CITY OF Armadale

ORDINARY MEETING OF COUNCIL

MONDAY, 14 SEPTEMBER 2020

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HELD ON 7 SEPTEMBER 2020

COMMUNITY SERVICES COMMITTEE MEETING
HELD ON 8 SEPTEMBER 2020

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, 14 SEPTEMBER 2020

JOANNE ABBISS
CHIEF EXECUTIVE OFFICER

10 September 2020

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Leave of Absence previously granted to Cr C M Wielinga

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3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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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.

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5 APPLICATIONS FOR LEAVE OF ABSENCE

1.1 Request for Leave of Absence – Cr Grant Nixon

Request for leave of absence received from Cr Grant Nixon for the period Friday 13 November to Friday 18 December 2020 inclusive (includes 2 Ordinary Council Meetings 23 November and 14 December 2020).

RECOMMEND

That Council grant leave of absence to Cr Grant Nixon for the period Friday 13 November to Friday 18 December 2020 inclusive (includes 2 Ordinary Council Meetings 23 November and 14 December 2020)

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CITY OF ARMADALE

MINUTES

OF THE **TECHNICAL SERVICES COMMITTEE** HELD IN THE **FUNCTION ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **MONDAY, 7 SEPTEMBER 2020 AT 7.00PM.**

PRESENT:	Cr G Nixon (Chair) Cr M Silver (Deputy Chair) Cr R Butterfield Cr E J Flynn Cr M S Northcott Cr S Peter JP Cr G J Smith	
APOLOGIES:	Nil	
OBSERVERS:	Cr D M Shaw	
IN ATTENDANCE:	Ms J Abbiss	Chief Executive Officer
	Mr K Ketterer	Executive Director Technical Services
	Mr T Naude	Executive Manager Technical Services
	Mr M Tapscott	Manager Engineering Design
	Mrs A Owen-Brown	Senior Administration Officer
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**."*

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Technical Services Committee Meeting held on 3 August 2020 be confirmed.

Moved Cr M S Northcott
MOTION CARRIED (7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

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

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TECHNICAL SERVICES COMMITTEE

7 SEPTEMBER 2020

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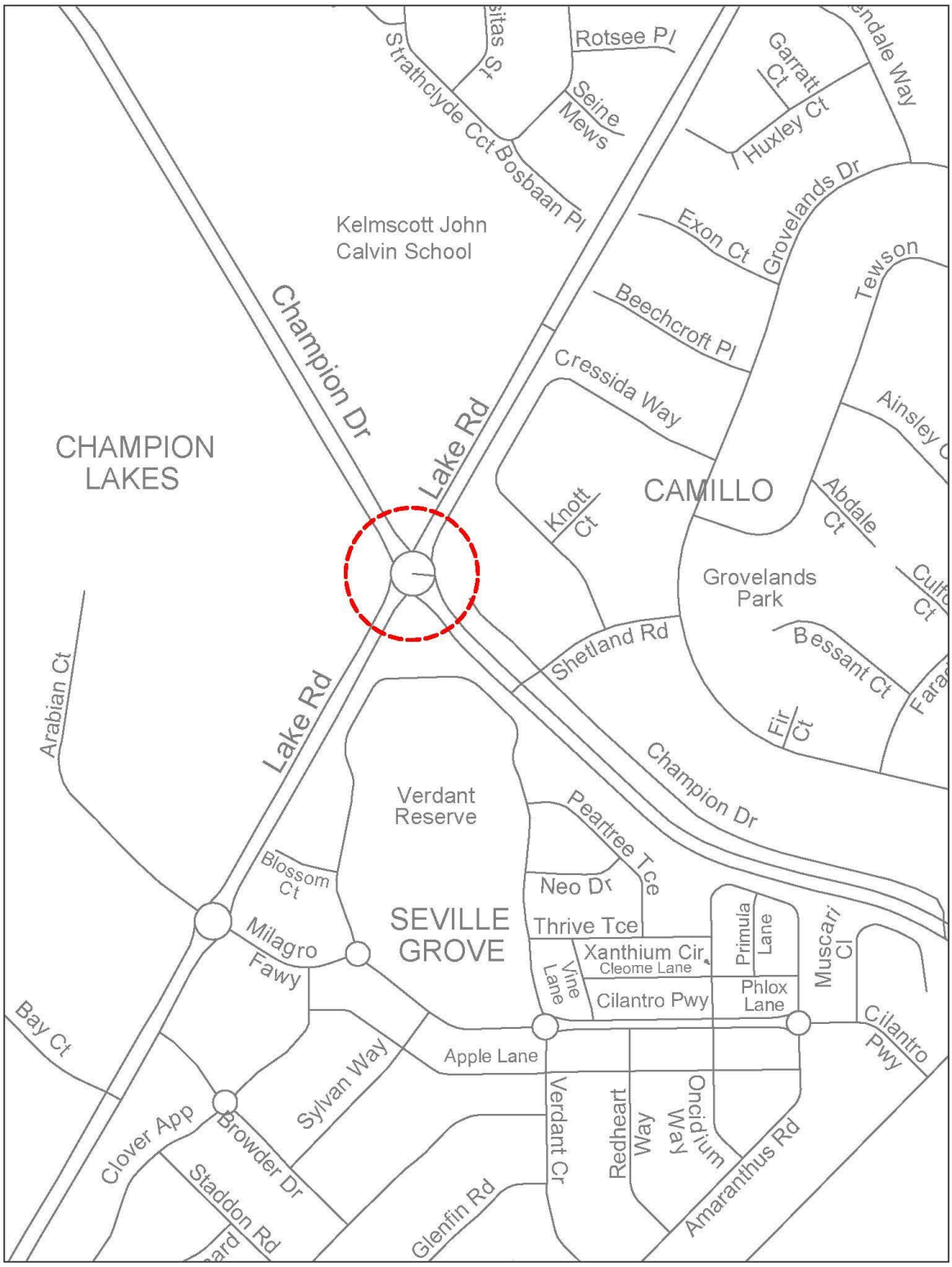

Champion Drive / Lake Road
Proposed Roundabout Predeflection
CHAMPION LAKES
Location Plan

N

CITY OF Armadale

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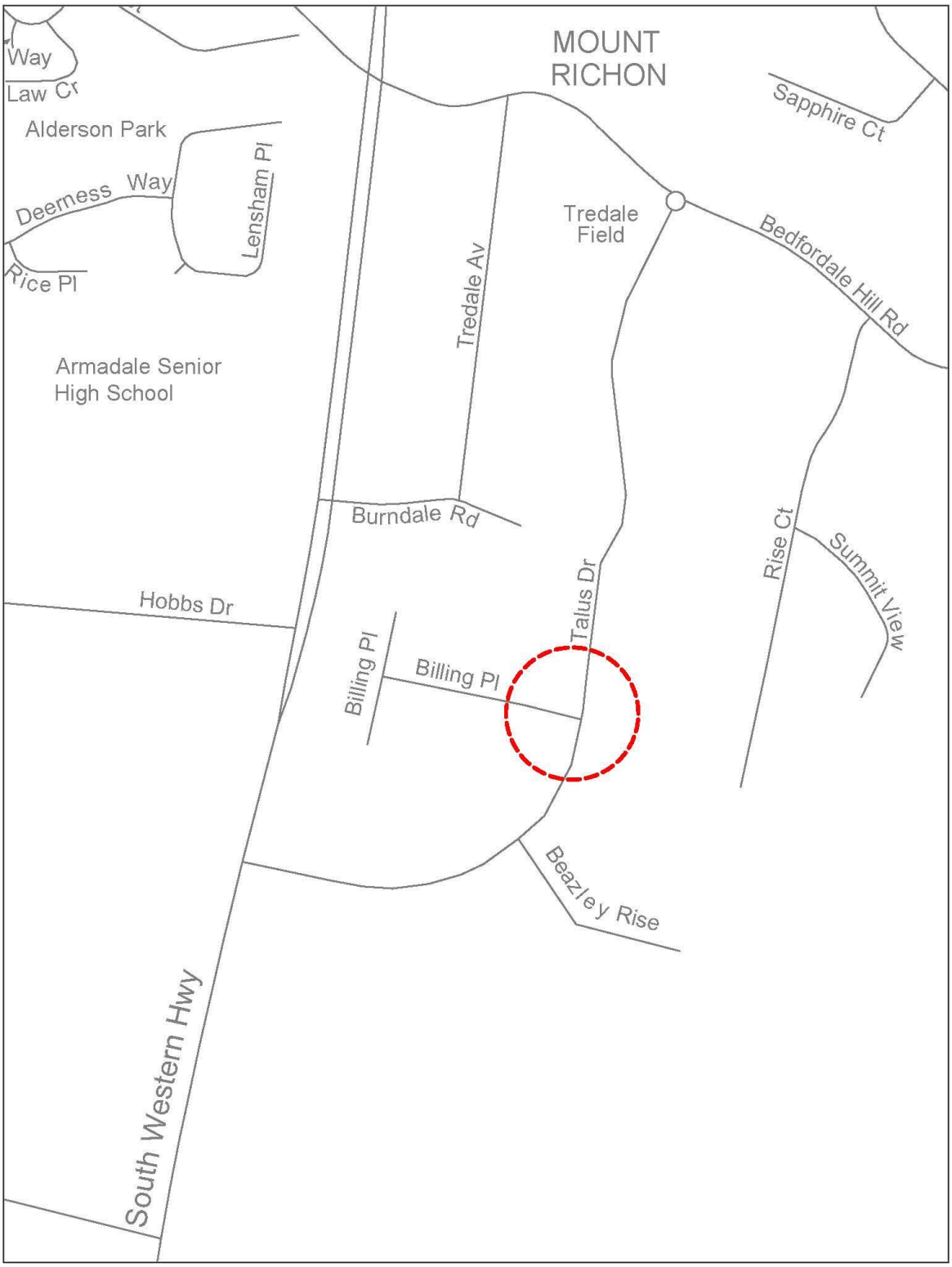

Talus Drive / Billing Place
Proposed Intersection Modifications
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N

CITY OF Armadale

1.1 - VARIATION TO 2020/21 STATE BLACK SPOT PROJECT GRANTS - BUDGET AMENDMENT

WARD	:	ALL
FILE No.	:	M/512/20
DATE	:	18 August 2020
REF	:	TN/MT
RESPONSIBLE MANAGER	:	Executive Director Technical Services

In Brief:

- Main Roads WA has offered the City two reserve State Black Spot projects for the intersections of Champion Drive and Lake Road; and Talus Drive and Billing Place.
- Both projects will address road safety issues at these intersections. This offer requires the City to contribute one-third of the funding for both projects.
- This report recommends that the City accept the offer for reserve State Black Spot funding, with the one-third municipal funding provided through a short term deficit incurred in the 2020/21 Budget until the 2019/20 year end position is reported at the end of September 2020.

