the verge due to the constraints of the site. The extensions do not address accommodation of the bulk water tanker identified for Roleystone under the R2R assessment.

It is evident that the current site restricts the free and easy movement of appliances and personnel and has limited training spaces. This is particularly evident when compared with the new Bedforddale Bush Fire Station with 3900m² of cleared, surfaced area for circulation and training activities.

Irrespective of the management outcome chosen by Council for the RVBFB, the opportunity for the City to work closely with the State and Federal government to explore opportunities, including on State land, for a new purpose built facility for Roleystone that comfortably allows for current and future operations (as for Bedforddale) should be explored.

Whether it is feasible to collocate both brigades now is questionable given that recent correspondence from the Acting Captain has indicated that some members will no longer work with other members of the brigade, some members are experiencing serious mental health issues requiring action by the City and DFES EAP providers, and that the current situation on all sides is at breaking point. Despite this, the Acting Captain was of the firm belief that if the brigade was not managed by DFES it still needed to be managed as one brigade.

The Acting Captain has indicated that this issue is now bigger than the brigade can handle and called upon the City and DFES to get together and help resolve the issue through mediation, which he states was attempted 3 years ago but not followed up well

on all sides. The City immediately contacted the Acting Captain and expressed a willingness to arrange mediation and contacted DFES who declined to be involved. Further contact was made with the Acting FES Commissioner questioning the refusal to participate when the Acting Captain was indicating he was considering what his options were to take both brigades offline but at the time of writing this report no response has been received.

Option-3**Retain a stand-alone, City managed, Volunteer Bush Fire Brigade in Roleystone**

Council could determine that it wishes to retain a stand-alone, City managed, Volunteer Bush Fire Brigade in Roleystone and proceed to work with those long serving volunteers who have expressed an interest in remaining with the City to establish an appropriate management structure and volunteer base. The majority of volunteers who have expressed an interest have 15+ years of experience with the bush fire brigade. Council could then further recommend whether it wants to:

a. Support DFES to relocate the VFRS to another site

The FES Commissioner has advised that if the City chose this path then DFES would work closely with the City on a relocation, noting that timeframes would need to be determined based on funding and suitable land availability. DFES has advised that there have been no investigations into alternative sites should the VFRS be relocated and that there is no funding currently available for a new station. DFES would seek the City's support to continue the current colocation until a new facility was built.

b. Provide the current facility for exclusive use by the VFRS and build a new station for the VBFB.

If the Council were to resolve to have a stand-alone VBFB at a different location and leave the VFRS in the current facility, then identification of funding will form part of the consideration. Given the cost of the new Bedfordale Bush Fire Brigade Facility was in the order of \$1.2m, the City has sufficient funds in reserve to construct a new Roleystone VBFB facility.

Springdale Park was previously considered as a possible location for the VBFB and VFRS in 1999, however further investigation would be required to conduct a detailed feasibility of this option and the need for a second vehicular access should Council wished to pursue it. A comprehensive identification and analysis of sites, including public and private land, both within the gazetted townsite fire district and in the Roleystone Turn Out Area, should be conducted.

Option-4

Commence negotiations with the FES Commissioner for DFES to assume responsibility for bushfire reponse in the Roleystone Turn Out area

Council could resolve to commence negotiations with the FES Commissioner for DFES to assume responsibility for bushfire reponse in the Roleystone Turn Out area. Should the Commissioner decide that DFES is open to assuming bushfire response, negotiations would commence on a transition plan for the transfer of responsibility.

The decision about whether to 1) expand the gazetted area of the current Volunteer Fire & Rescue Service (VFRS) or 2) establish a new Volunteer Fire and Emergency Services Unit (VFES) sits with DFES and may or may not be acceptable to the City given that research into other local government experiences has identified questions with respect to legal and liability issues for VFES volunteers when responding in a local government bushfire response area and the practical impacts of work around needed to address the fact that the *Bush Fires Act 1954* was not originally drafted with such a situation in mind.

In the event that there is a desire to pursue the implementation of a VFES unit to replace the City's RVBFB, then close examination of the provisions of Part III, IV and V of the *Bush Fires Act 1954* ought be undertaken by a Working Group involving the City's solicitors and City officers to determine:

- a) which responsibilities the City must retain (ie it has no option);
- b) which responsibilities it wants to retain (ie it has an option);
- c) whether any responsibilities that can be transferred ought to be transferred to the FES Commissioner;
- d) on what terms the City can call on the FES Unit to assist it carry out its duties under Part III;
- e) what legal powers or authority exist for the FES Commissioner to adopt any local government responsibilities; and
- f) what are the consequences and risks of any changes to responsibility on;
 - i. costs;
 - ii. service delivery efficiencies; and
 - iii. liability to the City.

The City's solicitors have advised that this would be a significant body of work and that, once completed, the City may find that there are too many obstacles to make it workable. However, this would not be known until the work was completed.

It is also considered necessary that the City carefully draft a written Memorandum of Understanding with the FES Commissioner, containing legally enforceable provisions where necessary, that sets out:

- a) any elections or exercises of authority under the legislation that would be necessary to clarify the lines of authority and responsibility between the parties.
- b) any statutory notices or requests for the transfer of authority, power or responsibilities
- c) expressions of understanding as to how the FES Unit will operate within the district;
- d) practically orientated issues clarifying the roles of Control Officers and Liaison Officers that would assist the parties;
- e) issues relating to costs and liability;
- f) structure and mechanisms for operational committees to be established;

- g) mechanisms for the exchange of information; and
- h) coordination with any other arrangements already in place under other legislation such as the *Emergency Management Act 2005*.

