



**ORDINARY MEETING OF COUNCIL
MONDAY, 13 MARCH 2023**

AGENDA

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AGENDA

REPORTS

**COMMUNITY SERVICES COMMITTEE MEETING
HELD ON 7 MARCH 2023**

**TECHNICAL SERVICES COMMITTEE MEETING
HELD ON 8 MARCH 2023**

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, 13 MARCH 2023

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

10 March 2023

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Leave of Absence previously granted to Cr K Busby

3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were taken on notice at Council's Meeting on Monday, 27 February 2023 and responses (summarised below) forwarded in a letter by the Chief Executive Officer.

Phil Davey, 12 Lenore St, Roleystone WA

Q2: The response also indicated that meeting minutes are not required to be verbatim -can you please direct me to the section of the *Local Government (Administration) Regulations 1996* which refers to this?

Mayor: The question will be taken on notice and a response provided in writing.

As you have been previously advised, the minutes of public questions and answers are not required to be verbatim as set out in Regulation 11(e) of the Local Government (Administration) Regulations 1996.

Q3: If you consider to summarise details with changed wording then where is the accountability of corrected minuted meetings for later record and reference should a query where the correct wording may be relevant to any outcome?

Mayor: The question will be taken on notice and a response provided in writing.

The requirements for the content of minutes are set out in Regulation 11 of the Local Government (Administration) Regulations 1996.

Trehna Rouse , 3 Coachmans Place, Roleystone

Q3: I refer to the responses to my questions from the Council meeting of 13 Feb 2023 regarding CoA investigations into just 2 vehicles being Mercedes and Volvo. The Mayor has claimed that the Council has verified that they can be easily over ridden with their assistive braking, to enable the vehicle to nudge the gate. Despite my research presented last meeting the reference is still made to "Driver Assist Braking" rather than collision assist. I have copies of the Volvo and Mercedes manufacturers' manuals which state that these two vehicles use Collision Assist, so therefore they will stop at the gate. I would like Council to confirm whether or not they have looked at the owner manuals for Volvo and Mercedes in their summary?

Mayor: The question will be taken on notice and a response provided in writing.

The City consulted with representatives of the manufacturers to obtain the advice.

Q4. I refer to the Mayor's response at the 13 February Council meeting in relation to my request that Council consider having the gate open for the bush fire season where it was stated "*I think that all of our emergency gates are closed. I don't know if they are locked or not but I believe that they are all closed and so this is being treated the same way*".

Could Council please provide me with a list of all the emergency gates within the City of Armadale to facilitate a comparison and ensure comparing like with like?

Mayor: That is an incredible amount of resources that you are requesting again. I will take that on notice and let you know whether we are able to do that.

The list of emergency gates and the status of each:

- *Bedfordale*
 - *Weelarra Heights through Armadale Settlers to Old Canns Lane – closed and locked*
 - *Wilcockson Close to Canns Road – closed and locked*
 - *Observation Close to Canns Road (as part fire management Plan through private property at 61 Canns Road) – closed and locked*

- *Churchman Brook subdivision*
 - o *Dumas Drive to Churchman Brook – closed and locked*
 - o *Grieve Way to Canns Road gated at each end – closed and locked*
- *Araluen Subdivision*
 - o *Old Albany Lane to Wymond Road – closed and unlocked*
 - o *Heritage Road to Armenti Road – closed and unlocked*
- *Karragullen*
 - o *160 Leworthy Loop to Civa Heights (as part the Bushfire Management Plan through private property at 160 Leworthy Loop) – closed and locked*
- *Forrestdale*
 - o *Kargotich Road through to Rowley Road – closed and unlocked*

For clarity, and to allay possible confusion, there are a number of additional emergency gates within the City however these are linked to 'Fire Service Access Routes' (also known as 'Strategic Firebreaks') rather than 'Emergency Access Ways'. The purpose of a 'Fire Service Access Route' is to allow access for fire emergency response vehicles in and around a subdivision, and a defensible space in which emergency services personnel can safely operate.

Q5: I repeat my previous request that Council consider additional lighting and better signage to this emergency exit to improve safety for use at night.

Mayor: Again that is a large expense so that will be a budgetary item for Council consideration

Q6: I have received no response to my question of 13 Feb 2023 about the road being opened to all emergency vehicles including ambulances. St John is stating Wymond Road is a gazetted No through Road.

Mayor: If you have already sent through the question we will ensure that that one is answered specifically.

I refer to your previous question from the 13th February 2023 Council meeting and the question above. The City sent an email and letter on 16th October 2020 to St John Ambulance advising of Council's decision of 29th September 2020, including a request for "the updating of your mapping information and database to reflect the emergency access route only."

A further email was sent on 10 December 2020 by the Chief Bush Fire Control Officer advising that the new 'closed road' signage had been installed at Armenti and Wymond Roads, Roleystone, however he advised that the gates could still be utilised by emergency service vehicles in an emergency.

The City has resent the information via email on 1 March 2023 to St John Ambulance and a letter has also been posted on 7 March 2023.

Residents are encouraged to raise these concerns directly with St John as the City cannot change the data bases/mapping systems of other organisations and it is a matter for these agencies to have the correct info which the City has provided to them on several occasions.

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

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 27 FEBRUARY 2023..... (ATTACHED)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

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

Nil

10 REPORTS

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BUSINESS ARISING FROM REPORT

10.2 TECHNICAL SERVICES COMMITTEE MEETING

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BUSINESS ARISING FROM REPORT

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BUSINESS ARISING FROM REPORT

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

PRESENT: Cr M Silver (Chair)
Cr M S Northcott (Deputy Chair)
Cr E J Flynn
Cr J Keogh
Cr S J Mosey
Cr G J Smith (Deputy to Cr Busby)

APOLOGIES: Cr K Busby (Leave of Absence)
Cr K Kamdar

OBSERVERS: Cr R Butterfield (Mayor)

IN ATTENDANCE: Ms J Abbiss Chief Executive Officer
Mrs S van Aswegen Executive Director Community Services
Ms J Cranston Executive Assistant Community Services
Mr M Andrews Executive Director Technical Services (from
7:09pm) (*via Teams*)
Ms R Milnes Manager Community Development
Mr G Dixon Manager Libraries and Heritage (*via Teams*)
Mr M Harkin Acting Manager Recreation Services
Mr L Annese Community Facilities & Recreation Coordinator
Mr N Peyton Community Facilities Officer - Agreements

PUBLIC: 20

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

DISCLAIMER

As there were members of the public present, 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

Public question time was opened at 7.02pm

1. Nick Wells - 270 Canning Mills Road, Roleystone WA 6111

Q. 1. Is there a reason why Wallangarra Pony Club was not consulted in relation to the decision arrived at by the CoA?

R. The Chair explained that options have been provided by Officers after all possibilities are researched and then a recommendation is put forward to the Committee. The Executive Director Community Services clarified that no decision has been made and only options have been provided to the Committee. The Chair explained that the Committee is not bound to the suggested recommendation with the CEO explaining that it is up to the Council on Monday night to make a decision.

Q. 2. Given the CoA provides community services and the Community Services Committee oversees this, do you not agree that the WPC is a not-for-profit child sporting organisation collectively catering for wider community interests?

R. The Chair advised that WPC is recognised as a sporting club. The Executive Director Community Services advised that the difference is WPC are under a lease agreement and not a seasonal hirer agreement. The Chair acknowledged that COVID did not discriminate within the community and advised that this would be taken into consideration.

Q. 3. The lease that was entered into by CoA and WPC included an expectation that there would be an investment in the grounds (cross country upgrade) and facilities (including toilet upgrades) in consideration of the removal of the ESA from Club use, do you believe CoA has upheld their end of the agreement?

R. The Chair and Executive Director Community Services advised that upgrades were included in the 2025/26 FY. The Chair thanked Mr Wells for the information provided regarding the lease being signed on a verbal understanding that these potential upgrades would go ahead.

Q. 4. With CoA granting COVID relief from a number of sporting club including other equestrian clubs, do you agree this creates unfairness between sporting groups given COVID impacted all of the community in the same way?

R. The Chair acknowledged this was because of the difference between lease agreement and a seasonal hirer and advised this would form part of the Council decision.

Q. 5. Do you think the amounts requested for lease cost relief for 'loss of use' and 'COVID relief' are reasonable?

R. The Chair advised that this would be taken into consideration.

Q. 6. Given we have meeting minutes recording correspondence regarding the restricted access to the environmentally sensitive area dating back to 2014, would you consider the argument that the WPC were unable to utilise the grounds since that time?

R. The Executive Director Community Services advised that this had already been accounted for in the lease payments. The Chair advised that this would be taken into consideration.

Public question time was declared closed at 7.14pm

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

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

Moved Cr M S Northcott
MOTION CARRIED

(6/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

Report on Outstanding Matters – Community Services Committee

Items referred from the Information Bulletin – Issue 2 – February 2023

None of the items from the Community Services Information Bulletin required clarification or a report for a decision of Council.

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COMMUNITY SERVICES COMMITTEE

7 MARCH 2023

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1.1 - GWYNNE PARK SKATE PARK - COMMUNITY ART PROJECT

WARD : ALL

FILE No. : M/95/23

DATE : 17 February 2023

REF : RM

RESPONSIBLE : Executive Director
MANAGER Community Services

In Brief:

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

Tabled Items

- Location map
- Art design

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

Community

1.1 *A strong sense of community spirit*

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

1.1.4 Foster local pride

1.2 *Active community life that is safe and healthy*

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

1.3 *Community Facilities meet Community needs*

1.3.1 Ensure the equitable provision of community facilities throughout the city

Environment

2.2 *Attractive and functional public spaces*

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

Legal Implications

Nil

Council Policy/Local Law Implications

Policy: Procurement of Goods and Services

Policy: Public Art

Budget/Financial Implications

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

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

Consultation

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

BACKGROUND

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

That Council:

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

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

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

Demographics and Data

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

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

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

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

Contracted Organisation for the Project – Creative Soul Sessions

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

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

DETAILS OF PROPOSAL

Mural Concept

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

Themes of the Art Work

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

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

Design Elements

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

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

Exclusions

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

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

ANALYSIS

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

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

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

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

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

OPTIONS

Council has the following options:

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

Option 1 is recommended.

CONCLUSION

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

ATTACHMENTS

1. Gwynne Park Skate Park Art Project - 2023 - Proposed Designs

RECOMMEND

C4/3/23

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

Moved Cr M S Northcott
MOTION CARRIED

(6/0)

2.1 - WALLANGARA RIDING AND PONY CLUB - OUTSTANDING LEASE PAYMENT

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

In Brief:

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

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

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

Legislation Implications

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

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

Council Policy/Local Law Implications

City of Armadale Policy – Lease & Licence

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

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

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

Budget/Financial Implications

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

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

Consultation

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

BACKGROUND

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

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

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

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

Reduction in Ground Space – Fletcher Park

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

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

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

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

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

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

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

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

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

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

COVID Relief

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

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

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

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

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

That Council waives Recreation Services fees as follows:

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

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

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

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

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

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

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

Financial Contribution to Kitchen Upgrades

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

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

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

DETAILS OF PROPOSAL

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

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

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

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

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

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

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

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

COMMENT

Analysis

Reduction in Ground Space – Fletcher Park

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

COVID Relief

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

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

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

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

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

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

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

Financial Contribution to Kitchen Upgrade

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

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

OPTIONS

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

Option 4 is the recommended option.

CONCLUSION

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

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

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

ATTACHMENTS

1. Copy of WRPC Submission

Officer Recommendation:

That Council decline the request.

Cr Mosey put forward an alternative recommendation which was discussed by Committee.

That Council:

1. Endorse a reduction in lease payments for the period between 2014 and 2018, to remove the cost of the ESA equating to 30% of the grounds at Fletcher Park, providing a refund of \$18,704.18 and;
2. Endorse a waiver of the outstanding lease payment for the period 1 January 2020 to 31 December 2020, totalling \$9,160.79.