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

2.3 Well Managed Infrastructure
- 2.3.1 Apply best practice design and construction methodologies for the provision of infrastructure
  - 2.3.1.1 Implement a best practice project management approach to the planning and delivery of infrastructure

Legislative Implications

Assessment of legislation indicates that the following is applicable:

- *Local Government Act 1995* (as amended) – Section 6.8 – Expenditure from the Municipal Fund not included in Annual Budget

Council Policy/Local Law Implications

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

Budget/Financial Implications

The two blackspot projects the subject of this report require municipal funds of $76,100. The recommendation proposes that funding for the projects can be considered in conjunction with the final 2019/20 year-end position, which is due to be reported to Council at the end of September 2020.

In the meantime, given the relatively small amount of funds required, the project can be approved and the budget amended accordingly.

Consultation

- Inter Directorate.

BACKGROUND

Main Roads WA (MRWA) has recently advised the City that funds will become available in the Metropolitan Regional Road Group (MRRG) State Black Spot reallocation account to fund approved reserve projects. MRWA offered funding for a number of projects of which two are located in the City:

- Lake Road and Champion Drive Intersection - pre-deflection on the western leg of Champion Drive together with signs and line marking improvements.

- Talus Drive and Billing Place Intersection - provision of a median island on Talus Drive and Billing Place as well as sign and pavement marking improvements.

Both projects were nominated by the City for the 2020/21 State Black Spot program, however no funding was allocated to these two projects at the initial assessment.

Under the State Black Spot program, the State Government funds two-thirds of the project funding and requires that the City fund the remaining one-third of the total project cost. All projects are required to be fully delivered and acquitted during the 2020/21 financial year.

DETAILS OF PROPOSAL

Lake Road and Champion Drive Intersection

Assessment of crash data and collected traffic monitoring data shows a high approach speed on the east bound leg of the intersection approach on Champion Drive. This creates conditions for higher frequency and severity of vehicle crashes. Over the period from 2014 to 2018, the intersection had 18 total crashes, with two casualty crashes (crashes that result in either fatality, hospitalisation or medical treatment required). Furthermore, the intersection is significantly over represented in sideswipe accidents compared to other metropolitan intersections.

The proposed treatment is for an approach pre-deflection on the western leg of Champion Drive as shown in plan E19-36-1 (Attachment1). Additionally, it is proposed to update all line markings and signage to current MRWA standards.

The total cost of works for the Lake Road and Champion Drive intersection Black Spot project is $111,100, of which the City's one-third contribution would be $37,033.

Talus Drive and Billing Place Intersection

A Road Safety Audit (RSA) completed for the intersection of Talus Drive and Billing Place identified limited sight distance for drivers caused by the road's vertical geometry. As shown in plan E20-129-1-A, the proposed treatment consists of the installation of median island treatments on both Billing Place and Talus Drive to eliminate corner cutting and to allow easy driver identification of the intersection. Additionally, line markings and signage will provide better visual cues for drivers on approach to the intersection.

The total cost of works for the Talus Drive and Billing Place intersection Black Spot project is $117,200, of which the City's one-third contribution would be $39,067.

OPTIONS

The City can either accept the offer of reserve funding for each project and identify the source of municipal funding or reject the offer.

Funding of the City's one-third contribution for both projects is $76,100 which can be accommodated by either:

a. cancelling the Lensham Place resurface project from the 2020/21 capital works budget ($85,847), or

b. accepting a deficit of $76,100 in the current 2020/21 Budget for the short term until the 2019/20 year end position is reported at the end of September 2020. It is proposed that that should there be a surplus when the year end position is reported, this would then be used to fund both projects.

Both projects have been resubmitted for the 2021/22 State Black Spot project should either project not be funded under the current offer of 2020/21 reserve State Black Spot funding.

RECOMMENDATION

It is recommended that City accept MRWA's offer for 2020/21 Reserve State Black Spot funding for both the Champion Drive/Lake Road intersection and Talus Drive/Billing Place intersection projects. Funding the project within the 2020/21 Budget can be considered in conjunction with the final year-end position, which is due to be reported to Council at the end of September. In the meantime, given the relatively small amount of funds required, the project can be approved and the budget amended accordingly.

ATTACHMENTS
1. Plan E19-36-1 Lake Road/Champion Drive
2. Plan E20-129-1-A Talus Drive/Billing Place

Committee Discussion

Committee discussed the Lensham Place project in detail and agreed this project be deferred rather than cancelled and reconsidered after the year end position is finalised.
Committee agreed to add a third point to include the Lensham Place project, as detailed in the updated recommendation.

RECOMMEND **T41/9/20**

That Council, pursuant of Section 6.8 of the Local Government Act 1995 (as amended):

1. Authorise the following additional capital project expenditure for 2020/21:

Champion Drive	**$111,100**
Talus Drive	**$117,200**

2. Amend the 2020/21 Annual Budget as follows

EXPENDITURE

Champion Drive	**$111,100**
Talus Drive	**$117,200**
TOTAL	**$228,300**

REVENUE

MRWA Black Spot Grant - Champion Drive	**$74,067**
MRWA Black Spot Grant - Talus Drive	**$78,133**
TOTAL	**$152,2003**

3. Defer the implementation of the Lensham Place resurfacing project and that this project be reconsidered when the 2019/20 financial year end position is reported to Council.

ABSOLUTE MAJORITY RESOLUTION REQUIRED
Moved Cr S Peter
MOTION CARRIED **(7/0)**

2.1 - TENDER 20/20 - WILLIAM SKEET OVAL IRRIGATION AND LIGHTING UPGRADE

WARD	:	ALL
FILE No.	:	
DATE	:	11 October 2017
REF	:	DH/JA
RESPONSIBLE MANAGER		Executive Director Technical Services

In Brief:

- Tender 20/20 was recently advertised for William Skeet Oval Irrigation and Lighting Upgrade.
- Eight (8) tenders were received by the specified closing time and evaluated against compliance criteria.
- Two (2) tenders were found to be non-compliant.
- This report recommends that Council accept the tender from Albra Investments Pty Ltd T/A Horizon West Landscape Constructions.

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 and Functional Public Places
- 2.2.1 Deliver attractive and functional streetscapes, open spaces, City buildings and facilities
  - 2.2.1.1 Deliver new and upgraded facilities that are multi-purpose where appropriate

Legal Implications

Assessment of legislation indicates that the following is applicable:

- Section 3.57 *Local Government Act 1995* – Tenders for providing goods or services

- Division 2 *Local Government (Functions and General) Regulations 1996* – Tenders for providing goods or services

Council Policy/Local Law Implications

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

- Council Policy ADM 19 – Procurement of Goods and Services

Budget/Financial Implications

The project is funded from a combination of the North Forrestdale (Piara Waters and Harrisdale) Developer Contribution Scheme and Department of Local Government, Sport and Cultural Industries funding. The proposed expenditure is included in the 2020/21 Budget and Long Term Financial Plan estimates.

Consultation

- Intra Directorate.
- Inter Directorate.

BACKGROUND

Tender 20/20 for William Skeet Oval Irrigation and Lighting Upgrade was advertised in the 4 July 2020 edition of the West Australian newspaper, Vendor Panel website and in a notice which was displayed on the Administration Centre, Kelmscott and Seville Grove Libraries public notice boards.

This project involves the redevelopment of the sports playing field, including the resizing of the AFL oval to a senior playing field, turf improvement works, fencing, sporting infrastructure, irrigation and lighting upgrade.

DETAILS OF PROPOSAL

Council approval is sought to award the tender for William Skeet Oval Irrigation and Lighting Upgrade for a proposed construction period of six (6) months with a thirteen (13) week consolidation period.

COMMENT

Analysis

The advertising period closed at 2.00pm on Wednesday, 22 July 2020. Tenders were received from:

	Tenderer's Name
1.	Environmental Industries Pty Ltd
2.	GAS Assets Pty Ltd T/A Gecko Contracting Turf and Landscape Maintenance
3.	Albra Investments Pty Ltd T/A Horizon West Landscape Constructions
4.	D.B. Cunningham Pty Ltd T/A Advanteering Civil Engineers
5	Menchetti Consolidated Pty Ltd T/A MG Group WA
6	Phase 3 Landscape Construction
7	Gridlock Electrical
8	Industrial Automation Group Pty Ltd

All of the tenders were assessed against the compliance criteria and two (2) were found to be non-conforming on the basis that they did not satisfactorily meet the compliance criteria, namely they did not cost in accordance with the specification and pricing schedule. The two (2) non-compliant tenders were not further assessed.

No tenders were received after the close of deadline.

An evaluation of the six (6) compliant tenders was undertaken having specific regard to the following Qualitative Criteria:

Criteria	Weighting
Relevant Skills	20%
Key Personnel Skills, Experience and Resources	20%
Methodology	35%
Sustainable Impacts	5%
Price	20%

Upon completion of the evaluation, final scores and pricing were entered into the Evaluation Matrix as shown in the confidential attachment, where a final analysis took place to determine the most suitable tenderer.

CONCLUSION

Tenders for William Skeet Oval Irrigation and Lighting Upgrade were recently invited with eight (8) tenders received and assessed by an evaluation panel.

The result was that the tender received from Albra Investments Pty Ltd T/A Horizon West Landscape Constructions represented the most advantageous tender to the City.

The evaluation panel therefore recommends that the contract be awarded to Albra Investments Pty Ltd T/as Horizon West Landscape Constructions.

NB: The Confidential Attachment to this report detailing the recommended tenderer's price/consideration will be made public when Council has accepted the successful tender.

ATTACHMENTS

1. Pricing Schedule - Tender 20/20 - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*
2. Evaluation Report - Tender 20/20 - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*

RECOMMEND **T42/9/20**

That Council, in regard to Tender 20/20 - William Skeet Oval Irrigation and Lighting Upgrade accept the tender from Albra Investments Pty Ltd T/as Horizon West Landscape Constructions in accordance with:

- **The tenderer's submitted Lump Sum as presented in Confidential Attachment 1**
- **Council's contract documentation, Budget and Long Term Financial Plan estimates.**

Moved Cr Silver
MOTION CARRIED **(7/0)**

3.1 - URBAN FOREST STRATEGY - UPDATE (REFERRAL ITEM)

At the Council meeting held on 27 July 2020, Cr Ruth Butterfield referred the following matter to the Technical Services Committee.