The Working Group Review and Memorandum of Understanding should act to reduce the risk that a statutory duty or obligation on the City that arises under the *Bush Fires Act 1954* is not carried out or considered by the City under an assumption that it is now being carried out by the FES Commissioner.

There may also be some consideration required of the division of any assets owned by the Roleystone Volunteer Bush Fire Brigade, however this is likely to be of no material consequence to the City's financial position.

With respect to other non-statutory functions carried out by the RVBFB, an email was received from the RVFB on 22 August which provides a commitment to working with the City on related initiatives.

'The members of Roleystone Volunteer Fire Brigade have requested to be transitioned to being managed by DFES.

Our current service model will not change and will be enhanced to benefit the community.

We remain committed to the following

- *Mitigation and prescribed burning throughout the City of Armadale*
- *Community engagement team – education with residents*
- *Fireworks at the Kelmscott Show*
- *Community events – Carols/fireworks/pony parade/local markets etc*
- *Continued partnership and working closely with Bedfordale Bush Fire Brigade and Armadale State Emergency Services*
- *Continue to service and maintain fire hydrants within our local area*
- *Working with City of Armadale ranger services and mitigation officers with mitigation and reporting*
- *Maintaining a working relationship with City of Armadale Mayor and Councillors*

Our commitment to our community and to the residents has not and will not be altered and we look forward to delivering our best service now and in the future.

By having one organisational structure and one governing body we can concentrate our efforts to better support our members, our family and the greater community towards a safer future.'

With respect to the accomodation of the VFES, or expanded VFRS unit, it would open to Council to determine whether to:

c. Provide the current facility for a DFES operated brigade

If Council were of a mind to pursue this option then it would be recommended that negotiations regarding a new lease commence as soon as practicable given the current lease expires in December 2022.

d. Support DFES to relocate the new brigade to another site

This specific option with respect to a VFES unit or expanded VFRS relocation has not been put to the FES Commissioner, however should this be the preferred option of Council then it is likely that a similar approach as for a relocated VFRS would occur where the City would work closely with DFES on a relocation, noting that timeframes would need to be determined based on funding and suitable land availability, with DFES continuing in the current colocation until a new facility was built.

CONCLUSION

There has been significant and relentless pressure placed on Councillors with respect to this decision. It is an issue that is causing stress and division between brigade members as well as concern amongst community members. Councillors have been resolute in their commitment to a thorough and diligent consideration of how bushfire response should be managed in the 29,733ha Roleystone Turn Out area. There has been extensive consultation on this issue including with the RVFB management, members of the RVBFB, DFES, other Local Governments and feedback from the community.

The City has proudly supported a Roleystone Volunteer Bush Fire Brigade for over 60 years and this is not a decision that can be taken lightly. The FES Commissioner has indicated that once DFES take control there is effectively no turning back. Establishing a clear and unequivocal position in response to the request from the RVFB is essential to enable effort to be directed towards achieving a sustainable and effective model for bushfire response in the Roleystone area.

Whatever decision is made will involve further investigation and information and no option, other than the status quo, is able to be implemented immediately.

Council has the option to determine a preferred model for bushfire response in Roleystone or to seek further information before deciding how to proceed. The fundamental consideration is whether Council should retain a Volunteer Bush Fire Brigade in Roleystone or request that DFES assume responsibility for bushfire response in the Roleystone Turn Out Area. While there are many flow on considerations, they are consequential rather than drivers of the fundamental decision and are practical considerations to be resolved.

ATTACHMENTS

1. Confidential - Resource to Risk - May 2015 - *This matter is considered to be confidential under Section 5.23(2) (f i) of the Local Government Act, as it deals with the matter, if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law*
2. Confidential Summary of Feedback from Local Governments - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

RECOMMEND

CEO1/10/21

That Council:

1. **Determine which of the following options to pursue regarding the responsibility for bushfire response in the Roleystone Turn Out Area:**
 - a. **Seek further information prior to making a decision;**
 - b. **Retain the City's Roleystone Volunteer Bush Fire Brigade to be collocated with the Roleystone Volunteer Fire and Rescue Service;**
 - c. **Establish a stand-alone Roleystone Volunteer Bush Fire Brigade managed by the City; or**
 - d. **Commence negotiations with the FES Commissioner for DFES to assume responsibility for bushfire response in the Roleystone Turn Out Area.**
2. **Request further information regarding the transition to Council's preferred option including, as applicable:**
 - a. **How governance issues are to be resolved;**
 - b. **Options for fire station facilities in Roleystone;**
 - c. **What further decisions (if any) are required of Council in order to achieve Council's preferred option;**
 - d. **A plan for the transition to Council's preferred option including key tasks, risks, milestones and timelines; and**
 - e. **How operational requirements will be met during the transition period.**
3. **Confirm that in the interim the status quo remains**
4. **Urge the Minister for Fire and Emergency Services to direct the FES Commissioner to ensure that his Department actively participates in the mediation as requested by the Acting Captain of the Roleystone VFRS and RVBFB brigades as a matter of urgency.**

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 17/2021

WARD : ALL
FILE No. : M/613/21
DATE : 15 September 2021
REF : MC
RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 17/2021 to be received by Council

Strategic Implications

The following general information and memorandums were circulated in Issue No 17/2021 on 7 October 2021.