The Committee recognised that WRPC were a junior sporting club and have been impacted by the reduction in useable space. The City's duty to support and foster clubs within the City was raised.

The motion was then put by Cr Mosey.

RECOMMEND

C5/3/23

That Council:

1. **Endorse a reduction in lease payments for the period between 2014 and 2018, to remove the cost of the ESA equating to 30% of the grounds at Fletcher Park, providing a refund of \$18,704.18 and;**
2. **Endorse a waiver of the outstanding lease payment for the period 1 January 2020 to 31 December 2020, totalling \$9,160.79.**

Moved Cr S J Mosey
MOTION CARRIED

(6/0)

The public left the meeting at 7:35pm

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

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

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

Comment from Cr Keogh

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

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

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

Officer Comment

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

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

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

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

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

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

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

It is suggested that a recommendation be as follows:

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

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

C6/3/23

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

**Moved Cr J Keogh
MOTION CARRIED**

(6/0)

COUNCILLORS' ITEMS

Nil

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 7:47PM

| COMMUNITY SERVICES COMMITTEE | | |
|--|--|--|
| SUMMARY OF ATTACHMENTS | | |
| 7 MARCH 2023 | | |
| ATT NO. | SUBJECT | |
| 1.1 GWYNNE PARK SKATE PARK - COMMUNITY ART PROJECT | | |
| 1.1.1 | Gwynne Park Skate Park Art Project - 2023 - Proposed Designs | |
| 2.1 WALLANGARA RIDING AND PONY CLUB - OUTSTANDING LEASE PAYMENT | | |
| 2.1.1 | Copy of WRPC Submission | |

The above attachments can be accessed from the Minutes of the Community Services Committee meeting of 7 March available on the City's website

CITY OF ARMADALE

MINUTES

OF TECHNICAL SERVICES COMMITTEE HELD IN THE FUNCTION ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON
WEDNESDAY, 8 MARCH 2023 AT 7:00 PM.

PRESENT:

Cr G Nixon (Chair)
Cr E J Flynn (Deputy Chair)
Cr R Butterfield
Cr M S Northcott
Cr S Peter JP
Cr G J Smith
Cr S S Virk

APOLOGIES:

Cr K Busby (Leave of Absence)

OBSERVERS:

Cr J Keogh
Cr S Mosey (via Teams)

IN ATTENDANCE:

| | |
|-------------------|--|
| Ms J Abbiss | Chief Executive Officer |
| Mr M Andrews | Executive Director Technical Services |
| Mr J Lyon | Executive Director Corporate Services |
| | (via Teams) |
| Mr Scott Morrow | Manager Operational Excellence |
| Mr Gordon Stewart | Project Manager Program Delivery |
| Ms Joy Avery | Coordinator Parks Development |
| Ms Clare Jupp | Parks Project Officer (via Teams) |
| Ms A Lazaroo | Executive Assistant Technical 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.

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Technical Services Committee Meeting held on 6 February 2023 be confirmed.

Moved Cr R Butterfield
MOTION CARRIED

(7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

Outstanding Matters and Information Items

Various Items

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

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TECHNICAL SERVICES COMMITTEE

8 MARCH 2023

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1.1 - APPLICATION TO CLEAR NATIVE VEGETATION PROTECTED UNDER THE ENVIRONMENTAL PROTECTION ACT 1986. - EIGHTH ROAD, HAYNES AND LAKE ROAD, CHAMPION LAKES

WARD : MINNAWARRA

FILE No. : M/696/22

DATE : 21 December 2022

REF : GS/CO/SA

RESPONSIBLE : Executive Director
MANAGER Technical Services

In Brief:

- The City's Civils Works Program includes two projects (widening of Eighth Road between Armadale Road and Gribble Avenue in Haynes and footpath installation adjacent to Lake Road Champion Lakes) that are proposed to potentially have an impact on native vegetation.
- A review of the applicable environmental regulation and licence requirements are presented in this report for Council's consideration.
- Recommend that Council authorise the Chief Executive Officer to sign a Clearing Permit application to facilitate works on Eighth Road (between Gribble Avenue and Armadale Road) as shown in Attachment 1 (amended) ~~and Lake Road footpath (north of Ypres Road as shown in Attachment 2)~~ and submit to the Department of Water and Environmental Regulation in accordance with the *Environmental Protection Act 1986*.

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**2.1 Conservation and restoration of the natural environment**

2.1.6 Protect soil and land resources throughout the City

2.1.7 Biodiversity is managed to preserve and improve ecosystem health.

2.1.8 Facilitate the creation of partnerships and support strategies for the maintenance and enrichment of the natural environment.

Legal Implications

An assessment of legislative and regulatory requirements that are applicable to the proposed works is summarised below.

- *Environmental Protection Biodiversity Conservation Act 1999 (EPBC Act)*
- *Biodiversity Conservation Act 2016 (BC Act)*
- *Environmental Protection Act 1986 (EP Act), Section 51 (Clearing of native vegetation)*
- *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*
- *Aboriginal Cultural Heritage Act 2021 (ACH Act)*

Council Policy/Local Law Implications

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

Budget/Financial Implications

The clearing permit application cost, including the costs associated with the implementation of a successful application, have been provided for within the 2022/23 Budget and Long Term Financial Plan (LTFP).

Consultation**Internal**

- Intra Directorate including Environment and Sustainability; Program Delivery and Design.

External

- Environmental Consultants “Biologic” (assessment of road reserve and detailed analysis of the site).
- Black Cockatoo Habitat assessment (Kirkby, 2023).
- Department of Agriculture, Water and the Environment (DAWE) – now the Department of Climate Change, Energy, the Environment, and Water (DCCEEW)

BACKGROUND

The City’s Civils Works Program includes two projects that are proposed to potentially have an impact on native vegetation and matters protected under the *Environmental Protection Act 1986* (EP Act) and the *Environmental Protection Biodiversity Conservation Act 1999* (EPBC Act). The scope of this paper has been presented previously to Council in May 2021 (T33/5/21). During the detailed design process, the City has identified the need to make minor modifications to the designs, noting every reasonable effort has been made to minimise/mitigate the impact on the City’s trees.

The two projects are:

- Road widening of Eighth Road between Armadale Road and Gribble Avenue in Haynes (refer Attachment 1 amended); and
- Footpath installation along the western extent of Lake Road in Armadale near the intersection of Ypres Road (refer Attachment 2).

The concept designs were developed during 2019/20 when consideration of design options would have been carried out including impact on trees. The following options outlined detail the latest recommended designs.

Eighth Road

Armadale Road and Forrest Road are both important east-west major routes serving the Wungong area. Eighth Road is an important link between these two roads. The widening of Eighth Road provides improvement in the capacity of the Wungong road network required to meet the traffic demands of this developing area.

It is anticipated that the Final Road Design for the entirety of the Eighth Road Project will be completed and agreed with internal stakeholders by June 2023. Tender processes will likely commence Q2 FY'24. The subsequent construction schedule will be dependent on relocation works underway and Contractors availability.

Service relocation work for Stage 1 have been delayed due to Western Power contractor availability. Estimated commencement Jul'23. It is anticipated that the final design of Stage 2 relocation works will commence Q1 FY'24 (depending on Utility providers' availability) and the final design for Stage 3 relocation works will follow a similar timeline with both stages estimated for commencement of relocation works Q2 FY'24.

Detailed design for Eighth Road Stages 2 and 3 have identified trees that require removal and/or are at risk of impact. This is an additional eight from that previously approved by Council.

Lake Road

Lake Road is a district connector road that requires paths on both sides of the road as recommended in Liveable Neighbourhoods. There is no direct property access off Lake Road so no verges/safe zones for pedestrians crossing from one side of the road to the other.

The dual use path (DUP) that is required on the northern side of Lake Road is being constructed by the individual developers as part of the adjacent land use change process. One tree is proposed to be impacted by the works.

The administrative procedure for the City to apply to DWER for a Clearing Permit in accordance with the EP Act requires the signature of the Chief Executive Officer (CEO). This report seeks Council's authorisation for the CEO to sign a C1 Clearing application for both projects.

DETAILS OF PROPOSAL

This report updates Council on the proposed impact of both Stage 2 and Stage 3 of Eighth Road widening and the Lake Road DUP on native flora and fauna.

This report requires the need for mitigation and avoidance measures as proposed in the detailed design, seeks authorisation for officers to pursue the environmental approvals processes in accordance with the EP Act, and proposes an offset procedure associated with residual impacts.

1. Eighth Road - Haynes

The proposal to widen Eighth Road necessitates the clearing of native vegetation. The environmental values associated with the Eighth Road reserve, Stages 2 and 3 were mapped by consultants in 2020 and 2023.

- No threatened or priority listed flora was recorded.
- The vegetation was not analogous with any Threatened Ecological or Priority Ecological Communities known to occur nearby.
- The survey area was noted as within the mapped range of three species of threatened Black Cockatoos. Foraging and potential nesting values of the vegetation was recorded in two surveys.

Avoidance, mitigation and offset of impacts

To avoid and mitigate the impacts on native vegetation, the location of the DUP and side entry drainage pits have been carefully located in order to maximize tree retention.

For clarity, a 5.5m median strip width is to be constructed and is dictated by the standard design of the various road classifications, for this project, as part of the Wungong Urban Water Area funded by the Developer Contribution Plan..

This was agreed in 2018 with MRA/DevWA for this project specified as District/Road Avenue A Road Classifications.

The construction works will be supported by a Construction Environmental Management Plan (CEMP). This document will include the following further mitigation and avoidance measures.

- An arborist will be engaged to provide advice during the construction process. Their role will be to identify opportunities to retain trees that are included in the clearing proposal, but may be able to be retained through techniques such as root pruning during the on ground works stage of project delivery. Large pieces of timber will be relocated to natural areas in the City, for habitat purposes
- A fauna management specialist will checking for nests and respond accordingly as relates to fauna.

The provision of an offset for the proposal is unlikely to be formally required under the EP Act or EPBC Act. Whilst the City currently has no formal policy position on the provision of offsets, (it is envisaged that this will be addressed in the Urban Forest Strategy and

Biodiversity Strategies in development 2023/24), it is proposed to develop and implement an offset that:

- utilising the Helliwell system as an example, formally evaluates the contribution of the trees to the City's urban forest – including visual amenity, urban heat reduction, local biodiversity and sense of local character; and:
- reinstates the calculated contribution of the trees as close to construction areas as possible, ideally within 400m. These trees will help keep the benefits of new planting as close as possible to where trees have been removed. Trees planted will enhance existing parks, drainage networks, community facilities or streets.

A landscaping design will be developed which includes installation of a tree lined shaded median plus residual offset works associated with the evaluation methodology described above.

Collectively the Eighth Road upgrades necessitate the removal of the following native vegetation:

- 23 trees comprising of eight additional trees (to the 15 previously identified to Council) that can be described as native vegetation and therefore protected under the EP Act.

To support the proposal to clear 23 trees, a permit is required in accordance with the *EP Act 1986*. A draft purpose permit application is provided as Attachment 3.

2. Lake Road Footpath Champion Lakes

The installation of a DUP on the northern extent of Lake Road, northwest of the Yypres Road intersection Champion Lakes is being undertaken by developers as part of the land use change process.

Avoidance, mitigation and offset of impacts

Noting the point at beginning of the Background section i.e. optioneering would have taken place to minimise the impact on the City's trees, the footpath has been designed to be positioned at back of curb to maximise retention of an avenue of street trees. Unfortunately, this alignment requires the removal of one *Eucalyptus tottiana* tree that could be described as native vegetation and therefore protected under the *EP Act 1986*.

The provision of an offset for the proposal is unlikely to be formally required under the EP Act. However it is proposed to develop and implement an offset, consistent with the procedure described in "details of Proposal – Eighth Road Haynes" section of this report.