> *That the matter of an update of the Urban Forest Strategy be referred to the Technical Services Committee.*

Comment from Cr Ruth Butterfield

As the Urban Forest Strategy has been implemented for several years now, it would be timely to have an update and assessment of the program.

Officer Comment

An accurate and up to date overview on the City's Urban Forest Strategy is to be undertaken following the 2020 (current) winter planting program which is scheduled to be completed by the end of September 2020. It is anticipated that a report will be presented to the Technical Services Committee on this matter in November 2020. The report will include details of the number of trees planted and their species, their current status, and details of the percentage of tree coverage within the City (excluding the Hills and Bush areas). The November 2020 update will also include details of the forthcoming planting program.

ATTACHMENTS
There are no attachments for this report.

RECOMMEND **T43/9/20**

That Council note a detailed update on the City's Urban Forest Strategy is anticipated to be present to Council in November 2020.

Moved Cr R Butterfield
MOTION CARRIED **(7/0)**

3.2 - INSURANCE CLAIMS - STREET TREES (REFERRAL ITEM)

At the Council meeting held on 10 August 2020, Cr Donna Shaw referred the following matter to the Technical Services Committee.

That the matter of an update of insurance claims relating to street trees be referred to the Technical Services Committee.

Comment from Cr Donna Shaw

As the City continues its street tree planting as part of the Urban Forest Strategy, matters relating to insurance where trees cause damage to property will arise as trees reach maturity.

Information regarding the following matters is requested:

- How the City is maintaining its street trees to avoid damages in the first instance
- Details on the City's proposal to manage this issue in the future
- Parameters in which the City's insurers will pay for claims.

Officer Comment

Trees are an integral part of the City's urban landscape contributing significantly to the local character of the community, and Council has approved significant budget allocations towards the planting and ongoing maintenance of street trees by the City.

At its meeting of 12 August 2019, Council considered a report on Citywide Tree Management. Following consideration of the report, Council resolved as follows (T54/8/19 refers):

"That Council note the information provided regarding the City's tree safety and risk assessment practices, is aligned with the City's Street Tree Policy and associated Management Practice (ENG 6 - Street Trees) which guides the management of trees on street verges."

Residents who have concerns regarding a tree on the verge are encouraged to contact the City so the tree can be assessed.

Insurance Parameters

For the purpose of categorising parameters for which an insurance claim is likely to result in a payout cannot be defined as this is determined on a case by case basis and in confidence by the City's insurer under the City's public liability policy. The City's insurer is responsible for determining parameters when making an assessment for any claims submitted and will take into consideration whether any negligence by the City occurred and if so, contributed to the loss or damage suffered.

The confidential attachment associated with this report details information regarding insurance claims received by the City relating to street trees during the last five financial years.

Management of Existing Trees

The City has a streetscapes maintenance program to manage established trees using best practice methods by routinely undertaking maintenance and care of trees through the following:

- Periodically checking for dead, dying, diseased, spreading roots, extended branches and structural integrity of trees.
- Undertaking the removal of limbs and pruning to reduce weight, should a tree be determined as an identified risk.
- Ongoing monitoring of a tree's health and for any decline, and if identified as an unacceptable risk, remove the tree. Where possible, a new tree will be planted in an appropriate place as a replacement.

Management of New Trees

- Selecting tree species that are suitable for the urban environment.
- Once an appropriate species has been selected, consideration is given to its location, planting and maintenance, taking into account the suitability of the tree species in the specific suburban landscape.

Risk Assessment Methods

The streetscapes team proactively manages tree risk assessment using the methods below.

Quantified Tree Risk Assessment (QTRA)

The City's Streetscapes Team's process for assessing trees uses the Quantified Tree Risk Assessment (QTRA) method which is recognised worldwide as the leading tree assessment method. Tree safety management is a matter of limiting the risk of harm from tree failure while maintaining the benefits conferred by trees.

The QTRA method applies established and accepted risk management principles to tree safety management. The City's Streetscapes Team are fully trained in the QTRA method, having undertaken Advance User Training and attending regular update training sessions. The team also has extensive experience using the QTRA method and confidently provides advice and recommendations in relation to tree risk assessment.

QTRA informs tree safety management by providing a framework within which trees can be assessed at all levels of detail, from an overview of a municipality to the detailed appraisal of a single tree.

The City's Streetscape Team uses a systematic process for managing tree risk and makes informed decisions about the degree of risk a tree poses, the tree's health or structural integrity, suggesting appropriate methods of treatment or prevention; and safely prune, maintain and remove trees.

All trees are managed in accordance with the City's policy *ENG 6 – Street Trees* and the *Urban Forest Strategy*.

Some of the tasks undertaken in managing the City's trees include:

- Visual tree assessments and reports
- Detailed assessments (consultant)
- Tree pruning works
- Tree removal works
- Power line and utility clearance pruning
- General tree monitoring and treatment
- Hazard reduction/management

The suggested officer recommendation is as follows:

That Council note the officer's comments on the matter of insurance claims relating to street trees and the City's tree safety and risk assessment practices.

ATTACHMENTS

1. Street Tree Insurance Claims - *This matter is considered to be confidential under Section 5.23(2) (d) of the Local Government Act, as it deals with the matter involves legal advice obtained or which may be obtained by the City of Armadale*

Committee Discussion

Committee discussed the item in detail and agreed that a fact sheet be made available on the City's website to inform residents of the importance of tree maintenance and include the environmental and amenity value of trees to the community. The recommendation was amended to include this.

RECOMMEND **T44/9/20**

That Council:

1. **Note the officer's comments on the matter of insurance claims relating to street trees and the City's tree safety and risk assessment practices.**

2. **Note that a fact sheet will be included on the City's website to inform the public of the City's tree maintenance practices, the value of trees to the community and environment; and the procedure for reporting requests for tree maintenance to the City.**

Moved Cr G Nixon
MOTION CARRIED **(7/0)**

3.3 - STREETSCAPES (REFERRAL ITEM)

At the Council meeting held on 24 August 2020, Cr Donna Shaw referred the following matter to the Technical Services Committee.

That the matter of streetscape beautification and maintenance be referred to the Technical Services Committee.

Comment from Cr Donna Shaw

The streetscapes within the City Centre are maintained to a high standard, however the standard of many of the streetscapes in existing suburbs could be revisited so that these are improved. In particular, roundabouts and neighbourhood connector roads throughout the City could be improved to increase the amenity of the area and instil a sense of place and pride. It is requested that a report be prepared identifying areas where improvements can be made and implemented.

Officer Comment

The matter will be investigated and a detailed report will be presented at a future Technical Services Committee meeting during the 2020 calendar year.

ATTACHMENTS
There are no attachments for this report.

RECOMMEND **T45/9/20**

That a report on the matter of streetscape beautification be provided at a future Technical Services Committee meeting during the 2020 calendar year.

Moved Cr R Butterfield
MOTION CARRIED **(7/0)**

COUNCILLORS' ITEMS

1. Upgrading of Existing Parks to Include Skate Park Elements (Cr Melissa Northcott)

Cr Northcott raised the matter of upgrading existing parks to include the installation of small skate park elements.

2. Information on Birds and Other Fauna at Champion Lakes (Cr Emma Flynn)

Cr Flynn requested information regarding birds and other fauna that are found at Champion Lakes.

RECOMMEND **T46/9/20**

That Council refers the following Councillor Items:

- **Upgrading of Existing Parks to Include Skate Park Elements**
- **Information on Birds and Other Fauna at Champion Lakes**

To the relevant Directorate for action and/or report to the appropriate Committee.

Moved Cr G Nixon
MOTION CARRIED **(7/0)**

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

Nil.

MEETING DECLARED CLOSED AT 7.44PM

TECHNICAL SERVICES COMMITTEE

SUMMARY OF ATTACHMENTS

7 SEPTEMBER 2020

ATT NO.	SUBJECT	
1.1	**VARIATION TO 2020/21 STATE BLACK SPOT PROJECT GRANTS - BUDGET AMENDMENT**	
1.1.1	Plan E19-36-1 Lake Road/Champion Drive	
1.1.2	Plan E20-129-1-A Talus Drive/Billing Place	

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

CITY OF ARMADALE

MINUTES

OF **COMMUNITY SERVICES COMMITTEE** HELD IN THE **FUNCTION ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **TUESDAY, 8 SEPTEMBER 2020 AT 7.00PM.**

PRESENT:
Cr K Busby (Chair)
Cr C A Campbell JP (Deputy Chair)
Cr H Jones
Cr G Nixon
Cr S Peter JP
Cr D M Shaw
Cr M Silver

APOLOGIES: Nil

OBSERVERS:
Cr R Butterfield (Mayor) *via Teams*
Cr G Smith
Cr M S Northcott

IN ATTENDANCE:
Mr N Kegie A/Executive Director Community Services
Ms J Abbiss Chief Executive Officer
Mr J Lyon Executive Director Corporate Services
Ms L Jarosz Executive Assistant Community Services
Ms R Milnes Manager Community Development
Ms C Whittington Community Facilities Planning Coordinator
Mr T Clark Community Facilities Planning Coordinator *via Teams*
Ms W Stanley Community Planning Project Officer *via Teams*

PUBLIC: 1

*"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 was a member 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

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 4 August 2020 be confirmed.

Moved Cr D M Shaw
MOTION CARRIED (7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

Report on Outstanding Matters – Community Services Committee

None of the items from the information bulletin required clarification or a report for a decision of Council.

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8 SEPTEMBER 2020

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1.1 - SIX-MONTH PROGRESS REPORT OF THE SUBURB-LEVEL SOCIAL PRIORITIES

WARD	:	ALL
FILE No.	:	M/511/20
DATE	:	18 August 2020
REF	:	RM /LB
RESPONSIBLE MANAGER	:	Executive Director Community Services

In Brief:

- This report presents an update on strategies to address endorsed suburb-level social priorities detailed in this report
- Recommend that Council note the update on strategies to address endorsed suburb-level social priorities detailed in this report

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

Community

1.3 The community has the services and facilities it needs
- 1.3.1 Plan for services and facilities in existing and emerging communities
- 1.3.3 Advocate and share responsibility for service delivery

1.4 The community is engaged and understood
- 1.4.1 Consult the community in diverse ways
- 1.4.2 Identify our strengths, challenges and opportunities

Legal Implications
Nil

Council Policy/Local Law Implications
ADM19 – Procurement of Good and Services

Budget/Financial Implications
The 2020/21 expense budget for the four social priorities is $110,000. The expense budget for the service agreements for contracted service delivery is $110,000.