COMMENT

Correspondence & Papers

Nil

Information from Human Resources

Employee Movements

Information from Technical Services

Outstanding Matters and Information Items

Various Items

Monthly Departmental Reports

Technical Services Works Program

Information from Community Services

Nil

Information from Corporate Services

Progress Report

Progress Report on Contingency, Operational & Strategic Project

Outstanding Matters & Information Items

Report on Outstanding Matters – Corporate Services Committee

Economic Development

Tourism & Visitor Centre Report

Report of the Common Seal

Information from Development Services

Outstanding Matters & Information Items

Report on Outstanding Matters - Development Services Committee
Review before the State Administrative Tribunal (SAT)

Health

Health Services Manager's Report – September 2021

Planning

Planning Applications Report – September 2021

Town Planning Scheme No.4 - Amendment Action Table

Subdivision Applications - WAPC Approvals/Refusals – September 2021

Subdivision Applications - Report on Lots Registered for 2021/2022

Compliance Officer's Report – September 2021

Building

Building Services Manager's Report – September 2021

Building Health/Compliance Officer's Report – September 2021

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO2/10/21

That Council acknowledge receipt of Issue 17/2021 of the Information Bulletin

**ORDINARY MEETING OF COUNCIL
TUESDAY, 28 SEPTEMBER 2021**

MINUTES

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CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY,
28 SEPTEMBER 2021 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Butterfield, declared the meeting open at 7.00pm and acknowledged the traditional custodians of this land, the Whadjuk people of the Noongar nation and Elders past, present and emerging.

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (previously approved)

PRESENT:

Mayor, Cr R Butterfield presided over	River Ward
Deputy Mayor, Cr C Frost	Lake Ward
Cr J Keogh	River Ward
Cr J H Munn CMC	Ranford Ward
Cr S Peter JP	Ranford Ward
Cr M S Northcott	Palomino Ward
Cr C A Campbell JP	Palomino Ward
Cr D M Shaw	Heron Ward
Cr E J Flynn	Heron Ward
Cr G J Smith	Minnawarra Ward
Cr K Busby	Minnawarra Ward
Cr G Nixon	Hills Ward
Cr C M Wielinga	Hills Ward

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Mr N Kegie	A/Executive Director Community Services
Mr R Porter	Manager Ranger & Emergency Services
Mrs M Todd	Manager Governance & Administration
Mrs S D'Souza	CEO's Executive Assistant

Public: 19

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Apology received from Cr M Silver

**3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS
TAKEN ON NOTICE**

The following questions were taken on notice at Council's Meeting on 13 September 2021 and responses (summarized below) forwarded by the Chief Executive Officer via email on 23 September 2021.

Ryan Sutherland – 48 Jarrah Road Roleystone

Q-1 I have been an active member of the Roleystone Bushfire Brigade for 10 years. In that time I have never received a fire fighting tunic or pants for the bushfire service from the City of Armadale. However, have received those pieces of equipment from the Fire and Rescue service which I am also a member of but never from the City. After 10 years when will I receive my firefighting tunic and pants?

CEO: The question will be taken on notice so we can investigate when these were ordered and respond to you.

Advice sent via email

The City has no record of Mr Sutherland having applied directly to the City for PPE. However, prior to mid-2016, the brigade self-managed their own PPE supply. If Mr Sutherland wishes to submit a request for PPE then it will be immediately followed up in line with the current procedure.

Peter Stewart – 317 Peet Road Roleystone

Q-1 At what meeting did Council resolve to establish a Bushfire Risk Management Plan for the district?

CEO: That would have been before my time at the City. The question will be taken on notice and responded to once it is investigated.

Advice sent via email

There was no requirement for Council to resolve to establish a Bushfire Risk Management Plan (BRMP) in order for the Plan to be developed. City Officers commenced development of a local BRMP in 2018 with the necessary support and training being provided by DFES.

Q-2 The question is not about parks but about verges which are crown land vested in the city. You mentioned 4-6 tonnes per ha but DFES says 2 tonnes. A building protection zone is a 20 metre area around a building, if that impinges on the verge DFES are recommending less than 2 tonne per hectare on that verge. The verge job done by the City of Gosnells along Chevin Road is what we are looking for. Why isn't the City aiming for 2 tonne per ha as a fuel load for verges given that those verges can be within 20 metres of buildings?

CEO: I didn't say 4-6 tonnes but 3-5 tonnes per ha for City's reserves. In regard to DFES requirements for fuel load for verges this will be taken on notice and responded to after investigation.

Advice sent via email

The primary objective of the chosen treatment is to provide unimpeded access for emergency services vehicles and afford safer evacuation routes for residents. The proposed treatments will also support the achievement of a reduction in ground fuels.

4 PUBLIC QUESTION TIME

1 Veronica Hansen - Protector Grove, Roleystone

Q In regard to the Bushfire Management Program understand that the City has applied for funding which is not likely to be announced till November. There is a concern on the amount of debris and fuel load around Roleystone. When will Council actually start those controlled burns and what percentage will be achieved before summer sets in?

Mayor: The funding applied for does not cover controlled burns but instead is for the slashing, pruning and weed mitigation work for the verges. In regard to the treatment of reserves, that work will be done from Municipal funds.

Q When will that start?

Mayor: As soon as the funding is approved the works will be started. The other mitigation works being funded by Council is ongoing.