ANALYSIS

The Eighth Road upgrades are scheduled to occur in Q2 of FY24 and will provide for the completion of the section of road for which the City is responsible. It will link to the Eighth/Armadale Road intersection, which is to be upgraded to a signalised intersection by Main Roads Western Australia, following the completion of the City's works.

Eighth Road cross section currently consists of a single lane, two way asphalted pavement, with a number of blister islands containing a single tree and signs. The alignment is relatively straight horizontally, and has minor vertical elevations to force storm water drainage.

The upgrades and design of Eighth Road is consistent, with a specification determined through the Developer Contribution Scheme (DCP). Stage 1 (Forrest Road to Gribble Avenue) upgrade, includes a single carriage way with cycle lane separated with 5.5m median. Stage 2 (Gribble Avenue to Girraween Avenue) has a single carriageway with a cycle lane separated with 5.5m median. Stage 2B and Stage 3 (between Armadale Road and Girraween Avenue) addresses both the road capacity issues on the route, as well as the blackspot situation at the Armadale Road intersection, the location of many crashes in the past, including a number of fatalities.

Lake Road is a district connector road that requires paths on both sides of the road. The back of curb footpath alignment is the preferred option from tree retention perspective.

OPTIONS

Council is presented with two options to consider.

Option 1

Support the submission of an Application to Clear Native Vegetation under the *Environmental Protection Act 1986*, authorising the Chief Executive Officer to sign the permit application. The draft purpose permit application is provided as Attachment 3.

Option 2

Not support the administrative process for the clearing of native vegetation for this purpose. Option 2 is not supported as this will not allow for the improvement of the road network in support of the growth of the Wungong area, and would likely preclude the upgrade of the Armadale/Eighth intersection by Main Roads WA.

Option 1 is recommended.

CONCLUSION

The upgrade of Eighth Road is included the City's Civils Works Program. These works are likely to require the clearing of 23 trees that are native vegetation and protected under the EP Act. Nine trees were previously identified as potential nesting trees, but determined as "Not a Controlled action" under the *EPBC Act 1999*. Three additional trees have now been identified that are recommended to be referred under the EPBC Act due to potential impact on MNES under the EPBC Act.

The installation of a footpath adjacent to Lake Road also requires the removal of one tree that is native vegetation and protected under the EP Act

It is recommended that Council authorise the Chief Executive Officer to sign an Application to Clear Native Vegetation under the *Environmental Protection Act 1986* applicable to both projects as described in this report.

ATTACHMENTS

1. [Eighth Road Location Plan](#)
2. ~~Lake Road Location Plan~~
3. Draft Purpose Permit Application

Committee Discussion

Committee discussed the need for a design that would reduce the number of trees requiring removal and requested Attachment 1 be amended and further information be provided. Attachment 2 has since been deleted as a result of an improved design which saves the tree in question. Additional information will be provided prior to the Council Meeting on 13 March 2023 in support of Attachment 1.

RECOMMEND

T1/3/23

That Council:

1. **Authorise the Chief Executive Officer to sign a Clearing Permit application to facilitate works on Eighth Road (between Gribble Avenue and Armadale Road) as shown in Attachment 1 (amended) and ~~Lake Road footpath (north of Ypres Road) as shown in Attachment 2~~ and submit to the Department of Water and Environmental Regulation in accordance with the *Environmental Protection Act 1986*.**

Moved Cr S Peter
MOTION CARRIED

(7/0)

2.1 - PARKING RESTRICTIONS - MELTON HILL LANE, CHAMPION LAKES

WARD : PALOMINO

FILE No. : M/11/23

DATE : 16 January 2023

REF : TR/SA/NM

RESPONSIBLE : Executive Director
MANAGER Technical Services

In Brief:

- Ranger Services and Waste Services within the Environment and Sustainability team request parking restrictions be investigated along Melton Hill Lane, Champion Lakes after receiving ongoing community complaints regarding unsafe parking practices and waste truck access issues.
- Recommend that Council approve the installation of Linear Parking Restriction signage and yellow 'no stopping' line marking as indicated on drawing E23-01-01 (Attachment 1).

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

- 1.2 Active Community Life that is Safe and Healthy
- 1.2.3 Encourage initiatives to improve perceptions of safety
- 2.3 Well Managed Infrastructure
- 2.3.1 Apply best practice design and construction methodologies for the provision of infrastructure

Legal Implications

Assessment of legislation indicates that the following are applicable:

- *Road Traffic Code 2000* – Part 12, Division 2, Section 140 – No Stopping Signs and 142 – No Stopping on Carriageway with Yellow Edge Line.

Council Policy/Local Law Implications

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

- Parking and Parking Facilities Local Law

Budget/Financial Implications

The costs associated with the installation of the proposed line marking can be accommodated within the 2022/2023 Budget.

Consultation

1. Ranger Services - the Rangers have received numerous complaints from impacted residents which has led to this recommendation
2. Environment and Sustainability (Waste Services)
3. No further external consultation was carried out given the feedback received to date from our community through Ranger Services

BACKGROUND

Unsafe parking practices are an ongoing issue along Melton Hill Lane, Champion Lakes. Ranger Services continue to receive concerns from residents in the direct vicinity and in addition, Waste Service trucks have access issues on bin collection days.

Melton Hill Lane is 5.5m wide and vehicles park on the road along areas that block emergency access and behind 'blind corners' making it unsafe for oncoming traffic and creating inadequate line-of-sight issues. Waste service trucks regularly cannot enter/exit the lane due to vehicles blocking access.

Parking restrictions are necessary to ensure safety and keep emergency access points clear.

COMMENT

It is proposed to install linear parking restriction signage for both road and verge, as well as yellow 'no stopping' line marking in locations where parking presents line-of-sight issues and/or would put road users at risk.

Plan E23-01-01 (Attachment 1) details the proposed locations for linear parking restriction signage and yellow 'no stopping' line marking to prevent parking in particularly vulnerable areas.

CONCLUSION

After investigating parking issues along Melton Hill Lane, Champion Lakes it is proposed to install linear parking restriction signage in addition to yellow ‘no stopping’ line marking in locations where parking would result in an unacceptable safety hazard for road users.

Following consultation with both the City’s Ranger and Waste Services teams, it is recommended to implement the linear parking restriction signage and yellow ‘no stopping’ line marking as shown on plan E23-01-01 (Attachment 1).

ATTACHMENTS

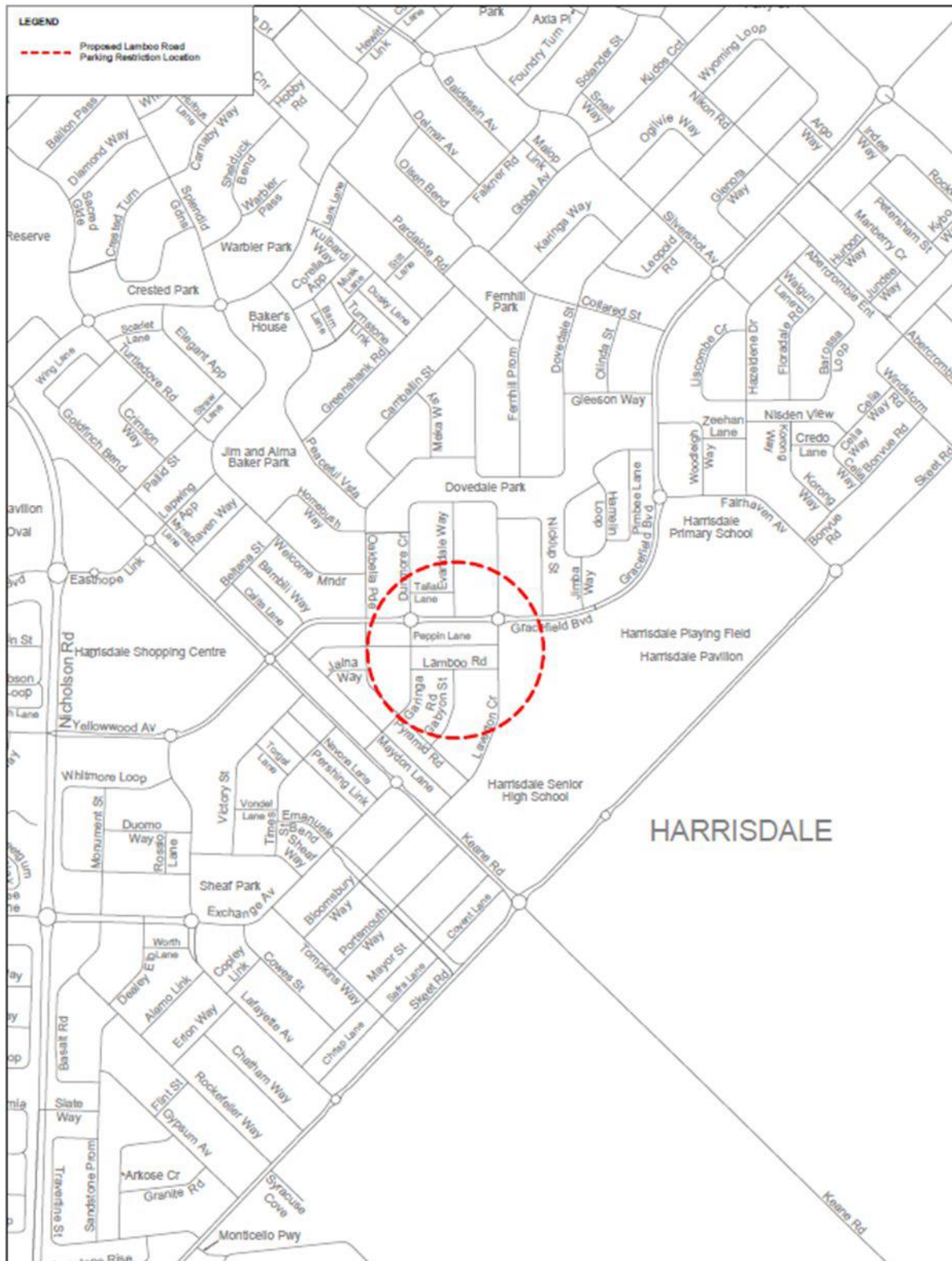
1. E23-01-01 - Melton Hill Lane, Champion Lakes

RECOMMEND**T2/3/23****That Council:**

1. **Approve the implementation of Parking Restrictions as shown on drawing;**
 - **E23-01-01 – Melton Hill Lane, Champion Lakes – Parking Restriction (Attachment 1)**

Moved Cr E J Flynn
MOTION CARRIED

(7/0)



Lamboo Road
HARRISDALE
Location Plan



2.2 - PARKING RESTRICTIONS - LAMBOO ROAD, HARRISDALE

WARD : RANFORD
FILE No. : M/12/23
DATE : 17 January 2023
REF : TR/SA/NM
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- Issues have been identified in the enforcement of safe parking practices at Harrisdale Senior High School along Lamboo Road.
- Recommend that Council approve the installation of yellow 'no stopping' line markings as indicated on drawing No. E23-02-01 (Attachment 1).

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

- 1.2 Active Community Life that is Safe and Healthy
1.2.3 Encourage initiatives to improve perceptions of safety
- 2.3 Well Managed Infrastructure
2.3.1 Apply best practice design and construction methodologies for the provision of infrastructure

Legal Implications

Assessment of legislation indicates that the following are applicable:

- *Road Traffic Code 2000* – Part 12, Division 2, Section 140 – No Stopping Signs and 142 - No Stopping on Carriageway with Yellow Edge Line.

Council Policy/Local Law Implications

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

- Parking and Parking Facilities Local Law.

Budget/Financial Implications

The costs associated with the installation of the proposed line marking can be accommodated within the 2022/2023 Budget.

Consultation

1. Ranger Services – the Rangers have received numerous complaints from impacted residents which has led to this recommendation
2. No further external consultation was carried out given the feedback received to date from our community through Ranger Services

BACKGROUND

Unsafe parking practices around school peak periods have been reported as a recurring issue along Lamboo Road, Harrisdale. This road is adjacent to Harrisdale Senior High School.