2020/21 expenditure to date (31 August): $9923

2019/20 Budget: $69,800
2019/20 expenditure: $49,648

Consultation
1. City of Armadale departments
2. Community organisations and service providers

BACKGROUND
In August 2019, Council resolved (C27/8/19):

1. *Endorse four social priorities across five suburbs as detailed in this report as follows:*
   - *Armadale South: Youth engagement and education*
   - *Brookdale: Early Years and Family Support*
   - *Camillo: Community Safety*
   - *Harrisdale: Culturally and Linguistically Diverse Community connection to groups and services*
   - *Seville Grove: Community Safety*
2. *Receive information on actions taken to address these suburb level social priorities.*
3. *Through a biennial report, review suburb-level social priorities.*

In March 2020, a report was presented to Council providing an update on the progress of suburb-level social priorities resulting in (C8/3/20):

> *Note the update on strategies to address endorsed suburb-level social priorities detailed in this report.*

The City's social priorities approach is based on identifying the most important aspirations and issues in the City's individual suburbs through a range of data sets and community/sector engagement. Four social priorities were selected across five suburbs comprising:

- Armadale South: Youth engagement and education
- Brookdale: Early Years and Family Support
- Camillo: Community Safety

- Harrisdale: Culturally and Linguistically Diverse Community (CALD) connection to groups and services
- Seville Grove: Community Safety

Strategies to address the priorities are based on researched good practice examples and are categorised as follows:

- Advocacy
- Coordination of internal and external stakeholders
- Contract of services
- Capacity building

DETAILS OF PROPOSAL

The attached tables comprises a summary of the responses for each social priority for the suburbs of Armadale South, Brookdale, Camillo, Harrisdale and Seville Grove.

Impact of COVID-19 on the social priorities strategies

The information provided in the attached tables includes the impact of the COVID-19 pandemic and associated restrictions on the social priorities approach. This includes the delay of the delivery of contracted services due to the risks staff and volunteers may have been exposed to, the closure of community facilities and being unable to provide services due to social distancing requirements (for example, playgroups).

Based on discussion with service providers and assessments of the individual service agreements, the City extended the contracts until 31 December 2020. This will allow time for delivery of purchased services and for reporting and data collection to be evaluated prior to the two-year review of the current social priorities in early 2021 comprising data analysis and community engagement. The City will ask for Registrations of Interest for further programs to address the reviewed social priorities.

Projects coordinated by the City which required interaction and gathering of residents were postponed in accordance with the relevant COVID 19 restrictions and guidelines.

ANALYSIS

The social priorities strategies presented in this six-month update report have been impacted by the COVID-19 pandemic and the associated restrictions. This is reflected by the fact that organisations amended or postponed their services to ensure they were compliant with the restrictions at the time. However most services and programs, whether delivered externally or by the City, were able to operate in some form, have resumed or are planned to be delivered by the end of this calendar year. All seven organisations contracted to provide services have resumed their operations. With regards to the City's initiatives, four have been completed, 10 will commence prior to 31 December 2020 and six have been postponed until 2021.

The effects of the COVID-19 pandemic on the community is certain to be reflected in the City's engagement with residents to be conducted in early 2021. Anecdotal community feedback is also being collated now via current community engagement activities such as the *Street Meet & Greet* events. Engagement with the community at a suburb level is an integral element of the two-year Social Priorities review and informs subsequent strategies including Service Agreements.

OPTIONS

Council has the following options:

1. Note the update on strategies to address approved suburb-level social priorities detailed in this report
2. Request further information on strategies to address approved suburb-level social priorities detailed in this report

CONCLUSION

The aim of the social priorities approach is to effect positive change in the community based on suburb-level data, community feedback and good practice examples. The COVID-19 pandemic will present further challenges for community members; these challenges may exacerbate existing issues or present new ones and will inform the City's responses after the next review of the social priorities.

ATTACHMENTS

1.⇩ Social Priorities update - September 2020

RECOMMEND **C24/9/20**

That Council note the update on strategies to address endorsed suburb-level social priorities detailed in this report.

Moved Cr D M Shaw
MOTION CARRIED **(7/0)**

2.1 - COMMUNITY INFRASTRUCTURE PLAN REVIEW

WARD	:	ALL
FILE No.	:	M/675/19
DATE	:	9 October 2019
REF	:	NK/WS
RESPONSIBLE MANAGER	:	Executive Director Community Services

In Brief:

- Local Governments develop Community Infrastructure Plans to provide guidance for an appropriate level of provision of community infrastructure required to meet current and future community needs, and to provide evidence for funding through developer contributions and other sources.
- The City's Community Infrastructure Plan 2011-2031 has been reviewed. Based on this review, and subsequent Councillor consultation a draft Community Infrastructure Plan 2020 – 2036 has been prepared for Council's consideration.
- Recommend that Council endorse the draft Community Infrastructure Plan as an informing document to assist with the current review of the City's Corporate Business Plan and Long Term Financial Plan.

Tabled Items

Nil

Decision Type

☐ **Legislative**	The decision relates to adopting/changing local laws, town planning schemes, and City policies.
☒ **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 A strong sense of community spirit
- 1.1.1 Provide opportunities to connect individuals to each other and the wider community
- 1.1.2 Build inter-dependent and resilient community groups
- 1.1.3 Value and celebrate our diversity and heritage
- 1.1.4 Foster local pride

1.2 Active community life that is safe and healthy
- 1.2.1 Recognise, value and support everybody
- 1.2.2 Provide opportunities to improve health outcomes for everyone

1.2.3 Encourage initiatives to improve perceptions of safety
1.3 The community has the services and facilities it needs
1.3.1 Plan for services and facilities in existing and emerging communities
1.4 The community is engaged and understood
1.4.1 Consult the community in diverse ways
1.4.2 Identify our strengths, challenges and opportunities
2.1 The natural environment is valued and conserved
2.1.1 Preserve and improve natural areas
2.1.2 Manage the interface between natural areas and the built environment
2.2 Attractive and functional public places
2.2.1 Deliver attractive and functional streetscapes, open spaces, City buildings and facilities
2.2.2 Protect and enhance the character of the City's spaces
2.2.3 Revitalise existing neighbourhoods whilst retaining the character of places
4.1 Visionary civic leadership and sound governance
4.1.2 Make decisions that are sound, transparent and strategic
4.2 An innovative and progressive organization
4.2.2 Implement business plans and practices that improve service delivery
4.4 Effective communication
4.4.2 Ensure effective communication with the community and stakeholders

Legal Implications

Planning and Development Act 2005
An Act to provide for a system of land use planning and development in the State and for related purposes. The purposes of the Act include:
- provide for an efficient and effective land use planning system in the State; and
- promote the sustainable use and development of land in the State.

State Planning Policy 3.6 – Development Contributions for Infrastructure
Infrastructure contributions is a long-standing mechanism where the development sector works with State and local government to deliver infrastructure to accommodate urban growth.

Council Policy/Local Law Implications

Council's Policy ENG13 *Asset Management Vision* relates to this report

Budget/Financial Implications

Financial implications related to the Community Infrastructure Plan (CIP) are considered when Council reviews and sets the City's Annual Budget, Corporate Business Plan and Long Term Financial Plan.

Consultation

1. Councillors
   a. Council briefing – 22 July 2019
   b. Report – Standards of Provision and Community Infrastructure Plan October 2019 (C39/10/19)
   c. Councillor workshop – 18 March 2020
   d. Capital expenditure budget workshop - 17 June 2020
2. Executive Management Team
3. City Departments

BACKGROUND

Community Infrastructure comprises a wide range of facilities and open spaces available for community use. This includes, but is not limited to sporting and passive open spaces, pavilions, halls, community centres, playgrounds, libraries, aquatic centres, recreation centres, skate parks, hard courts and theatres etc.

CIPs are developed by local governments as strategic documents that provide direction on the planning and delivery of community infrastructure in local government areas as they evolve. Importantly CIPs are required under State Planning Policy 3.6 – Development Contributions for Infrastructure as the evidence required to justify development contributions which make up a significant funding stream for facilities in new areas. This is particularly relevant for the City at this time with reviews of the State Planning Policy 3.6 and also the Wungong Development Contribution Scheme currently underway.

As well as providing the evidence base for developer contributions, CIPs and the needs and feasibility work that underpin them, form the evidence base for external funding submissions to state and federal funding agencies.

The City of Armadale CIP is an informing document and does not compel Council to any particular course of action or timeframe. The CIP informs the City's annual budget and also the Corporate Business Plan and Long Term Financial Plan which incorporate the City's longer term forecasts regarding the timing and cost of delivering major community infrastructure projects.

Council endorsed the City's first CIP in 2010 (CS77/9/10) and it has been reviewed twice since then. The current review sits alongside the consideration of relevant City policies and plans; national, state and local participation trends; contemporary planning approaches to community infrastructure; existing community infrastructure trends and benchmarks; relevant State legislation, strategies, plans and guidelines; and existing and future demographics across the City's suburbs.

In October 2019 Council considered a report that proposed endorsing Standards of Provision for Community Infrastructure, inclusive of a Community Infrastructure Plan (C37/10/19). At that time Council decided to recommit the report pending further Councillor consultation.

Feedback received when the draft Standards of Provision and CIP were previously presented to Council (C39/10/19) and informal feedback received subsequently was that the documentation was cumbersome and hard to understand, and possibly tried to set a direction on elements of Community Infrastructure without thorough consideration by Council.

A Councillor workshop was held on 18 March 2020 at which a more streamlined framework for the CIP was discussed that focussed on the larger scale key community facility projects included or under active consideration for inclusion in the City's Corporate Business Plan and Long Term Financial Plan.

The original intention was to bring a draft CIP to Council for endorsement in June 2020, however the consensus at the 18 March workshop was to wait until Council considered the timing, funding and prioritisation of the key community infrastructure projects as part of the regular reviews of the Annual Budget and Corporate Business Plan.