Q What burning works will be funded and when is that likely to take place?

Mayor: There is an item on the agenda for Council tonight in regard to mitigation works on Reserves and once Council has reached a decision officers will work out a schedule for the burning.

Q Given the concerns raised by the public about the issue of bushfire mitigation around Roleystone surely those plans would have already been in place and once approved should be set to go? How soon would we know that there is a schedule for the controlled burns?

CEO: The question will be taken on notice and responded to in writing.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 13 SEPTEMBER 2021.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 13 September 2021 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (13/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayor's Announcements from 14 to 28 September 2021

Tuesday 14 September 2021

- Attended and spoke at the City's Aspire program Graduation Ceremony, held at the Armadale District Hall. Councillors Keogh, Munn and Smith also attended.

Wednesday 15 September 2021

- Attended the opening of an Art Exhibition at the John Wollaston Anglican Community School in Camillo, where local textile artist Trudi Pollard opened the exhibition. Trudi Pollard had also worked with students to create art works for the City's 'Art in the Park' project.

Thursday 16 September 2021

- Attended Red Cross Communications Training for Bushfire Recovery with the CEO and relevant City officers.
- Attended the official launch of Member for Armadale, Dr Tony Buti MLA's book 'Alkira' at the University of Western Australia. Councillors Campbell, Northcott and Smith also attended.

Friday 17 September 2021

- Attended a briefing prior to the Local Emergency Management Committee meeting.

Saturday 18 September 2021

- Attended an interview with Heritage FM in their studio.

Monday 20 September 2021

- Attended the WALGA Convention 2021 and the WALGA AGM along with Cr Northcott.

Tuesday 21 September 2021

- Attended the CEO Review Panel meeting.
- Attended the WALGA Convention and chaired the Integrated Planning and Reporting Session as a WALGA State Councillor.

Wednesday 22 September 2021

- Attended an interview which was filmed with Channel 9 in Minnowarra Park, about the recent and widely successful event "Humans of Armadale".

Thursday 23 September 2021

- Hosted a Public Citizenship Ceremony at the Kelmscott Hall to welcome just over 100 new conferees to the City. Cr's Smith, Nixon, Munn, Peter and Frost were also in attendance. The Hon Dr Brian Walker MLC, Member for East Metropolitan Region also attended.

Saturday 25 September 2021

- Welcomed competitors and special guests to the City of Armadale at the PUMA Dragon Boat Race held at Champion Lakes. Also in attendance were Councillor Peter, Yaz Mubaraki MLA and the Indian Consul General, Ms Dantu Charandasi.
- Attended the Bedforddale Markets in Bedforddale.

Tuesday 28 September 2021

- Attended a meeting with the CEO and Hon Matt Swinbourn MLC, Member for East Metropolitan, at his office in Maddington, to discuss local issues.

9 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN – WITHOUT DISCUSSION

Nil

10 REPORTS

10.1 CITY AUDIT COMMITTEE MEETING
Report of the City Audit held on 13 September 2021.

MOVED Cr C Frost that the report be received.

MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation CA9/9/21 - Community Engagement Internal Audit

MOVED Cr C Frost

That Council note and endorse the Community Engagement Internal Audit Report.

MOTION not opposed, DECLARED CARRIED (13/0)

10.2 DEVELOPMENT SERVICES COMMITTEE MEETING
Report of the Development Services Committee held on 20 September 2021.

MOVED Cr D M Shaw that the report be received.

MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation D32/9/21 - Proposed Amendment No.116 to TPS No.4 - South Forrestdale Industrial Area Stage 2

MOVED Cr D M Shaw

That Council:

- 1. Pursuant to section 72 of the *Planning and Development Act 2005*, amend Town Planning Scheme No.4 (Amendment 116) by:**
 - a. Rezoning Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road Forrestdale from “Rural Living 20” zone to “Industrial Development” zone as shown on the Scheme Amendment map and, amend the Scheme Maps accordingly;**
 - b. Amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 & 9 Oxley Road & Lot 5066 Kargotich Road, Forrestdale; and**
 - c. Amend Schedule 8 Development (Structure Plan) Areas in the Scheme Text by:**
 - i amending the “Description of Land” for Development Area 46 to include the land the subject of Amendment No.116 as follows:**

“South Forrestdale Industrial Area” - Lots 6, 8 and 200 Rowley Rd, Forrestdale (Stage 1) and Lot 10 & portion of Lot 12 (863) Rowley Rd, Lots 5 (596), 7 & 9 Oxley Rd and Lot 5066 Kargotich Road, Forrestdale (Stage 2)”.
 - ii Amending provision 46.3 to the following:**

46.3 The Structure Plan shall make adequate provision for the protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the local government through:

 - i The provision of appropriate buffers between future industrial development and the Bush Forever site and Conservation Category Wetland on Lot 12 and environmentally sensitive areas abutting the northern boundaries of Lots 5, 7 and 9 Oxley Road. The buffer areas are to be detailed on the Structure Plan. The extent/width of the buffers is to be to the satisfaction of the EPA and the DBCA.*
 - ii A Buffer Management Plan for the buffer areas determined by the EPA and DBCA. The Buffer Management Plan is to address the retention of any native vegetation within the buffer, revegetation of cleared areas, bushfire management, access and drainage. The Buffer Management Plan is to be prepared in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the local authority.*
 - iii At the Subdivision stage, the land identified for buffer areas is to be ceded free of cost as reserves for Public Open Space and Drainage.*