The Design Team within Technical Services have received concerns from residents in the direct vicinity of Harrisdale Senior High School. On investigation Community Services' Ranger Services are often requested to patrol this area on a high-frequency.

Vehicle parking around the intersection of Lamboo Road and Gabyon Street has led to the blocking of the pedestrian crossing, which causes line-of-sight issues for pedestrians and vehicular road users at this location. The parking also impedes safe vehicle movements around the intersection.

Parking restrictions are necessary to improve safety. The alteration at this intersection would also be consistent with parking restrictions already installed at the opposite end of Gabyon Street.

COMMENT

It is proposed to install yellow 'no stopping' line marking in locations where parking presents line-of-sight issues.

Plan E23-02-01 (Attachment 1) details the proposed location for yellow 'no stopping' line marking to enforce no parking around the Lamboo Road and Gabyon Street intersection.

CONCLUSION

After investigating parking issues along Lamboo Road it is proposed to install yellow ‘no stopping’ line marking at the Lamboo Road and Gabyon Street intersection where parking would produce an unacceptable safety hazard for pedestrians and road users.

ATTACHMENTS

1. E23-02-01 - Lamboo Road Harrisdale

RECOMMEND

T3/3/23

That Council:

1. Approve the implementation of Parking Restrictions as shown on drawing;
 - E23-02-01 – Lamboo Road, Harrisdale – Parking Restriction (Attachment 1)

Moved Cr S Peter
MOTION CARRIED

(7/0)

3.1 - URBAN FOREST STRATEGY IMPLEMENTATION PROGRAM UPDATE

WARD : ALL

FILE No. : M/106/23

DATE : 23 February 2023

REF : JA/CJ/NM

RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- As part of the Corporate Business Plan a report is to be presented to Council every two years on the status of the Urban Forest Strategy.
- This report provides an update and review of the City's Urban Forest Strategy implementation.

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 Attractive, inclusive and functional public places
- 2.2.1 Focus on achieving a high level of streetscape amenity in new developments.
- 2.2.2 Improve the amenity of streetscapes in established suburbs to provide an attractive, shaded network that connects residents to locations of interest.
- 2.3.3 Assets are to be effectively maintained in order to meet service levels throughout their life cycle.
- 2.1.9 Ensure that the health of the City's natural environment is regularly monitored and the effectiveness of environmental programs are periodically assessed.

Legal Implications

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

Council Policy/Local Law Implications

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

- Policy ENG 6 – Street Tree Management – Street Tree Removals and Replacements in Streets, Ways and Reserves

Budget/Financial Implications

The adoption of the recommendation contained in this report has no financial implication. The current program has an adopted budget of \$500,000 not including staff costs.

Consultation

Intra Directorate.

Executive Summary

This report is provided as an update of the progress of the Urban Forest Strategy. As outlined within this report, the outcomes expected of the current Strategy have faced challenges and our community's expectations continue to evolve. Since the last iteration, best practice relies on the use of extensive data, and our ambition for the program has developed over time to adjust to our own ever-increasing expectations in support of the vision.

The City's refreshed ambition for our Urban Forest Strategy is proposed to focus on one principle – our community being at the centre of its environment, rather than society's view of people being at the head of a hierarchy. This places people as a part of an ecosystem as the health of the ecosystem effects the health of all.

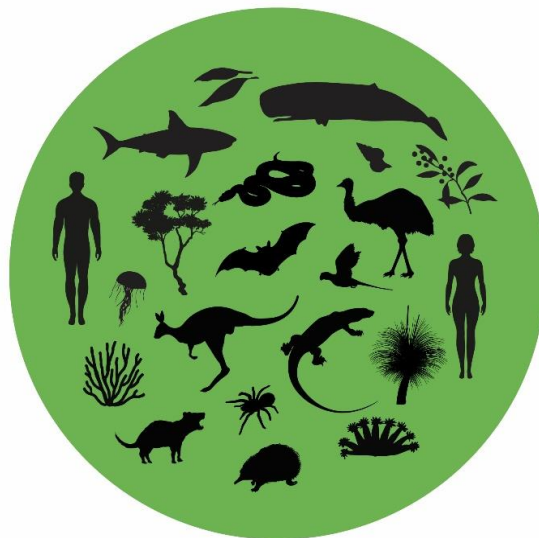


Image adapted from S. Lehmann, 2010 'Ego-Eco'- Humankind is part of the ecosystem

Introduction

Context

The City's urban forest can be defined as the sum total of all trees and significant understory situated within the urban landscape. Trees and vegetation found on public and private properties, along streets, verges and within parklands make-up the green fabric known as an urban forest. A healthy urban forest is a key community asset and provides a range of benefits, including:



Environmental Benefits - reduces heat island effect, sequesters carbon, improves air and water quality, reduce soil erosion and supports local ecology and biodiversity.



Health Benefits - improves mental health and wellbeing, improves liveable communities and walking environment



Social Benefits - creates sense of place, spaces for leisure, connection to country, cultural, and Aboriginal and European heritage



Economic Benefits – provides visual amenity, increases in property values, reduces energy & water consumption

Background

Armadale was one of the first Councils in Western Australia to develop an Urban Forest Strategy. The initiative was driven by the Community Perspective survey, which highlighted the community's appreciation of and desire to, live amongst the natural environment.

The adopted Strategy (T29/4/14) has served to guide the management and improvement of the Urban Forest since 2014. The Strategy has been an effective entry point to understanding the intricacies of expanding and managing the Urban Forest, whilst recognising the increasing value placed on our natural assets and the lessons to be learnt from managing this asset base-type. The Strategy identified the many benefits of investing in green infrastructure and has provided guidance in the planning, implementation, and management of the tree planting program over a number of years.

Urban Forest Strategy



Report Purpose

The Strategy however has aged since the original thinking 10 years ago. In recent times there has been significant research and development into Urban Forest management worldwide. The purpose of this report is not only to provide the biennial update to Council of the progress of the Strategy but also reflect on the past performance and highlight any future opportunities to inform the upcoming strategy review.

Review of 2014 Strategy

The adopted Strategy was created in 2013 and endorsed in 2014. The vision was to coordinate urban forest planning and management into a strategic guiding document that will flow on and inform key strategic policies and on ground tree installation program. The strategy included four main recommendations. An audit of the actions taken against those recommendations has been undertaken and is tabled below.

| Recommendations | Current Actions Summary | Benefits Realised | Gap Analysis |
|--|---|--|--|
| R1 Develop Urban Tree Planning Policy <ul style="list-style-type: none"> - Action: Prepare a document which outlines retention of existing trees within urban infill and green development. Existing tree retention should be promoted as high priority and considered in development applications. - Action: Ensure appropriate space is made available as part of local planning policy for tree canopy development within urban infill and green field developments, particularly within rear building setbacks (backyards) in private residents. In addition, tree canopy planting allowed for within streetscapes (verges). - Responsibility : CoA, MRA, State Government | <ul style="list-style-type: none"> - ENG6 was updated to include Street Tree management, Tree Retention and Valuation Policy. - ENG 6 also updated with requirements for developers to provide street trees for residential lots or contributions paid to CoA for installation at a later stage - PLN.4 Landscape feature and tree preservation updated - PLN 3.1 Residential density development updated noting a number of tree preservation and tree implementation policies - State Planning Policy 7.3 Residential Design Codes Volume 1 was amended to require minimum tree planting areas and minimum tree numbers applicable to proposed single and grouped dwellings, and proposed multiple dwellings in areas coded R40 or below | <ul style="list-style-type: none"> - Tighter planning controls to protect existing and create new trees | <ul style="list-style-type: none"> - Existing tree retention and protection is often not regarded as high priority by owners/developers within development applications. Tree retention is a clear objective addressed during application assessment at City level. |
| R2 Urban Tree Asset Management Plan <ul style="list-style-type: none"> - Action: The report recommends the CoA existing tree heritage registry and Tree Preservation Order (TPO) be marketed and open for community input and expanded to cover all urban areas, including areas flagged for green field development. Unnecessary and unapproved removal of existing registered trees would induce heavy penalty. - Responsibility : CoA, CoA community | <ul style="list-style-type: none"> - Tree Preservation Order Applications are received and Maintenance of Trees carried out on a schedule. Currently 28 Trees are registered - PLN.4 Landscape feature and tree preservation updated | <ul style="list-style-type: none"> - Tree Preservation Order Applications available to community via the City's form on the website | <ul style="list-style-type: none"> - No marketing undertaken. - Limited uptake of TPO's, only 28 Trees are registered and the last application for TPO received was in 2017. |
| R3 Urban Tree Implementation Plan <ul style="list-style-type: none"> - Action: Undertake mapping to collect data on existing public and private tree asset and canopy cover and provide data to assist in developing canopy goals and to determine priority of infill planting. | <ul style="list-style-type: none"> - Vegetation Stratification and Heat Mapping purchased and used to inform priority of infill planting within the tree planting program - Tree planting program developed and implemented | <ul style="list-style-type: none"> - 5,847 new 45lt trees and 1,360 tube-stock planted since program inception. | <ul style="list-style-type: none"> - Tree planting program implemented with limited community consultation and on occasion meets resistance from community (in FY |

| Recommendations | Current Actions Summary | Benefits Realised | Gap Analysis |
|--|---|---|---|
| <ul style="list-style-type: none"> - Action: Develop 5 year implementation and management plan with community consultation. - Responsibility : CoA, CoA community | <ul style="list-style-type: none"> - Trees planted are captured and mapped | | <ul style="list-style-type: none"> 2023 10% of proposed tree installations on front verge were rejected by residents) - Effectiveness and efficiency of tree planting program is untested, an audit of planting and maintenance effectiveness against budget has not been undertaken - Continue to educate and encourage residents to understand benefits of trees, shade and tree canopy. |
| <p>R4 Bushfire Management Plan</p> <ul style="list-style-type: none"> - Action: The strategy recommends a detailed Bushfire Management Plan be prepared for the CoA. A specific plan that recognises best practice ‘firewise’ landscape planning and refers to the State Fire Management Guideline (future fire management planning policy) including national ‘best practice’ for ‘firewise landscape planning’. - Responsibility : CoA, CoA community | <ul style="list-style-type: none"> - Bushfire Risk Management Plan (BRM) 2021-2026 endorsed by Council in February 2022. | <ul style="list-style-type: none"> - Holistic Management Plan in place | <ul style="list-style-type: none"> - BRM has produced a ‘balanced approach’ endorsed by Council and accepted by DFES after pilot. |

As noted above, a number of policies have been strengthened and updated to reflect the City's position on tree preservation and planting, however continued improvement of mechanisms is still required and being undertaken. The goals outlined in the Strategy were ambitious and not all actions have been effectively addressed. A key gap identified is the limited ability to measure what success looks like, without a baseline, clear targets and performance measurements against those targets.

The effectiveness and efficiency of the tree planting program remains untested and an audit of planting and maintenance effectiveness against budget and planting targets should be undertaken in order to improve the program into the future.

In regards to the growth of our Urban Forest, in data released via 'Greener Spaces, Better Places', the City is outlined as 'moderately vulnerable'. A canopy loss of 1.4% between 2016-2020 has been recorded, which is mainly attributed to land development, various large projects (Denny Avenue/Davis Road in Kelmscott, Armadale Road upgrade, etc), end of life/storm damage and tree clearing by residents, including bushfire management. This highlights, that despite the Strategy being in effect for nearly 10 years, instead of retaining and gaining canopy, the City is experiencing canopy loss and the benefits of tree planting have not yet been realised as trees are still growing to provide a canopy.







The Urban Forest Strategy will be a cornerstone reference for the City going forward including to inform public realm investment, planning and investment, including for the Armadale City Centre and Kelmscott.