On 17 June 2020 a Councillor workshop was held as part of the review of the Annual Budget and Corporate Business Plan to consider the City's capital expenditure program. Part of the workshop focussed on the timing, funding and prioritisation of the major projects included in the CIP.

The draft CIP, presented as an attachment to this report takes into consideration feedback at the aforementioned briefing and workshops.

The draft CIP 2020 – 2036 document is presented as an attachment to this report.

DETAILS OF PROPOSAL

The draft CIP comprises the following components;

- Introduction
- Strategic Alignment
- Guiding Principles
- Community Infrastructure Catchment Areas
- Hierarchy of Provision
- Key Demographic Trends and Drivers
- Need/Demand Indicators
- Catchment based Community Infrastructure Requirements
- References and Source Data

Based on feedback from the 18 March 2020 Councillor Workshop, the boundaries of the mid north and mid-south community infrastructure catchment areas were altered to more accurately reflect natural geographic catchments.
Following consideration of the key projects in the review of the Annual Budget and Corporate Business Plan the revised timing of projects has been included in the draft CIP.

Detailed information on each of the projects can be sourced in the reports referred to in the schedules in the draft CIP.

There is one additional inclusion in the draft CIP relating to the proposed Armadale Regional Recreation Reserve (ARRR) that was not raised at the 18 March workshop or the 17 June workshop. The draft CIP makes reference to the ARRR as follows;

> *"A site of approximately 40ha has been identified in the Wungong Urban development area for the purpose of a recreation reserve. The reserve is envisaged to serve the dual functions of;*
>
> - *Assisting in meeting the demand for sporting infrastructure generated by the Wungong Urban development.*
>
> - *Providing regional level facilities for a range of sports and activities to serve a catchment including within and beyond the City's boundaries.*

The first function relates to the 'Wungong District Playing Fields' project included in the South West Community Infrastructure Catchment Area schedule as shown on page 33 of this document. This project is for four playing fields and two sporting pavilions and is an integral part of the Wungong Urban development, which includes the suburbs of Haynes, Hilbert and parts of Wungong Funding for this project is anticipated through the Wungong Urban Development Contribution scheme. However, the level and availability of funding has yet to be determined and will be known once the current review of the Wungong Urban Development Contribution Scheme and the current review of State Planning Policy 3.6 – Development Contributions for Infrastructure have been completed. The district component of the 4 playing fields makes up approximately 30% of the overall ARRR site.

The greater regional function will serve an area beyond the City's boundaries and is envisaged to contain facilities for a wide range of sporting and leisure activities. This project is currently unfunded and is included in the City's Advocacy Strategy for the purpose of identifying potential funding and operational partners.

It is likely that a project of the scale of the Armadale Regional Recreation Reserve will be delivered in stages as demand for facilities grows and as funding becomes available."

Including the Armadale Regional Recreation Reserve in the CIP will support the City's advocacy efforts to secure partners and funding for the project.

OPTIONS

1. Endorse the Community Infrastructure Plan 2020 – 2036.

This is the preferred option.

2. Seek further information before considering endorsing the CIP.

CONCLUSION

The revised CIP provides the City with a contemporary evidence-based community planning document that guides the delivery of fit-for-purpose community infrastructure to meet the community's needs now and into the future.

ATTACHMENTS

1. ⇨ DRAFT Community Infrastructure Plan 2020-2036 September 2020

RECOMMEND **C24/9/20**

That Council endorse the Community Infrastructure Plan 2020-2036 as an informing document to reviews of the City's Corporate Business Plan and Long Term Financial Plan.

Moved Cr S Peter
MOTION CARRIED **(7/0)**

2.2 - COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF) 2021-2022 GRANT APPLICATIONS

WARD	:	ALL
FILE No.	:	M/372/20
DATE	:	4 July 2020
REF	:	CW
RESPONSIBLE MANAGER	:	Executive Manager Community Services

In Brief:

- Recommend that Council supports an application to the Community Sporting and Recreation Facilities Fund (CSRFF) Forward Planning grants program for Forrestdale Hub and Morgan Park.

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
1.2.2 Provide opportunities to improve health outcomes for everyone

1.3 The community has the services and facilities it needs
1.3.1 Plan for services and facilities in existing and emerging communities
1.3.2 Deliver services

2.3 Well managed infrastructure
2.3.1 Apply best practice design and construction methodologies for provision of infrastructure

Legal Implications

Planning and Development Act 2005

An Act to provide for a system of land use planning and development in the State and for related purposes. The purposes of the Act include:

- provide for an efficient and effective land use planning system in the State; and
- promote the sustainable use and development of land in the State.

State Planning Policy 3.6 – Development Contributions for Infrastructure

Infrastructure contributions is a long-standing mechanism where the development sector works with State and local government to deliver infrastructure to accommodate urban growth.

Council Policy/Local Law Implications

ENG13 Asset Management Vision
RECN1 Lighting on Sporting Reserves
RECN5 Provision of Goal Posts and Structures

Budget/Financial Implications

The Forrestdale Hub comprises two major projects – the redevelopment of sporting facilities, and the redevelopment of community facilities expected to cost a total of $7,295,000 to be funded from external sources and loan funds as follows;

Particulars	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
Capital Allocation	1,560,000	5,735,000	0	0	0	0	0	0
Operational Allocation	0	0	108,500	108,500	108,500	108,500	108,500	108,500
Renew al Allocation	0	0	210,900	210,900	210,900	210,900	210,900	210,900
Loan Proceeds	0	(2,145,000)	0	0	0	0	0	0
Interest Expense	0	0	86,400	79,000	71,300	63,300	54,900	46,200
Principal	0	0	183,300	190,700	198,400	206,400	214,800	223,500
Revenue	0	0	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)
POS	0	(495,000)	0	0	0	0	0	0
Capital Grants	(1,560,000)	(3,095,000)	0	0	0	0	0	0
Municipal Funds	0	0	579,100	579,100	579,100	579,100	579,100	579,100

Particulars	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Total
	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	
Capital Allocation	0	0	0	0	0	0	0	7,295,000
Operational Allocation	108,500	108,500	108,500	108,500	108,500	108,500	108,500	1,410,500
Renew al Allocation	210,900	210,900	210,900	210,900	210,900	210,900	210,900	2,741,700
Loan Proceeds	0	0	0	0	0	0	0	(2,145,000)
Interest Expense	37,200	27,800	18,000	7,900	0	0	0	492,000
Principal	232,500	241,900	251,700	261,800	0	0	0	2,205,000
Revenue	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)	(130,000)
POS	0	0	0	0	0	0	0	(495,000)
Capital Grants	0	0	0	0	0	0	0	(4,655,000)
Municipal Funds	579,100	579,100	579,100	579,100	309,400	309,400	309,400	6,719,200

As noted in the preceding table, the project is being run over two financial years. The allocation of $1,560,000 in the current budget is for the sports field and lighting upgrade and also the detailed design for the new facilities. This is funded through development contributions of $1,260,000 and a previously received CSRFF grant of $300,000. The allocation of $5,735,000 in 2021/22 is to deliver the new sports pavilion and the new hall/community spaces building. The 2021/22 expenditure is to be funded by a loan, POS funds, development contributions and the CSRFF grant that is the subject of this report.

The Morgan Park project comprises the relocation of the community/sporting facility and the reconfiguration of playing fields. The project is shown in the Corporate Business Plan as follows;

Particulars	Year 1 2020/21	Year 2 2021/22	Year 3 2022/23	Year 4 2023/24	Year 5 2024/25	Year 6 2025/26	Year 7 2026/27	Year 8 2027/28
Capital Allocation	200,000	3,570,000	0	0	0	0	0	0
Operational Allocation	0	0	52,500	52,500	52,500	52,500	52,500	52,500
Renew al Allocation	0	0	122,500	122,500	122,500	122,500	122,500	122,500
Loan Proceeds	(200,000)	(2,870,000)	0	0	0	0	0	0
Interest Expense	0	5,700	145,300	132,600	119,300	105,400	91,000	77,000
Principal	0	37,700	266,300	279,000	292,300	306,200	277,200	291,200
Revenue	0	0	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
Capital Grants	0	(700,000)	0	0	0	0	0	0
Municipal Funds	0	43,400	566,600	566,600	566,600	566,600	523,200	523,200

Particulars	Year 9 2028/29	Year 10 2029/30	Year 11 2030/31	Year 12 2031/32	Year 13 2032/33	Year 14 2033/34	Year 15 2034/35	Total
Capital Allocation	0	0	0	0	0	0	0	3,770,000
Operational Allocation	52,500	52,500	52,500	52,500	52,500	52,500	52,500	682,500
Renew al Allocation	122,500	122,500	122,500	122,500	122,500	122,500	122,500	1,592,500
Loan Proceeds	0	0	0	0	0	0	0	(3,070,000)
Interest Expense	62,200	46,700	30,500	13,400	0	0	0	829,100
Principal	306,000	321,500	337,700	354,800	0	0	0	3,069,900
Revenue	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(260,000)
Capital Grants	0	0	0	0	0	0	0	(700,000)
Municipal Funds	523,200	523,200	523,200	523,200	155,000	155,000	155,000	5,914,000

Funding of $3,070,000 is confirmed for the project with the capital grant forecast of $700,000 anticipated through the CSRFF grant that is the subject of this report.

As the outcomes of the grant submissions will not be known until December 2020, advocacy work will continue to seek additional sources of external revenue.

Consultation

1. Councillors
   a. Workshop on the draft Community Infrastructure Plan – 18 March 2020
   b. Capital Expenditure budget workshop – 17 June 2020
2. Department of Local Government Sport and Cultural Industries
3. City Departments
4. User groups
5. Local community (Forrestdale Hub project)

BACKGROUND

The Department of Local Government, Sport and Cultural Industries (DLGSC) provides financial assistance to community groups and Local Governments to develop basic infrastructure for sport and recreation through the Community Sporting and Recreation Facilities Fund (CSRFF). The program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well designed and utilised facilities.

With a total pool available of $12 million in 2021-2022, the maximum grant offered is one third of total estimated project cost, up to a maximum of $2 million. The remaining funds are to be provided by the Local Government and/or community group.

Funding is made available through:

- Small grants – for projects up to $300,000, claimed in the financial year approved.
- Annual grants – for projects up to $500,000, claimed in the financial year following approval.
- Forward planning grants – for projects up to $2,000,000 with implementation between one and three years.