- iii Adding a part c, to provision 46.4 as follows:
- c. *A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any proposed stormwater drainage features within the buffer. The Local Water Management Strategy is to be prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the local authority.*
2. Has determined that the Amendment is Standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
 - a. Amendment No.116 is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
 - b. Amendment No.116 is an amendment required to the scheme so that it is consistent with a region planning scheme that applies to the scheme area.
 3. Refers the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to section 81 of the *Planning and Development Act 2005*. Should the EPA advise that the amendment does not require assessment, advertise the amendment for a period of 42 days.
 4. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.
 5. Forward a copy of the amendment to the Western Australian Planning Commission for information.
 6. Advise the applicant of the above decision and that an updated Engineering Service Report should be prepared and submitted to the City for its consideration, prior to a report being considered by Council on the Amendment No.116 for consideration for final adoption and recommendation to the Hon Minister for Planning.
 7. Write to the WAPC requesting that the portion of Lot 12 Rowley Road containing a portion of Bush Forever Area 345 and Conservation Category Wetland be included in a future omnibus amendment to the MRS to include this land within the Parks and Recreation reservation to enable the subsequent acquisition of the land by the WAPC in the future and the protection of its environmental assets and values.

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D33/9/21 - Swimming Pool Tender 32/2021 - Private Swimming Pool Inspection Services

MOVED Cr D M Shaw

That Council, in regard to Tender 32/21 for Private Swimming Pool Inspection Services, adopt the recommendation detailed within the Confidential Attachment, i.e.:

Recommendation Part 1

That Council pursuant to Regulation 18(5) of the Local Government (Function and General) Regulations 1996 with regard to tender 32/21 for Private Swimming Pool Inspection Services:

1. Not award tender 32/21.

Recommendation Part 2

That Council:

- 1. Support in house provision of Employing a FTE Swimming Pool Safety Barrier Inspector.**
- 2. Pursuant to s6.8 of the Local Government Act 1995, Amend* the 2021/22 budget as follows:**

Decrease in Operating Expenditure

Pool Inspections - Consultancy – Pool Inspector \$77,818

Increase in Operating Expenditure

Pool Inspections - Salaries and Superannuation \$77,818

- 3. Amends the Four Year Budget accordingly.**

*** ABSOLUTE MAJORITY RESOLUTION REQUIRED**

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL**

(13/0)

Recommendation D34/9/21 - Privacy Screen- Lot 218 (No.1) Sanctuary Court, Roleystone

MOVED Cr D M Shaw

That Council:

- A) Approves the application for Planning Approval for Privacy Screen on Lot 218 (No.1) Sanctuary Court, Roleystone, subject to the following conditions:**
- 1. Within 90 days of this approval, the privacy screen fence shall be reduced in height to no more than 1.8 metres and finished in materials and colour scheme to match the existing Single House.**
 - 2. Within 90 days of this approval, a Landscape Plan shall be submitted to and approved by the Executive Director Development Services to achieve softening of the privacy screen from Ridgehill Rise and Sanctuary Court. All landscaping shall be installed as per the approved plan prior to occupancy of the development and maintained thereafter.**
 - 3. The 1.8m high visually permeable (wooden picket style) fence as shown on the submitted plans does not form part of this approval.**

Advice Note:

- 1. With regard to Condition 3, the proposed fence is not included within this development approval. The proposed fence contravenes Clause 2.1 (3)(c) of the *City's Fencing Local Law*. Whilst a separate application could be lodged for consideration under Clause 6.1 of the *City's Fencing Local Law*, the City**

advises that it does not support this style of fence and recommends if any fencing is installed then it shall comply with the specifications and requirements of Schedule 3 of the Local Law.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation D35/9/21 - Proposed Outbuilding - Lot 42, No.1 Churchman Brook Road, Roleystone

MOVED Cr D M Shaw

That Council:

A) Approves the application for Planning Approval for an outbuilding on Lot 42, No.1 Churchman Brook Road Roleystone in accordance with the plans dated 30/06/21 subject to the following conditions:

- 1. The outbuilding shall only be used for purposes incidental to the rural use of the property and shall not be used for habitable, commercial or industrial purposes to the satisfaction of the Executive Director Development Services.**
- 2. The outbuilding shall have a maximum roof pitch height of 4.9m and a maximum wall height of 4.3m.**
- 3. A Landscape Plan shall be submitted to and approved by the Executive Director Development Services to achieve screening of the outbuilding from Churchman Brook Road. All landscaping shall be installed as per the approved plan prior to occupancy of the development and maintained thereafter.**
- 4. A schedule of external colours and materials shall be submitted to the City's Planning Services and approved by the Executive Director Development Services. The development shall be completed and maintained in accordance with the approved schedule to the satisfaction of the Executive Director Development Services.**

Advice Notes

- A. With regard to the Condition requiring submission of a colour and material schedule, it is expected that the colour and material schedule will be submitted and approved prior to the submission of a Building Permit Application.**
- B. All noise emitted from the premises must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.**
- C. The applicant and landowner are advised that it is a statutory requirement to comply with all conditions of this approval, and that not complying with any condition is therefore illegal. Failure to comply with any condition of this approval or the approved plans constitutes an offence under the *Planning and Development Act 2005*. The City can issue a Planning Infringement Notice of \$500 (without notice) and/or commence legal action with higher penalties up to \$200,000 for each offence and a daily penalty of \$25,000 per day for the continuation of that offence. It is the responsibility of the**

applicant and/or landowner to inform Council in writing when they consider the development to be complete and all conditions of this approval have been satisfied.