Recommendations

In order to ensure the City's Urban Forest is effectively retained, grown and managed it is recommended that the Strategy be reviewed and resubmitted for Council endorsement. This will take time to develop including definition of our current natural asset base (tree data is collected and added to the existing Geographic Information System (GIS) for trees planted under the Urban Forest, there is no data for trees adopted through the subdivisions process or a database of existing trees older than the current planting program), to ensure realistic goals and targets are set. To be effective, the uplift from the current strategy will require Officers redirected time and funding i.e. there is no request for additional funds.

For clarity, the redirected effort in developing and delivering the detail of this proposal will likely see other activities reprioritised. The Officers will work with the Manager Design and the Executive Director Technical Services to determine the reprioritisation.

The following recommendations are outlined below, with short term goals to be implemented whilst longer term recommendations are actioned.

| Recommendations | Goals | Measure of Success | Benefits |
|-------------------------------------|--|---|--|
| Prioritise quick wins | Improve Tree Planting Program <ul style="list-style-type: none"> Continue to implement tree planting but focus on reserves & public realm where larger species can be accommodated to gain larger canopy quicker. Undertake audit of effectiveness of existing planting & establishment program to identify efficiencies | <ul style="list-style-type: none"> Larger Trees in the ground Trees maintained during establishment |  |
| | Community Engagement <ul style="list-style-type: none"> Heavily promote residents requests program Continue to develop City's website as an education tool and promote ongoing education campaigns. Establish a tree giveaway program to encourage private greening Promote smaller UF events and activities to coincide with existing events where possible such as "Tree Day" and Plants for Residents to maximise coverage | <ul style="list-style-type: none"> Larger uptake of residents requests program Increased community support for urban greening. Trees will be seen as an asset and not a liability to private properties. |   |
| Undertake mapping of existing trees | Expand the Tree Asset Data Base <ul style="list-style-type: none"> Outsource collection of detailed information such as species, planting dates or (approximate age) and health of individual trees to inform a baseline dataset. Upload data in UF intramaps module. Include editable fields to capture health checks and maintenance events such as pruning, fertilising and pest treatments. Improve processes to capture planned planting under UF and capture developer planted trees Establish processes to consistently update maintenance data Identify potential trees in house suitable for preservation orders / retention and other mechanisms for tree protection under the Activities & Trading in Thoroughfares Local Law. Collect Data from developers as trees are installed | <ul style="list-style-type: none"> Greater TPO and other mechanisms for tree protection under the Activities & Trading in Thoroughfares Local Law Informed Urban Forest Strategy is produced Improved tree management Informed, fact based decision making Ability to monitor canopy growth or loss, health, survival rates of individual trees for future reporting |  |
| Undertake Strategy review | Update Strategy <ul style="list-style-type: none"> Workshop with Council on community expectations and ambitions for the future of the Urban Forest Establish clear strategic targets such as % Canopy cover target in specific areas such as parks and reserves, road reserves and private land | <ul style="list-style-type: none"> Tangible goals set and measured against improved planting programs and maintenance activities aligned with latest research and industry best practice |   |

| | | | |
|---|--|--|---|
| | <ul style="list-style-type: none"> ○ Planting program to be reprogramed to focus on targets, species and how best to achieve goals ○ Establish aims to increase the number of protected trees, including habitat trees or culturally significant trees or landscapes | <ul style="list-style-type: none"> ○ Increased community support for urban greening. Trees will be seen as an asset and not a liability to private properties. |   |
| | <p>Update supporting policies and guidelines</p> <ul style="list-style-type: none"> ○ Establish supporting documentation that helps to guide City officers, council and developers on the importance of the UF and how best to support tree health and growth ○ Establish engagement framework to promote and educate | <ul style="list-style-type: none"> ○ Improved rates of tree retention ○ Improved and more consistent landscape outcomes with a focus on increasing green spaces and shading or reducing hardscapes |     |
| <p>Invest in the outcomes of the review of the Strategy</p> | <p>Continue to embrace the City’s natural heritage and ‘Tree Change’ character</p> <ul style="list-style-type: none"> ○ Build a diverse, resilient urban forest ensuring its benefits can be enjoyed now and into the future. ○ Ensure trees and green infrastructure are seen as valuable assets and are suitably resourced. | <ul style="list-style-type: none"> ○ Canopy target achieved |     |

Options

The following options are presented for consideration:

Option 1

- Receive the City of Armadale Urban Forest Implementation Program Progress Report and support the recommendations noted within including consideration of funding a tree asset data base during budget deliberations.

Option 2

- Continue with the current strategy.

Option 1 is recommended.

Conclusion

The benefits of a healthy Urban Forest are well documented and include a range of benefits.



Environment



Health



Social



Economic

As the City faces increasing impacts from infill development, Greenfield development and climate change, a refocused strategy will become key to ensure the urban ecosystem is actively planned, controlled and managed for the health of future generations. This is the opportunity for the City to take a leap forward, encompass a more holistic path and refocus on an improved, updated approach for managing and enhancing the natural system as a collective, including people, animals and plants.

In order to action this a number of recommendations are made including to prioritise quick wins within the existing strategy framework, undertake mapping of existing trees and carry out the Strategy review. It may be fair to say that our current Urban Forest planting program could be improved and this is the time to refocus, explore what our community value and what they would consider as beneficial for the health of future generations.

ATTACHMENTS

There are no attachments for this report.

Committee Discussion

Committee discussed the need for a tree asset database and requested a point 4 be added to the recommendation.

RECOMMEND

T4/3/23

That Council:

1. **Receive the City of Armadale Urban Forest Implementation Program Progress Report and support the recommendations noted within.**
2. **Consider at future budget deliberations support of funding for a tree asset data base.**
3. **Consider at future budget deliberations support of funding for consultancy to undertake the strategy renewal.**
4. **Provide a report at the next Technical Services Committee meeting for the establishment of a tree asset database including a cost estimate.**

Moved Cr R Butterfield
MOTION CARRIED

(7/0)

3.2 - LOCALITY SIGNAGE LIGHTING

WARD : ALL

FILE No. : M/130/23

DATE : 9 March 2023

REF : JA/LC/NM

RESPONSIBLE : Executive Director
MANAGER Technical Services

In Brief:

- An independent lighting consultant has been engaged to undertake the feasibility study to evaluate the possibility of including lighting elements to the Locality Signs.
- This report serves to provide Council with an update on the Locality Signs project Lighting Feasibility Study.
- Having assessed the feasibility for all localities, recommend that Council Support Option 2 and proceed with a hierarchical approach to lighting the signs, prioritising lighting for Armadale site 1 & 2, and Kelmscott and provide an additional budget allocation of \$40,300

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
 - 1.1.4 Preserve and celebrate the City's built, natural and cultural heritage.
- 2.2 Attractive, inclusive and functional public places
- 3.2 Positive image and identity for 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.
 - 3.2.2 Capitalise on the City's position as the gateway to the metropolitan area.

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

The adoption of the recommendation contained in this report has financial implications.

Consultation

- Intra Directorate

BACKGROUND

Following a Councillor Request, an independent lighting consultant was engaged to undertake a feasibility study, to evaluate the possibility of including lighting elements to the Locality Signs. This report serves to provide Council with an update on the Locality Signs Project Lighting Feasibility Study.

DETAILS OF PROPOSAL

The feasibility study investigated the options available to provide power and lighting to the signs. The recommendations of the feasibility study are noted below:

- Solar was not considered a viable option, due to issues with back-up batteries in the past, limited options to fix solar panels, issues of ongoing vandalism and existing tree canopy inhibiting solar panel exposure.
- Hardwired electrical connection has been noted as the most feasible option in providing lighting to the signs, however each site has its own complications in connecting to the local power network.
- Lighting elements should be contained within sign structure rather than up-lighting. Up-lighting is problematic – it is subject to vandalism and premature failing, and is not in line with ‘dark sky’ standards

In regard to power relating to each site, as part of the study, the consultant investigated the availability of a power connection, evaluated capacity of switchboards to accommodate additional supply requirements to facilitate lighting of the locality signs, and provide professional opinion of probable costs, as outlined below.

The costs are suggested to have an estimate accuracy of +/- 20% in FY23.

| Site | Feasible Power supply | Summary | Recommended based on feasibility, cost and locality |
|-----------------------------|-----------------------|--|---|
| Site 1 – Armadale | Yes | <ul style="list-style-type: none"> - Power connection is feasible. - Estimate of works \$10,450 + GST | Yes |
| Site 2 – Armadale | Yes | <ul style="list-style-type: none"> - Power connection is feasible. - Estimate of works \$3,410 + GST | Yes |
| Site 3 – Kelmscott | Likely | <ul style="list-style-type: none"> - Western Power (WP) proposed connection to switchboard crosses lot boundaries, which is non-compliant with WP standards. - The works to provide power from this switchboard is dependent on Public Transport Authority progressing the creation of the Crown Reserve and management arrangements for Kelmscott Plaza. - Estimate of works \$7,260 + GST | Yes |
| Site 4 – Forrestdale | No | <ul style="list-style-type: none"> - Multiple lot arrangement, both crown land vested to CoA. - Power system is old and requires an upgrade to meet current standards. - Scope of electrical work would need to include rationalising power to Ian Pratt Pavilion - Estimate of works \$30,800 + GST | No |
| Site 5 – Roleystone | Yes | <ul style="list-style-type: none"> - Power connection is feasible. - Estimate of works \$16,500 + GST | No |

Proposed lighting

If lighting is desirable, for sophistication and ambience, it is proposed to incorporate lighting within the signs. This has been discussed with the signage manufacturer and this can be incorporated to enable the locality to be highlighted. It is estimated that the modifications to accommodate illumination will be around \$2,250 + GST per sign. Please see below for the concept.

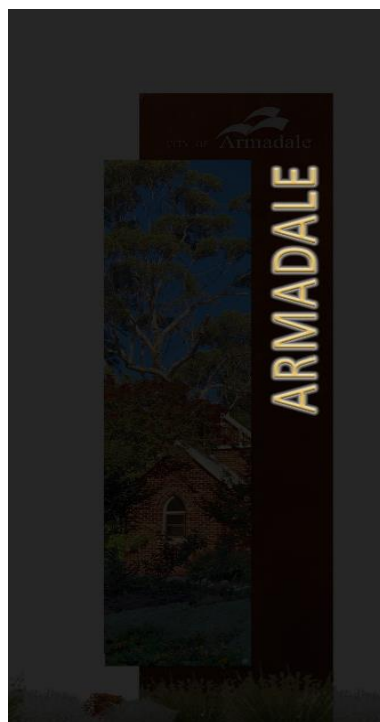


Image A - Proposed Lighting Concept at Night

Proposed Sign Hierarchy

It is proposed that consideration be given to establish a hierarchy to inform which signs should receive lighting.

It may be appropriate to include lighting to those locations within civic or inner urban areas for example Armadale and Kelmscott, while locations in less prominent and more remote localities such as Forrestdale and Roleystone not be considered and would be reliant on adjacent streetlights.

Implementing a sign hierarchy would enable consideration of existing power sources, reduce overall costs, and reduce exposure to potential vandalism and maintenance costs eliminating lighting from signs with low passive surveillance.

Under this approach, it is recommended that lighting is installed to three signs – the two Armadale signs and Kelmscott sign. The total estimate cost to add lighting to these three signs is estimated below:

| Site | Power Supply | Electrical Design | Sign Modifications | Approximate Indicative Costs |
|------------------------------|--------------|-------------------|--------------------|------------------------------|
| Site 1 – Armadale | \$10,950 | \$2,500 | \$2,500 | \$16,000 |
| Site 2 – Armadale | \$3,700 | \$2,000 | \$2,500 | \$8,200 |
| Site 3 – Kelmscott | \$7,300 | \$2,000 | \$3,100 | \$12,400 |
| Estimate of Cost | | | | \$36,600 |
| Contingency 10% | | | | \$3,700 |
| Total estimate ex gst | | | | \$40,300 |

OPTIONS

The following options are available for consideration:

Option 1

Proceed with project as is, with no lighting incorporated.