CSRFF can fund new or upgraded facilities which will *maintain or increase physical activity*, or result in a *more rational use of facilities*. While many project elements are eligible for this funding, as a highly competitive program, DLGSC give priority consideration to projects that most directly impact these two program outcomes, and a lower priority to elements that are not directly related – for example club social spaces. The City's applications under the CSRFF program focus on those elements that have a higher likelihood of attracting funding, referred to in this report as '*traditionally funded elements*'.

Where multiple grants being proposed in the annual and forward planning categories (as in this case), the submission process requires that Council prioritise the projects. This ensures that where funds allocated through the CRSFF are less that the amount requested they are directed where they are most needed.

The DLGSC has advised that in response to COVID-19 and due to the stimulus effect of capital projects, it is likely that priority may be applied to projects that are 'shovel ready' and scheduled for construction in the 2021/22 financial year. For the same reason DLGSC has also brought forward the announcement date for grant outcomes from February/March 2021 to December 2020 to allow local governments additional time in order to commence projects as soon as possible.

DETAILS OF PROPOSAL

Two applications are proposed for the 2021-22 round of CSRFF forward planning grants:

1. Forrestdale Hub Sporting Facilities Upgrade
2. Morgan Park Pavilion and Playing Field Reconfiguration

No other submissions have either been received by the City from Community sporting groups, or are proposed for this CSRFF round.

Both proposed projects have been identified and endorsed as part of the Community Hub Master Planning initiative.

1. <u>Forrestdale Hub Sporting Facilities Upgrade</u>

Council has determined a site configuration for the project (C6/3/20) as follows; One building located on the North Western corner of the site that includes the sporting pavilion and change rooms, and a second building located on the eastern side of the site in approximately the same location as the current hall, that contains the hall and community spaces. The CSRFF funding program can be applied to the active elements that support physical activity participation including the sporting facilities and change rooms, however the club social spaces would be a lower priority and unlikely to attract funding.

Total project cost:	$7,295,000 *
Total cost traditionally funded components	$1,840,000
CSRFF grant sought (traditionally funded components)	$920,000

*The project is being staged over 2 financial years
2020/21 $1,560,000

Sports Field upgrade including lighting upgrade and detailed design on the new Sports Pavilion and Hall/Community spaces building. A previous CSRFF grant of $300,000 has already been provided for this stage of the project.

2021/22 $5,735,000

Delivery of the 2 new buildings. For the CSRFF grant that is the subject of this report it is only the sporting elements of the new sports pavilion that can attract funding. This means that the social spaces in the new sports pavilion and all of the new hall/community spaces building do not attract CSRFF funding. Hence the relatively small grant submission for this project.

2. Morgan Park Pavilion and Playing Field Reconfiguration

The current pavilion at Morgan Park is no longer fit for purpose and is poorly located. This project relocates the pavilion, which will be designed for predominantly junior sporting activity to a more suitable location. The relocation will require some reconfiguration of the grounds.

Total project cost:	$3,770,000
Total cost eligible elements	$2,176,000
CSRFF grant sought: (traditionally funded components)	$1,088,000

There are significant sporting elements in this project comprising the sports ground upgrade and a major proportion of the new building, which are traditionally funded though the CSRFF program. Hence the relatively larger grant request compared to the total project cost.

COMMENT

In reviewing proposals for CSRFF grant funding, the City is required to consider a range of criteria and rate projects according to its priorities.

1. Forrestdale Hub Sporting Facilities Upgrade

William Skeet Oval sporting facilities are well utilised, with around 500 members of the Forrestdale Sporting Association across multiple sports including AFL, cricket, softball, pool and darts. The oval and facilities are also used by school groups. The development through the North Forrestdale Development area and increase in demand has necessitated the upgrade of these facilities to ‘district’ level. The sporting facilities are past their useful asset life and are no longer fit for purpose. The proposed facilities will not only accommodate growth but will provide gender friendly and accessible facilities for all.

The project has been assessed on the following DLCSCI criteria using a scale of satisfactory, unsatisfactory and not relevant.

- Project justification Satisfactory
- Planned approach Satisfactory
- Community input Satisfactory
- Management planning Satisfactory
- Access and opportunity Satisfactory
- Design Satisfactory
- Financial viability Satisfactory
- Co-ordination Satisfactory
- Potential to increase Physical activity Satisfactory
- Sustainability Satisfactory

The project was rated using the CSRFF application criteria as:
"A" Well planned and needed by the municipality.

2. Morgan Park Pavilion and Playing Field Reconfiguration

Morgan Park is a well utilised active reserve, with around 500 members of the Armadale Junior Soccer Club and Dale Little Athletics Association. The facilities are also used by school groups and occasional hirers.

The current pavilion at Morgan Park is past its use by date and poorly located. This project relocates the pavilion, which would be designed for junior sporting activity and broader community use to a more suitable location.

The relocation will require some reconfiguration of the grounds and upgrades to lighting.The lighting component of the submission is to upgrade to current Australian Standards and entails installation of light poles, luminaries and controllers. The proposed oval reconfiguration includes the facilities required for athletics – jump pits and throwing circles, and takes into account accessibility of these facilities to athletes with disability, as inclusion programs have been a focus of the Dale association.

The project has been assessed on the DLGSCI criteria using a scale of satisfactory, unsatisfactory and not relevant.

- Project justification Satisfactory
- Planned approach Satisfactory
- Community input Satisfactory
- Management planning Satisfactory
- Access and opportunity Satisfactory
- Design Satisfactory
- Financial viability Satisfactory
- Co-ordination Satisfactory
- Potential to increase Physical activity Satisfactory
- Sustainability Satisfactory

The project was rated using the CSRFF application criteria as:
'A' Well planned and needed by the municipality.

Both projects rate equally as an *'A' – Well planned and needed by the municipality* against the fund guidelines. It may be that DLGSC supports both projects; just one, or neither, depending on the demand on the funding pool. DLGSC requires that in the event of multiple submissions with a similar rating, Council prioritises projects to ensure that funds are used according in alignment with Council priorities. In this case, for reasons outlined below, it is recommended that the Forrestdale Hub is prioritised over the Morgan Park Redevelopment.

The recommendation to prioritise the Forrestdale project is proposed as it has been in planning with the users and community for a significant amount of time. The uncertainty around the Armadale Road widening meant the concept planning could not be finalised, however the facilities are much needed and well past time for upgrade. While the same applies to the facilities at Morgan Park, the project has been significantly brought forward without the same level of community anticipation and would not be subject to the same frustration should it be deferred for one year. When assessing capital projects for possible stimulus funding, Council allocated a priority of 5 to the Forrestdale Hub, and 7 to the Morgan Park Redevelopment.

OPTIONS

Council has the following options:

1. Endorse the applications to the DLGSC CSRFF 2021-22 funding round as included in the recommendation.

2. Modify the recommendation.

3. Not endorse the application to the DLGSC CSRFF 2021-22 funding round.

CONCLUSION

The proposed CSRFF applications are both considered a high priority in delivering sustainable infrastructure to the community.

The assessment and rankings of applications by local government is an essential element of the CSRFF application process. Following endorsement by Council, the applications will be progressed, with the scope and timeframes of projects subject to grant funding outcomes.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND **C25/9/20**

That Council submit applications for the Community Sporting and Recreation Facilities Fund (CSRFF) 2021-2022 Funding Round with the following ranking:

Project	Total Project Value	CSRFF Grant	Ranking	Rating
Forrestdale Hub Sporting Facilities Upgrade	**$7,295,000**	**$920,000**	**1**	**A**
Morgan Park Pavilion and Playing Field Reconfiguration	**$3,770,000**	**$1,088,000**	**2**	**A**

Moved Cr Silver
MOTION CARRIED **(7/0)**

2.3 - PROPOSED SHARED HARDCOURT FACILITY PIARA WATERS SECONDARY COLLEGE

WARD	:	LAKE
FILE No.	:	M/474/20
DATE	:	3 August 2020
REF	:	TC/NK
RESPONSIBLE MANAGER	:	Executive Manager Community Services

In Brief:

- The City has received in principle support from the Department of Education to share the hardcourts located at the proposed Piara Waters Secondary College. In principle support has also been given for the City to construct a facility adjacent to the hardcourts on the DoE site for the exclusive use of the City
- Recommend that Council;
- Authorise the CEO to develop and submit a formal Facility Proposal to the Department of Education for shared use of the hardcourts and construction of associated facilities at the proposed Piara Waters Secondary College.
- Subject to the Department accepting the Facility Proposal, Authorise the CEO to negotiate but not execute a draft agreement with the Department of Education for use of the courts and associated facilities.
- Subject to progressing resolutions 1 and 2, receives a further report regarding key terms of the draft agreement/s and outlining funding options.

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

Community Facilities Planning Coordinator (Mr T Clark) declared an Impartiality Interest arising out of his daughter's membership with a local netball club that could benefit from the proposed arrangement. Mr Clark was approved to be involved in the preparation of this report, which was subject to oversight and review by senior management.

Strategic Implications

1.2 Active community life that is safe and healthy
1.2.2 Provide opportunities to improve health outcomes for everyone
1.3 The community has the services and facilities it needs
1.3.1 Plan for services and facilities in existing and emerging communities

Legal Implications

Nil

Council Policy/Local Law Implications

ENG 13 Asset Management Vision – Lifecycle costs to be considered in the future
RECN 1 Lighting on Sporting Reserves – Provision of floodlights to relevant Australian Standards
RECN 6 Recreation Fees and Charges – Cost recovery regarding usage of courts and floodlights

Budget/Financial Implications

There is no allocation of funding for the facility in the LTFP. There is no requirement for Council to commit funding at this stage. Officers will present a report to Council at a future date addressing the funding and draft agreement/s, subject to the Department of Education (DoE) accepting the proposal. At that time it is likely that Council will need to consider funding construction of a building and floodlighting, and consider ongoing maintenance costs. An indicative high level cost estimate is $450,000 for the building and floodlights, approximately $25,000 p/a in ongoing maintenance costs and $11,000 p/a for renewal. Furthermore the City would likely recoup some of these costs through hire fees, particularly the reimbursement of floodlight usage. Officers are currently investigating the extension of DCP No. 3 over the precinct given its proximity to the existing urban areas of Piara Waters and Harrisdale. These investigations include the identification of future common infrastructure needs including sporting and community facilities. Whilst being subject to a separate Council approval process, the DCP ultimately contributing towards the cost of funding the subject facility is likely to be considered appropriate.