- D. A Building Licence application is required prior to the erection of any structures on the property.
- E. The developer is reminded of the requirement under the provisions of the *Environmental Protection Act* that all construction work (which includes earthworks and similar) be managed with due regard for noise control. Works generating noise and rock breaking in particular, are not permitted:-
- Outside the hours of 7:00am to 7:00pm; or
 - On a Sunday or Public Holiday.
- F. If the applicant is aggrieved by a Refusal to Approve his/her application, or, where Approved, is aggrieved by any Condition imposed in that Approval he/she may apply for a Review to the State Administrative Tribunal pursuant to the provisions of Part 14 of the *Planning and Development Act 2005* against such refusal or imposition of such aggrieved Condition.

Such application for Review must be made not more than twenty eight (28) days after the date of Council's decision via the form available from the State Administrative Tribunal (copies available from the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, Perth, WA, 6000 or GPO Box U1991, Perth, WA, 6845, or www.sat.justice.wa.gov.au or from Council's offices), and should be accompanied by the relevant fee detailed in Schedule 18 of the *State Administrative Tribunal Regulations 2004*).

- G. If the development the subject of this approval is not substantially commenced within a period of 24 months from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
- H. Where the approval has so lapsed, no development shall be carried out without the further approval of the City having first been sought and obtained.

B) Advise the submitters of the Council decision in this regard.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation D36/9/21 - Proposed Amendment No.121 To Town Planning Scheme No.4 - Rezoning of Lots 601-606 Balannup Road & Lots 200 - 202 Skeet Road, Harrisdale

MOVED Cr D M Shaw

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate Amendment No.121 to Town Planning Scheme No.4, as follows:

- a. **Rezone Lots 603 – 606 Balannup Road, Lots 200 – 201 Skeet Road, portions of Lot 601, 602 Balannup Road and Lot 202 Skeet Road from the ‘General Rural’ zone to the ‘Urban Development’ zone;**
- b. **Rezone portions of Balannup Road, Skeet Road and Reilly Road reserves to ‘Urban Development’ zone;**
- c. **Insert the following text in Schedule 8 Development (Structure Planning) Areas for the land generally bound by Ranford Road, Skeet Road, Reilly Road and Balannup Road:**

No.	Description of Land	Additional Provisions applicable to subdivision and development
72.	Skeet-Balannup Precinct East	<p>72.1 Subdivision and development of land is to generally be in accordance with a structure plan prepared and approved pursuant to Part 4 of the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (as amended).</p> <p>72.2 In addition to standard requirements, the following plans are to be prepared by the applicant and approved by the City of Armadale as part of the Structure Plan:</p> <ul style="list-style-type: none"> a. Local Water Management Strategy, prepared in accordance with any relevant District Water Management Strategy, in consultation with the Department of Water and Environmental Regulation and shall demonstrate to the satisfaction of the City that surface water drainage within the subject land will be disposed of in a manner that minimizes the impacts on the nearby significant wetlands, including potential surface water contamination; b. An Acoustic assessment shall be prepared to address noise from traffic along Ranford Road, future commercial development and kennel noise; c. An Environmental Management Plan shall be prepared, in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the City of Armadale. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on vegetation identified for retention, and be informed by a botanical survey undertaken during optimal flowering period to assess the potential presence of conservation significant flora.

		<p>72.3 The Structure Plan shall provide design and management responses for implementation through subdivision and development, addressing:</p> <ul style="list-style-type: none">a. Acid sulphate soils;b. Site contamination;c. Identification and protection of significant landscape trees and features as per <i>Local Planning Policy PLN 2.4 Landscape Feature and Tree Preservation</i>, where possible;d. Suitable wetland buffer distances that do not impact existing dwelling and outbuilding on Lot 606 Balannup Road, in accordance with the Environmental Management Plan;e. Maximised retention of banksia woodland species within POS areas and within the area identified as excellent condition on Lot 200 Skeet Road in Figure 5 in the Environmental Management Plan, where possible.f. Visual impact of noise attenuation measures. <p>72.4 At the subdivision stage, applications are to be prepared with, but not limited to the following plans:</p> <ul style="list-style-type: none">a. Detailed Wetland and Buffer Management Plan (where applicable), prepared in consultation with the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority to the satisfaction of the City of Armadale. The Detailed Wetland and Buffer Management Plan shall address as a minimum:<ul style="list-style-type: none">i. Buffers for sites subject of, and/or adjacent to, a Wetland and/or a Threatened Ecological Community; and,ii How potential impacts to the wetlands from adjacent urban development will be managed.b. A Midge and Mosquito Management Plan demonstrating how larvae will be kept to a minimum (non-nuisance levels) during and after development to the satisfaction of the City.c. Prior to undertaking any earthworks or development of the land, the landowners shall demonstrate to the satisfaction of the City and the WAPC that primary production or filling has not occurred on the subject land, or, undertake a Soil Contamination Assessment of
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		<p>the land, at the landowner's cost to determine the presence or absence of soil contamination to the satisfaction of DWER.</p> <p>d. Should any soil contamination be identified in the soil contamination assessment, a Site Remediation and Validation Report for the subject land shall be prepared at the landowner's cost by the developer/subdivider and remediation works shall be undertaken at the landowner's cost for all identified contamination and should be validated as being free of contamination above acceptance guidelines to the satisfaction of the DWER, prior to undertaking any earthworks or development of the land.</p> <p>72.5 Subdivision or development may be permitted within the SCA Map 3 Poultry farm buffer subject to the following:</p> <p>a. The amalgamation of lots or part lots;</p> <p>b. For the efficient provision of utilities and infrastructure that would not prejudice future residential development outcomes outside of the buffer area;</p> <p>c. In accordance with <i>SPP 2.5 – Rural Planning</i>, the WAPC may support subdivision within the buffer subject to demonstration that land use will not result in unacceptable impacts to sensitive land uses, such as odour, dust, noise and vibrations associated with the Poultry Sheds on Lot 202 Skeet Road, Harrisdale to the satisfaction of the WAPC on advice from the City / DWER.</p> <p>d. The WAPC may defer final endorsement of diagram of surveys until satisfactory arrangements are made that confirms usage of the Poultry Sheds on Lot 202 Skeet Road, Harrisdale has ceased on the advice of the City / DWER.</p>
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- d. Include the land generally bound by Ranford Road, Skeet Road, Reilly Road and Balannup Road within Special Control Area Map 3 with the appropriate 'Development Area (Structure Plan) Schedule 8' and 'No.72' designations;
- e. Amend Scheme Maps accordingly.