Option 2

Proceed with a hierarchical approach to lighting the signs, prioritising for civic locations including Armadale sites 1 & 2, and Kelmscott. Provide an additional budget allocation of \$40,202.25. This will lead to a minor delay to the project as lighting designs are formalised.

The estimated \$40,300 required will need to be approved by Council. The source of this funding is suggested to be “LED Replacement sports lighting (CP000164)”.

Option 3

Proceed with lighting to all the signs, providing an additional budget allocation of approximately \$98,829.50 and note a potential delay to the project as lighting designs are formalised.

The estimated \$98,900 required will need to be approved by Council. The source of this funding is suggested to be “LED Replacement sports lighting (CP000164)”.

CONCLUSION

As noted within, a lighting feasibility study has been undertaken to determine the ability to light the locality signs. Options have been presented for consideration, with Option 2 recommended.

ATTACHMENTS

There are no attachments for this report.

Committee Note

A query was raised about the cost effectiveness of Option 3 versus Option 2 and it was proposed that signs be installed with the ability to be connected to power at a later stage.

RECOMMEND

T5/3/23

That Council:

- 1. Support Option 2 and proceed with a hierarchical approach to lighting the signs, prioritising lighting for Armadale site 1 & 2, and Kelmscott and provide an additional budget allocation of \$40,202.25.**
- 2. Approve the amendments of the project budget as follows:**
 - a) Capital Project – Entry Statement – Forrestdale (CP000264) , increase budget by \$10,000 from \$23,760 to \$33,760**
 - b) Capital Project – Entry Statement – Kelmscott (CP000263) , increase budget by \$10,000 from \$24,000 to \$34,000**
 - c) Capital Project – Municipal Reserves - Gardens (CP000243) , increase budget by \$10,000 from \$24,400 to \$34,400**
 - d) Capital Project – Municipal Reserves - Fences & Bollards (CP000242) , increase budget by \$10,300 from \$49,000 to \$59,300**
 - e) Capital Projects – LED replacement sports lighting (CP000164) budget decrease by \$40,300 from \$103,500 to \$63,200**

Moved Cr R Butterfield, Seconded Cr E J Flynn

Opposed Cr S Peter

MOTION CARRIED

(6/1)

4.1 - CITY STATEMENT BUILDINGS - LIGHTS AND PROJECTIONS (REFERRAL ITEM)

At the Council meeting held on 10 October 2022, Cr John Keogh referred the following matter to Technical Services Committee.

That the matter of investigating the use of lights and digital projections for use on City statement buildings be referred to the Technical Services Committee.

Comment from Cr J Keogh

As part of our signage and tourism strategies, it is noted we are after creating welcoming, vibrant and entertaining public places. Places people feel comfortable and enjoy being a part of. Armadale is a strategic city centre and should be one that is leading the way creating exciting precincts that are modern and engaging.

I would like for the city to investigate options for installing LED lighting that can change colours to be installed in certain city statement buildings and use of digital projections. I envisage at the very least digital projections on the Armadale district hall and perhaps the Kelmscott Station masters house.

Cr J Keogh's further comments for such an investigation have been forwarded under separate cover.

Officer Comment

Cr Keogh's comments have been received and noted by the City's Officers.

Under existing projects such as the Civic Centre and Jull Street Mall improvement project workshopped with Council in December 2022, there is scope to consider the installation of LED lighting or digital projections as feature elements. This request to explore projections or LED lighting options is currently being explored under the current feasibility study.

Parks Design team have a corporate business plan action '2.2.2.4 Consider the development of a landscape/streetscape plan for Kelmscott Activity Centre post the Denny Avenue works'. The provision of LED lighting or digital projections shall be considered in the production of this landscape masterplan and presented to Council at a later stage for endorsement along with a implementation program.

Suggested Recommendation

Note the officers comments in regard to the referral item including that lighting options are currently being explored through project specific feasibility studies.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T6/3/23

That Council:

1. **Note that these matters are being considered within the feasibility study for the Jull Street Mall and Civic Precinct lighting project.**

Moved Cr E J Flynn
MOTION CARRIED

(7/0)

COUNCILLORS' ITEMS

1.Skeet Road to Harrisdale Senior High School - Parallel Parking (Cr Shanavas Peter)

Cr Peter requested a report on parallel parking on Skeet Road to the Harrisdale Senior High School.

RECOMMEND

T7/3/23

That the Councillor item regarding parallel parking on Skeet Road be referred to the relevant Directorate for action and/or report to the appropriate Committee.

**MOVED Cr S Peter
MOTION CARRIED**

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 9:02 PM

| TECHNICAL SERVICES COMMITTEE SUMMARY OF ATTACHMENTS 8 MARCH 2023 | | |
|--|--|--|
| ATT NO. | SUBJECT | |
| 1.1 APPLICATION TO CLEAR NATIVE VEGETATION PROTECTED UNDER THE ENVIRONMENTAL PROTECTION ACT 1986. - EIGHTH ROAD, HAYNES AND LAKE ROAD, CHAMPION LAKES | | |
| 1.1.1 | Eighth Road Location Plan | |
| 1.1.2 | Lake Road Location Plan | |
| 1.1.3 | Draft Purpose Permit Application | |
| 2.1 PARKING RESTRICTIONS - MELTON HILL LANE, CHAMPION LAKES | | |
| 2.1.1 | E23-01-01 - Melton Hill Lane, Champion Lakes | |
| 2.2 PARKING RESTRICTIONS - LAMBOO ROAD, HARRISDALE | | |
| 2.2.1 | E23-02-01 - Lamboo Road Harrisdale | |

The above attachments can be accessed from the Minutes of the Technical Services Committee meeting of 8 March available on the City's website

CHIEF EXECUTIVE OFFICER’S REPORT

13 MARCH 2023

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***1.1 - 2023 NATIONAL GROWTH AREAS ALLIANCE (NGAA) NATIONAL CONGRESS
- ADELAIDE - 4-5 MAY 2023***

WARD : ALL

FILE No. : M/121/23

DATE : 2 March 2023

REF : SD

RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- NGAA's National Congress will be held in Adelaide on 4-5 May 2023.
- Hosted by Mount Barker District Council the theme for this year's Congress is *Surburbia 3.0 Urban policy for sustainable and resilient cities*. Day two of the Congress includes a field trip within this growth corridor.
- In past years the City has been represented by the Mayor but as the Mayor is unavailable, it is recommended that the Deputy Mayor attend as the Council's delegate. The CEO has approved the attendance of the City's Manager Economic Development at this Congress.

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

Outcome 3.1 – Increased Economic Growth, Job Creation and Retention, as well as Educational Opportunities

Objective 3.1.6 – Advocate for Federal and State government commitment and investment in the City's industrial precincts and cultivate the strategic partnerships necessary for their successful development

Objective 3.2.1 – Create and actively promote a positive image and identity for the City to position Armadale as a destination of choice for residents, businesses, investors and visitors.

Legal Implications

Nil

Council Policy/Local Law Implications

Elected Member and Chief Executive Officer Professional Development Policy.

Budget/Financial Implications

Conference Costs (including registration, travel and accommodation) is estimated at \$2,500 per delegate. Funds are available in the Elected Member Development Budget for attendance.

Consultation

Mayor

COMMENT

The City is a member of the National Growth Areas Alliance (NGAA).

The 2023 NGAA National Congress will be hosted by Mount Barker District Council, Adelaide from 4- May 2023.

The theme for the Congress is *Suburbia 3.0 Urban policy for sustainable and resilient cities*.

In the year when the Albanese Government has promised a National Urban Policy Framework, the 2023 National Congress will explore the policy shifts urgently needed to enable the creation of sustainable and resilient suburbs.

The NGAA newsletter states that:

Suburbia 3.0 is the third generation of urban development and it must be different to what has come before. We know that:

- *Climate change is exacerbating existing development problems*
- *Cheaper housing and land, low density and lack of housing diversity is not affordable living*
- *Climate emergencies in outer metropolitan areas are likely to significantly increase.*

The Congress will look at how growth area councils are addressing these issues, and what other levels of government are (and aren't) doing.

State and Federal governments rely on growth areas to bring people and prosperity to our capital cities, but can growth area councils rely on them to support the health and sustainability of expanding growth area communities? Congress 2023 will explore and set out the foundation of cross sectoral, tri-level commitment that is needed to enable well-planned, climate-adapted, resilient suburbs.

Program Highlights and Events

Day 1 | Thursday 4 May

Keynote: Policy for a climate crisis – what needs to change now and in the future

Opening keynote will set the scene for policy changes needed to address the impact of climate change on Australia's politics, society and economy.

Keynote: Preparing communities for growth – an urban change literacy project

Jennifer Micheltore from Studio THI presents findings from the Urban Change Readiness Index project (piloted in growth area councils), on how local governments can prepare themselves and their communities for change.

Panel session 1: Climate-adaptation for sustainable growth in Australia's outer urban areas

Will explore the potential for outer urban growth areas to be sustainably built from development, water and design perspectives.

Panel session 2: Designing suburbs for community and economic resilience and recovery

The role of local government in recovery is vital now as growth area communities respond to recent natural disasters and the pandemic aftermath. How can we increase resilience in local communities and economies? With expert opinions and growth area case studies.

Forum: Local Government leading the way to Suburbia 3.0

Outer urban growth area specialists will highlight the innovative ways local government is seeking better urban development outcomes, and the policy barriers to sustainable growth.

Day 2 | Friday 4 May

Mount Barker District Council field trip to sites such as South Australia's first fully passive house, wetlands and water recycling facilities, AFL-ready sports hub.

CONCLUSION

Conference costs for the Congress across all events and including travel and accommodation is estimated at \$2500 per delegate.

As the Mayor is not available to attend the Congress, it is recommended that the Deputy Mayor, Cr Kerry Busby attend as Council's delegate. The CEO has approved the registration of the Manager Economic Development & Tourism for attendance at the Congress.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO1/3/23

That Council nominate the Deputy Mayor, Cr Kerry Busby to attend as Council's delegate at the 2023 National Growth Areas Alliance (NGAA) Congress to be held in Adelaide on 4-5 May 2023.

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 3/2023

WARD : ALL
FILE No. : M/115/23
DATE : 28 February 2023
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. 03/2023 to be received by Council

The following general information and memorandums were circulated in Issue No 3/2023 on 9 March 2023.

COMMENT

Correspondence & Paper

Nil

Information from Human Resources

Employee Movements

Information from Technical Services

NIL

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)

Design Review Panel Meetings – February 2023

Health

Health Services Manager's Report – February 2023

Health & Wellbeing Officer Report – Oct, Nov & Dec 2022

Planning

Planning Applications Report – February 2023

Schedule of current Town Planning Scheme No.4 Amendments

Subdivision Applications - WAPC Approvals/Refusals – February 2023

Subdivision Applications - Report on Lots Registered for 2022/2023

Compliance Officer's Report – February 2023

Building

Building Services Manager's Report – February 2023

Building Health/Compliance Officer's Report – February 2023

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO2/3/23

That Council acknowledge receipt of Issue 3/2023 of the Information Bulletin



ORDINARY MEETING OF COUNCIL
MONDAY, 27 FEBRUARY 2023

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 MONDAY, 27
FEBRUARY 2023 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Butterfield, declared the meeting open at 7.00 pm.

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (previously approved)

PRESENT:

Mayor, Cr R Butterfield
presided over

River Ward

Deputy Mayor, Cr K Busby

Minnawarra Ward

Cr J Keogh

River Ward

Cr K Kamdar

Ranford Ward

Cr S Peter JP

Ranford Ward

Cr M S Northcott

Palomino Ward

Cr P A Hetherington

Palomino Ward

Cr M J Hancock

Heron Ward

Cr E J Flynn

Heron Ward

Cr G J Smith

Minnawarra Ward

Cr S S Virk

Lake Ward

Cr G Nixon

Hills Ward

Cr S J Mosey

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 M Andrews

Executive Director Technical Services

Mrs S Van Aswegen

Executive Director Community Services

Mrs S D'Souza

CEO's Executive Assistant

Public: 7

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Apology received from Cr Silver

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

The following questions were taken on notice at Council's Meeting on Monday, 13 February 2023 and responses (summarised below) forwarded in a letter by the Chief Executive Officer.