Consultation

1. Department of Education
2. Relevant City Officers and business units
3. Piara Waters Netball Club (in general and not specifically relating to this proposal)
4. Aspiri Netball Club (in general and not specifically relating to this proposal)

BACKGROUND

The City has been investigating the provision of hardcourt facilities in the North Forrestdale (Harrisdale/Piara Waters) development area for a period of time.

There are currently no City controlled dedicated hard court facilities suitable for structured sport or club use in the development area. There are newly constructed courts available for the general public for casual unstructured use at a couple of local parks.

The City liaises regularly with the DoE about school provision and shared-use sites. Discussions with DoE have been ongoing regarding accessing the hardcourts at Harrisdale High School at a reasonable cost, however the terms of the Public Private Partnership (PPP) that DoE has with the organisation that maintains the school have made this option cost prohibitive.

The Piara Waters Secondary College site has been acquired by DoE and is awaiting the approval of planning amendments prior to construction. Students are due on site for the start of the 2023 school year. When planning for the Piara Waters Senior High School gained momentum, the City enquired about a potential shared use agreement for the 8 hardcourts proposed for the school. As a result DoE has indicated that it would consider a proposal to share the courts and for the City to construct and maintain a modest change/storage facility adjacent to the courts for exclusive use by the City and user groups managed by the City.

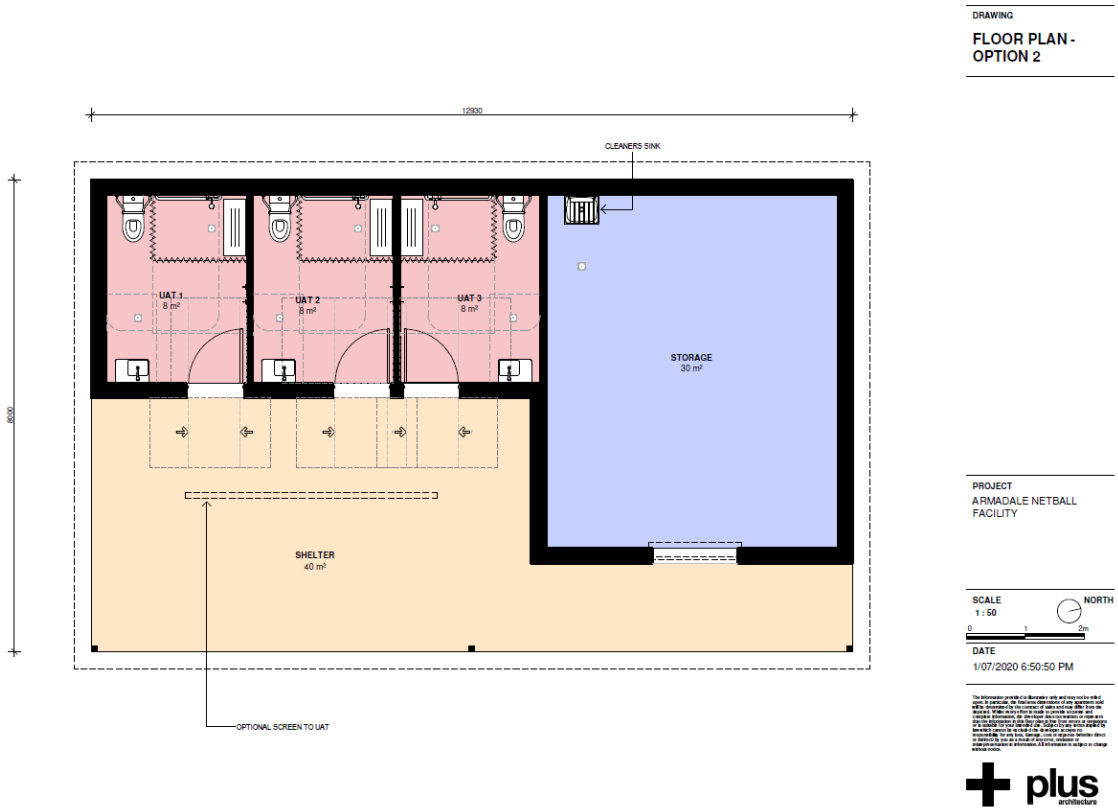
Currently there are two known netball clubs based in the area and both, Piara Waters Netball Club (PWNC) and Aspiri Netball Club (ANC) operate on user agreements with local primary schools. PWNC started in 2015 and has seen growth in membership of approximately 2 additional teams a year, to have approximately 70 members in 2019 and currently sitting at a similar number in a COVID-19 impacted 2020 season. PWNC currently only cater for junior members, one of the main reasons for this is a lack of floodlit courts allowing evening access for seniors. ANC formed this year (2020) and in their first season impacted by COVID-19 has 84 playing members, including both junior and senior teams. ANC's senior team currently train at Success Netball Association courts due to floodlight access.

DETAILS OF PROPOSAL

Officers approached DoE with an initial proposal for a shared agreement over the 8 x hardcourts that would be constructed at the proposed Piara Waters Secondary College. The City requested in-principle support for the provision of floodlights and a building to support after hours community use of the courts, subject to a more detailed proposal and Council endorsement. DoE have since provided in-principle support for the shared use of the courts and for the development of the modest associated facilities, subject to agreeing to a formal proposal and the City fully funding any facility provision above the Department's standard of provision. The DoE was clear that it will not support a large facility nor was it interested in the provision of social space. If the proposal is supported a high level early estimate of capital expense for the City funded project is $450,000.

Officers have progressed with a concept floor plan of the potential building in keeping with a 100m2 provision in accordance with discussions with DoE. Subject to Council approval, the City will seek documentation regarding the floodlight design and requirements to finalise a formal proposal to present to the DoE for their consideration. Floodlights will be provided to Australian Standards for training purposes for netball.

The image below is an example concept floor plan for the facility. This plan is an example only and would be refined going forward, taking into consideration further consultation with DoE, Netball WA and the Clubs.



The Department have confirmed that the hard courts will be delivered in phase one of a three phase build of the College. Subject to Council approval and to a City and DoE agreement/s, it is likely the City will have access to install the floodlights and construct the building in early 2023. Based on current timelines, it is possible the City would be able to facilitate community use at the site for the 2023 netball season.

COMMENT

Participation in netball in the Piara Waters / Harrisdale area is growing and is anticipated to only increase with the population increase as a result of the expansion area towards Warton Road. The current guidelines provide a recommendation of 1 outdoor court per 5000-8000 residents and a catchment area of 5km. The potential shared site facility of 8 x courts would capture the whole of both suburbs of Piara Waters and Harrisdale and service the majority of residents.

Whilst the notion of a shared school site seems restrictive, the availability of land for development of a hardcourt space is a significant barrier. The majority of use of the facility will come after school hours so there is unlikely to be any conflict with school use. The ability to share a hardcourt space should see reduced capital and ongoing maintenance costs incurred by the City.

During initial consultation with the clubs, the biggest barriers to their operations/participation were:

1. Access to courts
2. Access to storage
3. Access to floodlights to allow evening/night use
4. Operating across multiple venues

PWNC expressed concerns about operating across multiple sites (Harrisdale and Piara Waters Primary Schools), in particular, trying to schedule training where parents of multiple members wouldn't need to drive between the two venues. ANC expressed concerns about having their senior team train at the Success Netball Association courts where access to floodlights allows an afterhours start time for training, however this venue is an approximately 10km drive from where the junior teams train.

Once complete it is anticipated the proposed facility will eliminate all four issues above raised by the Clubs and significantly improve any existing barriers to participation and any grievances the Clubs currently have.

The size of the facility at 100m2 may seem modest, however in discussions with DoE and the brief consultation with the clubs, it is unlikely that a facility larger than this would be required or could be accommodated onsite. A larger facility would be an overprovision with the focus being on designing the space with ideal functionality within the parameters set by DoE as the landowner. The venue is likely to only be used for training purposes, with competition/matches scheduled at respective association sites in Langford and Success.

During consultation Officers were seeking some basic details regarding a generic floorplan of an example building (not specifically related to this proposal), both clubs expressed a need for toilets/change spaces and storage. Both club suggested that social space, kiosk, an office or training/team tactics space would not be required now or in the foreseeable future. Both Clubs indicated that if a facility was provided that required them to share, this would not be an issue and indeed welcomed a facility of that size in the area. It is likely that the City's existing venues would be available for hire for their social activities as per the current practice with PWNC using Bakers House, Rossiter and Harrisdale Pavilions over the past 3 years. Additionally the Department are unlikely to support a facility larger than 100m2 or a facility with social space included.

OPTIONS

Option 1 – Council to support the preparation of a formal proposal and development of documentation in preparation for construction of the building and floodlights. Progress with this option should result in a significantly reduced capital and ongoing cost. Whilst the City will likely bear 100% costs for the building and lights the rest of the facility's costs will be shared with the Department. If the proposal is accepted it will also deliver a facility earlier than any other options.

Option 2 – Council may wish to not develop the proposal and seek alternative sites for such infrastructure. It is unlikely that the City would be able to source land of sufficient size to support this infrastructure including 8 x courts, a building and sufficient car parking space. Furthermore, the City would need to fund 100% of the capital costs (potentially through DCP) and ongoing maintenance and operating costs. The time line to progress this option would likely be medium to long term.

CONCLUSION

Based on the in-principle support already received from DoE, there are significant benefits to the Harrisdale/Piara Waters community through the shared use of the hard court facility at the proposed school. The reduced cost, both capital and operating, of a site that will be developed by 2023 is of considerable benefit comparative to a wholly City owned site. At this stage Council are only being requested to endorse the development of a proposal and investigations for development of the facility with a report to be tabled at a future meeting for a decision regarding funding and key agreement terms.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND **C26/9/20**

That Council:

1. **Authorise the CEO to develop and submit a formal Facility Proposal to the Department of Education for shared use of the hardcourts and construction of associated facilities at the proposed Piara Waters Secondary College.**
2. **Subject to the Department accepting the Facility Proposal, authorise the CEO to negotiate draft agreement/s with the Department of Education for use of the courts and associated facilities.**
3. **Subject to progressing resolutions 1 and 2, receives a further report regarding key terms of the draft agreement/s and outlining funding options.**

Moved Cr Silver
MOTION CARRIED **(7/0)**

As there was a member of the public present, Committee agreed to bring forward the following Report to this juncture of the meeting as confidential item 3.1 required discussion behind closed doors. MOVED: Cr Campbell.