2. The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a. The Amendment is consistent with a region planning scheme that has been endorsed by the Commission;
- b. The Amendment has minimal impact on land in the scheme area that is not

- the subject of the amendment;
- c. The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and,
 - d. The Amendment does not meet the definition of a complex or a basic amendment.
3. Refer the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the *Planning and Development Act 2005*.
 4. Should the EPA advise that the amendment does not require assessment, advertise the amendment for a period of 42 days in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
 5. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.
 6. Forward a copy of the amendment to the Western Australian Planning Commission for information.
 7. As part of the Structure Plan submission, the applicant is to:
 - a) Advise how the POS area within Lot 605 and 606 Balannup Road will be calculated in the Structure Plan and transferred to the Crown.
 - b) Propose the area containing the existing dwelling and outbuildings on Lot 606 Balannup Road within a Residential zone with a R25 density coding.
 - c) Identify a possible Residential zone along the southern boundary of Lot 605 and 606 with a R40 density coding. The Residential zone is to be located outside of wetland buffer and Western Power easement.
 - d) Provide an amended Bushfire Management Plan addressing the new Residential areas on Lot 605 and 606 Balannup Road.
 - e) Amend the power line easement south of the subject site to be consistent with the current alignment of the power lines along the Reilly Park and Reilly Road shared boundary.

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D37/9/21 - DevelopmentWA Public Art Cash in Lieu Contributions -
Forrestdale Business Park East

Cr Butterfield disclosed that she is a member on the Local Redevelopment Committee of DevelopmentWA. As a consequence, she advised that there may be a perception on the basis of her non-financial interests that her impartiality on the matter may be affected but declared that she would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr D M Shaw

That Council:

1. Agree to DevelopmentWA's proposal that it transfer the Public Art Contributions it has received in the Forrestdale Business Park East precinct to the City and any

other similar public art contributions received before normalisation occurs for future expenditure within the relevant precinct.

2. Pursuant to section 6.11(i) of the *Local Government Act 1995*, a reserve account be established for ‘DevelopmentWA Public Art Contributions’ for the purpose of facilitating the transfer of DevelopmentWA’s Public Art funds to the City for Forrestdale Business Park East and any other Redevelopment Areas to be normalised to the City.
3. Pursuant to Section 6.8 of the *Local Government Act 1995*, amend* the 2021/22 budget as follows:

Increase in Revenue

DevelopmentWA Public Art Contributions Account \$83,226

Increase in Transfer to Reserve

DevelopmentWA Public Art Contributions Reserve \$83,226

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (13/0)

10.3 CORPORATE SERVICES COMMITTEE MEETING
Report of the Corporate Services Committee held on 21 September 2021.

CORRECTIONS:

- Page 1 Cr Busby to be shown as “Leave of Absence”
Page 103 The outcome of voting on Recommendation CS56/9/21 to be shown as “7/0”

MOVED Cr J H Munn that the report, subject to the above corrections, be received.

MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation CS55/9/21 - Bushfire Mitigation Schedule - Reserves (Controlled Burns)

MOVED Cr J H Munn

That Council endorse the Bushfire Mitigation Schedule comprising works on the following Reserves, in order to finalise planning and commence mitigation activities:

Reserve name	Locality	Treatment works	Estimated Cost
Colquhoun Reserve 2.5ha	Roleystone	Complete Reserve, targeted burn	\$3,135
Peet Reserve 0.45ha	Roleystone	Complete Reserve, targeted burn	\$1,122
Lot 4823 Public Recreation Reserve 3.4ha	Bedforddale	Complete Reserve, targeted burn	\$1,194
Canning Mills Reserve 5.8ha	Roleystone	Partial Reserve burn as indicated on the Reserve Location Map. Installation of firebreaks and access gates.	\$26,413

Armadales Settlers Common 28Ha	Bedfordale	Partial Reserve burn as indicated on the Reserve Location Map.	\$3,674
Lloyd Hughes Park 2.552 ha	Kelmscott	Partial Reserve burn as indicated on the Reserve Location Map.	\$3,250
Total			\$38,788