Phil Davey, 12 Lenore St, Roleystone WA

My first question is on behalf of Pam Edwards who couldn't make it tonight.

At the 19 December Council Meeting the question posed to the City of Armadale in relation to the gate was actually "*Are the people sitting around this table all aware of vicarious liability?*" and the response from the City of Armadale Mayor was...."*I hope so*".

Whereas the minutes reflected the question as: Do the people around this table appreciate the vicarious liability they may have? Mayor's response was "I believe so."

Q1. In this particular scenario, will the City of Armadale amend the minutes to show that Pam Edwards question is recorded accurately?

Mayor: The question will be taken on notice and a response provided in writing.

*Under Regulation 11 (e) of the Local Government (Administration) Regulations 1996 the "minutes are to record a **summary** of each question raised by members of the public at the meeting and a **summary** of the response to the question". The minutes are not required to be verbatim. At the January 2023 Ordinary Council meeting the minutes were unanimously adopted by Council.*

Lesley Brown, 3 Galliers Ave., Armadale

Q1: Is the curfew for heavy haulage trucks still applicable in the residential area along Albany Highway, especially from Tonkin Highway to the junction of Armadale Road - South West Highway?

Mayor: The question will be taken on notice and a response provided in writing.

Main Roads has advised that Albany Highway between Tonkin Highway and Armadale Road is currently a 'RAV4' route with the following conditions:

| i Tandem Drive Network 4 With Conditions Albany Hwy | | x |
|---|--|---|
| Road | H001 | |
| Road Name | Albany Hwy | |
| Start SLK | 19.78 | |
| End SLK | 26.77 | |
| Network Type | State Road | |
| Local Government | | |
| Network | Tandem Drive Network 4 | |
| From Intersection | Tonkin Hwy Access Ramp off to Albany Hwy & Albany Hwy on to Tonkin Hwy (Northbound) Access Ramp | |
| To Intersection | Armada Rd & South Western Hwy | |
| Comments | | |
| Max Speed | | |
| Curfew | | |
| Conditions | This section of road must not be used as a through route. This section of road may be used as access to pick-up goods, deliver goods, or garage vehicles to properties located on this section of road, or on roads only accessible via this section of road. Drivers must carry documentation as proof of local delivery, pickup or garaging address. | |
| Products | | |

Main Roads advise that there is no curfew for this portion of Albany Highway.

Trehna Rouse , 3 Coachmans Place, Roleystone

My question relates to the minutes of the meeting of the Council dated 19/12/2022 and in particular the response to the question I raised regarding issues concerning cars with collision assist impacting on the driver's ability to "nudge" the Emergency gate open.

Are Councillors aware that the minutes have been amended to remove the comment made at the meeting that RAC had provided advice that it would not be an issue, and that this safety mechanism is easily over ridden by pressing accelerator harder?

In its place there is a statement that only two manufacturers have been contacted and mention of RAC being the source has not been included?

On the basis that Councillors rely heavily on the advice and commentary from the City Officers when the inference is that it suggests professional advice has been sought and supports the City stance. This should be correctly recorded and if that advice is subsequently proved inaccurate and an amendment is made then surely the minutes should only be amended at the next meeting when the minutes are formally accepted.

Q1: So my question is - why are the minutes not correctly reflecting what happens at the meeting and then if necessary amended properly at the next meeting prior to acceptance?

Mayor: At the 19/12/22 meeting I did give you the wrong information that it was the RAC we had consulted with and subsequently it was pointed out to me that it wasn't the RAC but instead the manufacturers. I was happy to have a comment included in the minutes to reflect the correct information. As to the process I will leave that up to the CEO to talk about.

CEO. *I would like to have the opportunity to review the exact wording of the minutes and provide a response to this question.*

As shown below, the draft minutes clearly indicated that a correction had been made and that the reference to the RAC had been removed. These draft minutes, inclusive of the correction, were subsequently adopted by Council at the Ordinary Council meeting of January 2023. City Officers had included the correction in the draft minutes, which are published as a draft on the City website before they are formally adopted, in order to avoid members of the public pursuing this incorrect information. City Officers, at the time of preparing the draft minutes, were aware that at least one member of the public had already made contact with the RAC immediately following the December 2022 Council meeting.

Q13. Until the Council can remedy this situation effectively could Council lock the gate open for the entire fire season?

*Mayor response: My understanding with vehicles with driver assist stopping will stop, however they are able to be driven through a stationary object if you keep on pressing the accelerator. **This was verified for the two makes of vehicle, Volvo and Mercedes, raised by the community with the City.** * The gate is operable and functioning as was intended, so far as I am aware we won't have the gate locked open for the fire season as the gate is operating as it was designed to operate. We can try to get that information out to residents so they are comfortable with opening the gate at one end by hand or in the middle with the vehicle.*

** **This is a correction to the answer provided at the meeting which referenced RAC.***

Q2. My next question relates to the concerns I raised previously regarding issues with newer model vehicles fitted with collision control assist not brake assist. There are actually two different mechanisms in vehicles that would impact on a vehicle attempting to nudge the gate open i.e. Brake Assist and Collision Control System. Significant research has been done regarding this latter mechanism by contacting 13 major vehicle manufacturers and data collated into a spreadsheet for Councillors.

Has the City done further research into the concerns I raised in regard to the Collision Control System?

Mayor: We appreciate you have done further research and if you forward it to the officers perhaps it can be disseminated. In regard as to whether further research has been done by the City the question will be taken on notice and a response provided in writing.

The City's position is based on information received from the manufacturers previously advised. We welcome the receipt of the data collated and will seek advice from industry specialists to validate the material presented.

Q3. Given there are between 3-7 steps to turn off your computer in your car to stop the collision control assist activating. Has the City considered that the gate can be nudged open. The combination of the above means the gate is not able to be opened in the way the Council intends and as such has the capacity to endanger lives in the terrifying scenario vehicles evacuating in a bushfire.

Given this properly researched and referenced data do the city still consider the gate can be nudged open by any and every vehicle and any and every driver including those that are disabled.

Mayor: *The question will be taken on notice and a response provided in writing.*

The City's position is based on information received from the manufacturers previously advised. We welcome the receipt of the data collated and will seek advice from industry specialists to validate the material presented.

John Sander, 4 Coachmans Place, Roleystone

Q1. Do Councillors recall City of Armadale statement(s) made on numerous occasions that "DFES have approved the gate"? (E.g., Council meeting of 19th December 2022) Are Councillors now aware that that statement is not accurate and could be misleading?

Would Councillors care to be informed that the DFES Commissioner has responded to a question regarding the approval of the gate with a statement included in a letter addressed to Mrs Pam Edwards dated 13th January 2023. A copy will be provided to CoA on request.

Mayor: Those statements were made and I think for clarification it might be useful for me to read out the context of this which was "during engagement between the City and DFES in 2019 it was determined that the access met with the approval of DFES as they were satisfied that there was adequate access for their appliances and their services to use during emergencies" and that is their role, it is not their role to approve something that is clearly managed by the city.

Q2: Are the councillors aware that in that statement the key words "their" being DFES equipment not residents' vehicles?

Mayor: *The question will be taken on notice and a response provided in writing.*

Refer to the Mayor's response to Question 1 (directly above) on 13 February 2023.

Q3: Will the City of Armadale provide satisfactory evidence of whether since the 2019 decision they have received any request from residents of Araluen for Wymond Road to become a permanent exit?

Mayor: *The question will be taken on notice and a response provided in writing.*

The City carried out a retrospective review of correspondence received in regard to Wymond Road since the 2019 decision and identified numerous requests in regard to the provision of a second access, inclusive of complaints to other entities and submissions on the Section 3.50 closure of a portion of Wymond Road. The most recent request was received in December 2022.

Trehna Rouse, 3 Coachmans Place, Roleystone

Q4: Given my researched and evidence based advice would Council recognise that any gate regardless of weight or design will not provide the ease of emergency access that the City intended?

The gate operates as designed. Planned maintenance of the gate is carried out on a recurring cycle to maintain its operability.

The ease of opening of the gate has been demonstrated to local residents and is operated as part of the Roleystone Volunteer Fire and Rescue Service's annual Araluen Information and Exit Drill to inform interested local residents of the actions to follow. It is our understanding that the onsite briefing session by the Roleystone VFRS was advertised (18 November 2022) on their Facebook page, which has over 4,500 followers. The Roleystone VFRS also placed a variable message board sign along Heritage Drive prior to the annual event to actively promote it to all residents living within the Araluen Estate. It is the City's understanding that approximately 25 residents attended the briefing on Sunday 27 November 2022.

Given feedback in late 2022, the City plans to replace the existing gate with a lighter gate in the coming months to make its operation even easier.

Q5: Would Council consider the request to have the gate open during the bush fire season to negate any requirement for individuals to exit their vehicle to open the gate. This would ensure that there is the safest possible evacuation for every individual including the infirm, elderly and disabled and in any vehicle regardless of the onboard safety systems.

Mayor: *The questions will be taken on notice and a response provided in writing. However, I think that all of our emergency exit gates are closed. I don't know if they are locked or not but I believe that they are all closed and so this one is being treated the same way.*

Option 1

Consideration of the gate being open during the bushfire season was an alternative motion put forward by Cr Mosey at the Ordinary Meeting of Council on 13 February. The motion was unsuccessful (3/6).

At the same meeting, the motion was carried for Option 1:

Continue to advocate through WALGA, and in collaboration with other affected local governments, for the establishment of a fund for the construction of secondary access ways for developments constructed in bush fire prone areas prior to the gazettal of Western Australian Planning Commission's State Planning Policy (SPP 3.7) Planning for Bushfire Prone Areas and Guidelines.

Q6: Has the City considered the ease of exiting the estate during night time hours when there is no lighting and the signage advising "Emergency Gate" is not visible? I would respectfully request that this issue be considered and remedied to make the emergency exit more visible at night and also that they consider extending the tarmac under the gate to the exact width of the exit as there is currently a gap where pea gravel remains and could cause accidents and slippage.

Mayor: *The question will be taken on notice and a response provided in writing.*

The issue of signage was raised in a previous engagement with local residents in late 2022. The matter is under review and advice will be provided to those residents in due course.

In regards to the width of the access track's tarmac wearing course, since the engagement with local residents in late 2022, signage has been placed on the gate to indicate where gate-users are to operate the gate by hand. The position is located within the extent of the tarmac area and has proven to provide sufficient leverage to open the gate safely, with ease.

Phil Davey, 12 Lenore St, Roleystone WA

Q4. In reference to our new Roleystone Karragullen Bushfire Brigade Building which I now see is happening – Thank you

I still am not 100% sure how it happens that in Oct 2021 it was reported that we are going to be spending \$1.7mil and now get told it was for the building only. With reference back to the Bedforddale Fire Station which recently or up until recently was showing on the City of Armadale website as a \$1.68 mil total project cost.

Is there a difference between the wording of total project cost and overall cost?

CEO: The question will be taken on notice and a response provided in writing.

Possibly, dependent on context. In some cases reference to total project cost may only refer to the direct financial contribution to construction of a project but does not include provision of in-kind resources or expenditure on pre-feasibility, needs assessment or concept design. Each reference should be considered in its own context.

Q5: Recently it was showing under the City's website under the project banner and now it's no longer there. Would it have been taken down for any other reason? There are still projects there from many years ago.

Mayor: It is a project that has been finished but we will look into the matter.

The Bedforddale Fire station project was removed from the website in January 2023 at the request of the City's Community Planning team as this is an operational facility not available to the public while the others on the webpage were all community facilities.