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS56/9/21 - Report on Roleystone Volunteer Fire Brigade (Referral Item)

Cr Keogh disclosed that he is a member of the Roleystone Volunteer Fire Brigade. As a consequence, he advised that there may be a perception on the basis of his non-financial interests that his impartiality on the matter may be affected but declared that he would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr J H Munn

That a report responding to CS33/6/21 be presented to the first Council meeting in October 2021.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS57/9/21 - List of Accounts Paid - July 2021

MOVED Cr J H Munn

That Council note the List of Accounts paid as presented in the attachment to this report and summarised as follows:

Municipal Fund

Accounts paid totalling \$12,261,093.34 on Batch 2631-2639, Cheques 033261-033292, Direct Debits & PY01.01 & PY01.02.

Credit Card

Accounts Paid totalling \$6,408.77 for the period ended July 2021.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS58/9/21 - Statement of Financial Activity - July 2021

MOVED Cr J H Munn

That Council:

Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accepts the Statement of Financial Activity for the one (1) month period ended 31 July 2021; and

- i. Note that there are reportable actual to budget material variances for the period.**
- ii. Note the \$237.31 small rates debts written off under primary Delegation 1.0 and Secondary Delegation CORPS 1.1.**

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS59/9/21 - Options for Resourcing the City's Events Program

MOVED Cr J H Munn

That Council:

1. Pursuant to Section 6.8 of the *Local Government Act 1995*, amend the 2021/22 Annual Budget as follows:
 - (a) Increase the Transfer from Cash Reserves budget for *Transfers from the Events Reserve* by \$80,000 to meet the costs of 1 FTE (Events Officer) and additional expenses associated with Australia Day.
 - (b) Endorse the implementation of Option 1 as cited in this report – to increase the Events Teams by 1 FTE (Events Officer) to retain the current program of events.
2. Consider the long term resourcing of the City's Event Program as part of the Four Year Budget and Corporate Business Plan deliberations.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS60/9/21 - OneCouncil Reporting to Council

MOVED Cr S Peter, OPPOSED Cr D M Shaw
SECONDED Cr J H Munn

That Council agree from November 2021, the reporting and oversight of the OneCouncil ERP Project Implementation be managed by monthly confidential report to Corporate Services Committee.

MOTION LOST (6/7)

MOVED Cr D M Shaw, OPPOSED Cr K Busby
SECONDED Cr C A Campbell

That Council agree from November 2021, the reporting and oversight of the OneCouncil ERP Project Implementation be managed by monthly reports in the Information Bulletin.

MOTION LOST (6/7)

MOVED Cr K Busby, OPPOSED Cr D M Shaw
SECONDED Cr C Frost

That Council agree from November 2021, the reporting and oversight of the OneCouncil ERP Project Implementation be managed by monthly briefing sessions, supplemented with a report circulated to Councillors under separate cover.

MOTION DECLARED CARRIED (10/3)

Recommendation CS61/9/21 - Business Hours - 2021-2022 End of Year Holiday Period

MOVED Cr J H Munn

That Council approve the attached Schedule-1 City Business Hours December 2021 to January 2022.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS62/9/21 – OneCouncil – Core Business System Contract Variation

MOVED Cr J H Munn

That Council endorse the recommendations as contained within the Confidential report

MOTION not opposed, DECLARED CARRIED (13/0)

10.4 CHIEF EXECUTIVE OFFICER’S REPORT

Report of the Chief Executive Officer.

MOVED Cr M S Northcott that the report be received.

MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation CEO3/9/21 - Tender 31/21: Westfield Heron Wetland Improvement Works

MOVED Cr D M Shaw

That Council, in regard to Tender 31/21 for Westfield Heron Wetland Improvement Works adopt the recommendation detailed within Confidential Attachment 2.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CEO4/9/21 - Tender 26/20 - Challenge Park Bike Facility Design and Construction

MOVED Cr J H Munn

That Council adopt the recommendation contained within the Confidential Report.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CEO5/9/21 - 2021 Performance Review & Criteria for 2021-22 - Chief Executive Officer

The CEO, Joanne Abbiss, declared financial interest on this item as the matter relates to her contact of employment. Ms Abbiss left the meeting at 8.03pm.

MOVED Cr C Frost

That Council:

- 1. Receives the Confidential Evaluation Panel's Report and notes that the Chief Executive Officer's annual performance review for 2020-21 period has been undertaken.**
- 2. Endorses the Key Performance Indicators for the 2021-22 review period.**
- 3. Schedules the next CEO's performance to be commenced by 1 August 2022 and completed by the September 2022 Ordinary Meeting of Council.**

MOTION not opposed, DECLARED CARRIED (13/0)

Ms Abbiss returned to the meeting at 8.04pm

Recommendation CEO6/9/21 - Councillors Information Bulletin - Issue No 16/2021

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue 16/2021 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (13/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

1 New Verge Teams (Cr Jeff Munn)

That the matter of an update on when the new teams, allowed for in the Budget, will start improving the City's long verges and locality entrances be referred to the Technical Services Committee.

2 Reports for Councillor Referral Items (Cr Donna Shaw)

That the matter of the cost of officer time in preparing reports for Councillor Referral items be included in the agenda report for that item be referred to the Corporate Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 8.07pm

MINUTES CONFIRMED THIS 11 OCTOBER 2021

MAYOR