4 PUBLIC QUESTION TIME

1 Mr John Sander - 4 Coachmans Place, Roleystone

Q1: Can you explain why, when presiding during the Feb 13 Council meeting, you did not censure Cr Nixon for his clearly discriminatory, sexist, ageist comments about residents when this is in contravention of responsibilities as set out in the City's Standing Orders Local Law 2000 Section 15.1 and 8.4 subsection (2) and (3)?

Mayor: As an official complaint has been lodged, the City is following due process and I will not be making any comment on that matter.

2 Mr Phil Davey - 12 Lenore Street, Roleystone

Q1: The response to my Q1 of the last council meeting 13 Feb quotes “minutes are to record a summary of each question and the response” as per the *Local Government (Administration) Regulations 1996*. Does a summary also mean to change the wording therefore changing either the question or the response in the minutes for later reference?

Mayor: What that response meant is that it doesn't need to be verbatim. If the intent of the question and the answer remain the same then it is acceptable.

Q2: The response also indicated that meeting minutes are not required to be verbatim -can you please direct me to the section of the *Local Government (Administration) Regulations 1996* which refers to this?

Mayor: The question will be taken on notice and a response provided in writing.

Q3: If you consider to summarise details with changed wording then where is the accountability of corrected minuted meetings for later record and reference should a query where the correct wording may be relevant to any outcome?

Mayor: The question will be taken on notice and a response provided in writing.

3 Ms Veronica Hansen - 8 Protector Grove, Roleystone

Q1: My question relates to a response given to John's question about DFES not approving the gate at Wymond Road and the Mayor's response talks of a clarification and gives an answer which doesn't include all the information. My question is - DFES in their response to the submissions for the opening/closing of the gate (2020) approved the gate without saying that it was in relation to their vehicles only. So they weren't approving the gate as such for any other use but theirs. The submission also noted that the area in question is situated in an extreme bushfire area and encourages consideration for improved access and egress to the estate. So given that those were the comments from DFES that were in that document is it possible to then have that response amended so that the full facts are there?

Mayor: You need to put the context surrounding the question originally asked of me as the Chair and there was a reason why that response was given, albeit probably poorly worded on my part but it was in context. Without that context, I think that revisiting this matter again and again and again is contrary to everyone moving forward.

Q2: Are Councillors aware of Standing Orders Items 15.3 and 15.4 which states that any member may raise a point of order and that item 15.4b states that valid points of order are when offensive and insulting language is being used. The penalty for that is \$1000.

Mayor: All Councillors are aware of the Standing Orders, a hard copy of which is provided at their desks in the Chambers.

Q3: Item 8.6(1) (Standing Orders) relating to Prevention of a Disturbance states that ‘any member of the public addressing the Council or Committee is to extend due courtesy and respect to the Council or Committee and the processes under which they operate and must take direction from the person presiding whenever called to do so.’ The

penalty for abusing that is \$1000. Can the presiding member please confirm that she will remind Councillors of those values of courtesy and respect as outlined in the Council's own Code of Conduct on page 9?

Mayor: Thank you.

4 Mr Phil Davey - 12 Lenore Street, Roleystone

Q4 Are these meetings electronically recorded and archived for later referral when needed?

CEO: The content of the full meeting is not recorded.

5 Ms Trehna Rouse - 3 Coachmans Place, Roleystone

Q1: Can you confirm whether council have concluded their research into the data I provided at the last meeting relating to Collision Assist System in cars?

Mayor: No we haven't

Q2: Does Council therefore now concede that the original information provided to Councillors regarding the Collision Assist Systems was inaccurate and that this now results in the gate no longer being a nudge gate?

Mayor: I can't answer on behalf of Council. The gate, as I have previously stated, works the way it was supposed to. It was manufactured to work that way and it does.

Q3: I refer to the responses to my questions from the Council meeting of 13 Feb 2023 regarding CoA investigations into just 2 vehicles being Mercedes and Volvo. The Mayor has claimed that the Council has verified that they can be easily over ridden with their assistive braking, to enable the vehicle to nudge the gate. Despite my research presented last meeting the reference is still made to "Driver Assist Braking" rather than collision assist. I have copies of the Volvo and Mercedes manufacturers' manuals which state that these two vehicles use Collision Assist, so therefore they will stop at the gate. I would like Council to confirm whether or not they have looked at the owner manuals for Volvo and Mercedes in their summary?

Mayor: The question will be taken on notice and a response provided in writing.

Q4 I refer to the Mayor's response at the 13 February Council meeting in relation to my request that Council consider having the gate open for the bush fire season where it was stated "*I think that all of our emergency gates are closed. I don't know if they are locked or not but I believe that they are all closed and so this is being treated the same way*".

Could Council please provide me with a list of all the emergency gates within the City of Armadale to facilitate a comparison and ensure comparing like with like?

Mayor: That is an incredible amount of resources that you are requesting again. I will take that on notice and let you know whether we are able to do that.

Q5: I repeat my previous request that Council consider additional lighting and better signage to this emergency exit to improve safety for use at night.

Mayor: Again that is a large expense so that would need to be a budgetary item for Council consideration

Q6: I have received no response to my question of 13 Feb 2023 about the road being opened to all emergency vehicles including ambulances. St John is stating Wymond Road is a gazetted No through Road.

Mayor: If you have already sent through the question we will ensure that that one is answered specifically.

Question time closed at 7.13pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 13 FEBRUARY 2023.

CORRECTION:

Page 1 The time meeting declared open to read 7.00pm

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 13 February 2023, subject to the above correction, 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

Tuesday 14 February 2023

Attended a WACOSS NDRR Food Resilience and Disaster Preparedness Project at the Champion Centre as part of my role as the Local Emergency Management Committee Chair.

Attended a briefing for the WALGA South East Metro Zone.

Wednesday 15 February 2023

Hosted the WALGA South East Metro Zone at the City of Armadale.

Thursday 16 February 2023

Welcomed participants at the Switch Your Thinking presentation on electric vehicles and electric vehicle charging infrastructure. The infrastructure will need to be provided by LG's and other organisations. Funding opportunities have been announced by the Federal Government.

Friday 17 February 2023

Cr Nixon and Cr Silver attended the Urban Forest Conference that was held at Curtin University.

Saturday 18 February 2023

Attended a regular interview with Heritage FM to discuss local issues and events.

Monday 20 February 2023

Attended a regular catch up with the CEO to discuss local issues.

Wednesday 22 February 2023

Attended an AIM Course at the City of Gosnells for Communicating and Debating Effectively as part of the Mentornet module. This was initiated by the Western Australian Local Government Women's Association.

Attended the WALGA Municipal Waste Advisory Group Meeting.

Thursday 23 February 2023

Attended Day 2 of the AIM Course at the City of Gosnells where the topic of Conflict Resolution was covered.

Friday 24 February 2023

Attended a wind up for the Bungendore Park Community Group at Ye Olde Narrogin Inne and was able to congratulate the group on their tremendous volunteering effort over many years.

Monday 27 February 2023

Attended a meeting held at the new Armadale Courthouse and Police Precinct with the Community Reference Group to discuss ideas of a community garden on site.

Attended a regular catchup with the CEO and Deputy Mayor to discuss local issues.

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

Nil

10 REPORTS

10.1 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 20 February 2023.

MOVED Cr M J Hancock that the report be received.

MOTION not opposed, DECLARED CARRIED

(13/0)

BUSINESS ARISING FROM REPORT

Recommendation D1/2/23 - Suburb Renaming - A portion of Forrestdale

MOVED Cr M J Hancock

That Council:

- 1. Request the Minister for Lands via Landgate to approve the creation of a new locality in the area bounded by Tonkin Highway, Rowley, Oxley and Unnamed Roads and Parks and Recreation Reserves as proposed in the attachments, and support the name of: “Doobarda”, which is an Aboriginal name for the Banksia Flower, which is commonly found in the Armadale area.**
- 2. Advise submitters and landowners of the Minister’s decision.**

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D2/2/23 - Proposed Amendment - Local Planning Policy PLN 4.1 - The Design of Industrial Estates

MOVED Cr M J Hancock

That Council:

- 1. Amend Local Planning Policy PLN 4.1 as shown in the Attachment, as a minor amendment without advertising, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- 2. Publish a notice in a newspaper circulating in the district stating that the modifications to Local Planning Policy PLN 4.1 - The Design of Industrial Estates has been adopted.**

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D3/2/23 - Recommendation to WAPC - Kelmscott District Centre Precinct Structure Plan

MOVED Cr J Keogh

That Council:

- 1. Endorse the comments made in this report, the Schedule of Submissions and the Schedule of Structure Plan Modifications dated 23/02/2023, both attached to this report, in response to the preparation, advertising and agency referral of the Precinct Structure Plan.**
- 2. Pursuant to Schedule 2 Clause 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:**
 - a) Forward the Kelmscott District Centre Precinct Structure Plan, this report and attachments (including Schedule of Submissions and Schedule of Structure Plan Modifications) dated 23/02/2023 to the Western Australian**

Planning Commission; and

- b) Recommend that the Western Australian Planning Commission approve the proposed Kelmscott District Centre Precinct Structure Plan, subject to the modifications listed in the Schedule of Structure Plan Modifications [dated 23/02/2023](#) attached to this report.**
- 3. Note that City Officers will continue to liaise with the Western Australian Planning Commission and other agencies to resolve any matters raised by the Schedules of Modifications and Submissions.**
- 4. Advise submitters of its decision at the time that the Structure Plan is granted final approval by the WAPC.**

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D4/2/23 - Confidential Report - Wungong Development Contribution Plan Review - Consideration of Submission to DevelopmentWA

MEETING CLOSED TO PUBLIC

MOVED Cr S Peter

That the meeting be closed to members of the public as the matter is considered to be confidential under Section 5.23(2) (h) of the Local Government Act, as it deals with other matters as may be prescribed.

Motion Carried (13/0)

Meeting declared closed at 7.20pm. Members of the public left the meeting.

Cr Keogh declared a non-financial interest in Recommendation D4/2/23 as he is a member on the DevelopmentWA Armadale Land Redevelopment Authority Committee. As a consequence, there may be a perception that his impartiality on the following matter may be affected, but declared that he would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr S Peter

That Council amend the recommendation in the Confidential Report by adding a part (3) as follows:

- 3) Request the City's officers meet with the relevant State Ministers to present the City's submission.**

AMENDMENT not opposed, DECLARED CARRIED

(13/0)

MOVED Cr S Peter

That Council adopt the recommendation, as amended, in the Confidential report.

MOTION not opposed, DECLARED CARRIED

(13/0)

MEETING OPENED TO PUBLIC

MOVED Cr E Flynn that the meeting be opened.

Motion carried (13/0)

Meeting declared open at 7.23pm. Members of the public did not return to the meeting.

10.2 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 21 February 2023.

MOVED Cr K Busby that the report be received.

MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation CS1/2/23 – List of Accounts Paid - December 2022

MOVED Cr K Busby

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

Municipal Fund

Accounts paid totaling \$13,309,181.00 on transactions 4201 to 4922 and Payrolls dated 11 December and 25 December 2022.

Credit Card

Accounts Paid totalling \$3,636.96 for the period ended December 2022.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS2/2/23 - Statement of Financial Activity - December 2022

MOVED Cr K Busby

That Council pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accept the Statement of Financial Activity for the six (6) month period ended 31 December 2022; and:

- i. Note that there are reportable actual to budget material variances for the period**
- ii. Note the \$57.06 small rates debts written off under Primary Delegation 1.0 and Secondary Delegation CORPS 1.1.**

MOTION not opposed, DECLARED CARRIED (13/0)

10.3 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 CEO2/2/23 - Councillors Information Bulletin - Issue No 2/2023

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue 2/2023 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 Media Strategies - Examiner Newspapers (Cr John Keogh)

That the matter of the City considering, as part of its tourism & media strategies, to include City of Armadale material in the Armadale Examiner newspaper and prioritise certain social media posts to the Corporate Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 7.26pm

MINUTES CONFIRMED THIS 13 MARCH 2023

MAYOR