***4.1 - BEDFORDALE VOLUNTEER BUSH FIRE BRIGADE FIRE STATION

WARD	:	HILLS
FILE No.	:	M/518/20
DATE	:	20 August 2020
REF	:	AB
RESPONSIBLE MANAGER	:	Executive Director Community Services

In Brief:

- Tender 5/20 for the Design, Development and Construction of the Bedfordale Fire Station was awarded, in separable portions, in April 2020, and final construction costs are now known.
- Request for additional Local Government Grant Scheme (LGGS) Capital Grants funding from Department Fire and Emergency Services (DFES) was unsuccessful.
- Recommend that the Freehold Sale Capital Works Reserve Fund is accessed to fund the budget shortfall.

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

1.3 The community has the services and facilities it needs

1.3.1 Plan for services and facilities in existing and emerging communities

Legal Implications

Assessment of legislation indicates that the following is applicable:

- Section 3.57 *Local Government Act 1995* – Tenders for providing goods or services

- Division 2 *Local Government (Functions and General) Regulations 1996* – Tenders for providing goods or services

- Section 6.8 *Local Government Act 1995* – Expenditure from municipal fund not included in annual budget

Council Policy/Local Law Implications

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

- Council Policy ADM 19 – Procurement of Goods or Services

Budget/Financial Implications

Tender 5/20 for Design, Development and Construction of the Bedfordale Fire Station was awarded, in separable portions, in April 2020. Separable portion 2 – construction, was awarded subject to available funding. The funding model included an application for additional grant funding via the LGGS administered by DFES. The City has been advised that the request for additional funds was unsuccessful, leaving a budget shortfall of $248,000.

The Freehold Sale Capital Works Reserve Fund, which was established with the purpose to be used to assist in funding capital works and to be funded from the proceeds (30% of net sale proceeds) of selling freehold land parcels, is an option to fund the Bedfordale Fire Station budget shortfall.

Consultation

- Inter and Intra Directorate
- Bedfordale Volunteer Bush Fire Brigade
- DFES

BACKGROUND

In April 2020, Tender 5/20 for Design, Development and Construction of the Bedfordale Fire Station was awarded to Alita Enterprises Pty Ltd, as a separable portion contract. The two portions of the Contract were for Design, which has been completed, and Development and Construction, which was dependent on grant funding and municipal funds. At the time of awarding the Contract, grant funding via the Department of Fire and Emergency Services (DFES) – Local Government Grants Scheme (LGGS) was committed for $372,000. Based on a detailed design and updated criteria, the grant application was resubmitted with the intention of obtaining further grant funding, and municipal funding making up the balance of the project cost.

Council recommendation T20/4/20 included the requirement for a further report to Council detailing final costs for separable portion 2 – Development and Construction.

DETAILS OF PROPOSAL

With the completion of detailed design, the final cost for separable portion 2 is now available and a breakdown of these costs can be found in the Confidential Attachment.

Following interim advice from DFES regarding the 2020/21 LGGS Capital Grants in July 2020, the Capital Grants Committee (the Committee) reconvened on 5 August 2020 to assess additional capital grants requests. DFES had previously submitted a request to the State Government for additional funds from the COVID-19 economic recovery initiatives.
Limited funding was made available from sources outside of the Emergency Service Levy, as part of the WA Recovery Plan. The Committee then assessed previously submitted capital grant requests against remaining unallocated available LGGS funding.

The outcome of the Committee meeting was that the Capital Grants Committee identified higher priorities across the state within available funding. As such, the Committee has only approved the carry-over of the original funding amount of $372,000.

The table below sets out the current funding model (ex GST):

Loan Funds	$750,000
Municipal Funds	$140,000
Grant Funds	$750,000
Brigade Cash Contribution	$80,000
TOTAL	$1,720,000

The table below sets out the proposed funding model (ex GST):

Loan Funds	$750,000
Municipal Funds	$140,000
Grant Funds	$372,000
Brigade Cash Contribution	$80,000
Freehold Sale Capital Works Reserve Fund	$248,000
TOTAL	$1,590,000

It is proposed to access the additional funds from the Freehold Sale Capital Works Reserve Fund to cover the funding shortfall. This Reserve Fund was established to assist in funding capital works and to be funded from the proceeds (30% of net sale proceeds) of selling the City's freehold land parcels that were no longer required by the City. The Reserve Fund has a current balance of $374,000.

COMMENT

Every effort has been made to control the cost of this project, whilst at the same time not compromising functionality. Costs have been reduced by in-kind support from the Bedfordale Bush Fire Brigade members towards site works as well as donations of hydrant equipment from contacts within the Brigade. This has resulted in savings of approximately $75,000. Other savings have been achieved through design value engineering.

Furthermore, through the State Government's WA Recovery Plan, DFES has made available grant funding for the provision of water tanks at bush fire brigade facilities located in high bushfire risk areas. Officers have submitted an application for this funding (approximately $80,000). Should the result of this application be favourable, the full $248,000 will not be required.

CONCLUSION

Separable Portion 1 (Design) of the Contract for the new Bedfordale Fire Station is now complete and the costs for Separable Portion 2 (Development and Construction) have been finalised. Whilst the cost of Separable Portion 2 is lower than originally budgeted, the expected contribution from the DFES Local Government Grants Scheme was less than expected, leaving a shortfall of $248,000.

It is recommended to draw on the Freehold Sale Capital Works Reserve Fund by $248,000 to enable the project to be completed.

ATTACHMENTS

1. Confidential Attachment - Price Consideration Portion 2 - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*

RECOMMEND **C27/9/20**

That Council pursuant to Section 6.8 of the *Local Government Act 1995*,

a) Authorise the following additional expenditure
Bedfordale Fire Station $248,000

b) Amend the 2020/21 Annual Budget as follows:
Expense
Bedfordale Fire Station
Increase by $248,000
Funding
Freehold Sale Capital Works Reserve Fund
Increase by $248,000

For the purpose of construction of the Bedfordale Fire Station.

ABSOLUTE MAJORITY RESOLUTION REQUIRED

Moved Cr C A Campbell
MOTION CARRIED (7/0)

MEETING CLOSED TO PUBLIC

MOVED Cr Campbell that the meeting be closed to the public as the matter to be considered, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.
Motion Carried (7/0)

Meeting declared closed at 7.13pm. Member of the public left at 7.13pm.

3.1 - KELMSCOTT SENIOR FOOTBALL CLUB - DEBT WRITE-OFF AND DISPOSAL OF GOODS

WARD	:	RIVER
FILE No.	:	M/561/20
DATE	:	2 September 2020
REF	:	LJ
RESPONSIBLE MANAGER	:	Executive Director Community Services

In Brief:

- A report is presented as a confidential attachment to this Agenda.

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

Nil

Legal Implications

Section 6.12(1)(c) (Power to defer, grant discounts, waive or write off debts) of the *Local Government Act 1995* permits the local government to write off any amount of money that is owed to the local government.

Part VII of the *Disposal of Uncollected Goods Act 1970* - Disposal of goods in possession otherwise than under a bailment in the course of business.

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Provision has been made in the annual budget in regard to writing off doubtful debts.

Consultation

1. Memo to Councillors – 20 December 2019
2. Recreation Services
3. Governance and Administration
4. Financial Services
5. Property Services
6. Department of Local Government, Sport and Cultural Industries
7. West Australian Football Commission
8. Western Australian Amateur Football League
9. Kott Gunning Lawyers

The confidential report was discussed and Committee agreed on the recommendation but requested further information prior to the Council meeting.

ATTACHMENTS

1. Confidential Report - Kelmscott Senior Football Club - Debt Write Off and Disposal - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

MEETING OPENED TO PUBLIC

MOVED Cr Shaw that the meeting be opened
Motion Carried (7/0)

Meeting declared open at 7.31pm.

RECOMMEND **C28/9/20**

That Council:

1. **Adopt the recommendations as contained within the Confidential report.**
2. **Authorise the CEO to execute and finalise any documents or processes related to the recommendations.**

Moved Cr D M Shaw
MOTION CARRIED **(7/0)**

COUNCILLORS' ITEMS

1. Process for default of fees and charges (Cr Kerry Busby)

Cr Busby requested a review of the process for dealing with a default of fees and charges to reduce the risk of doubtful debts to the City.

RECOMMEND **C29/9/20**
That Council refers the Councillor item in regard to the process for default of fees and charges to the relevant Directorate for action and/or report to the appropriate Committee.

Moved Cr K Busby
MOTION CARRIED **(7/0)**

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 7.33PM

COMMUNITY SERVICES COMMITTEE

SUMMARY OF ATTACHMENTS

8 SEPTEMBER 2020

ATT NO.	SUBJECT	
1.1	**SIX-MONTH PROGRESS REPORT OF THE SUBURB-LEVEL SOCIAL PRIORITIES**	
1.1.1	Social Priorities update - September 2020	59
2.1	**COMMUNITY INFRASTRUCTURE PLAN REVIEW**	
2.1.1	DRAFT Community Infrastructure Plan 2020-2036 September 2020	

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

CHIEF EXECUTIVE OFFICER'S REPORT

14 SEPTEMBER 2020

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CITY OF ARMADALE

Chief Executive Officer's Report

Mayor and Councillors
City of Armadale

Following is my Report for the period ended 14 September 2020

1.1 - WALGA ANNUAL GENERAL MEETING

WARD	:	ALL
FILE No.	:	M/560/20
DATE	:	2 September 2020
REF	:	NP
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- The Western Australian Local Government Association (WALGA) Annual General Meeting is to be held on Friday 25 September 2020.
- Two items have been included in the agenda and Council's guidance is sought on these matters.

Tabled Items

Nil

Decision Type

☐ **Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.

☒ **Executive** The decision relates to the direction setting and oversight role of Council.

☐ **Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

Officer Interest Declaration

Nil

Strategic Implications

4.1 Visionary Civic Leadership and sound Governance
4.1.3 Support the role of the elected body

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

Nil

BACKGROUND

Council at its meeting on 27/7/20 resolved:
That Council:

1. *register Cr Butterfield and Cr Campbell as its voting delegates for the 2020 WALGA Annual General Meeting to be held on Friday 25 September 2020.*
2. *register Cr Nixon and Cr Smith as its deputy voting delegates in the event that either Cr Butterfield or Cr Campbell are unable to attend the WALGA AGM on 25 September 2020.*

DETAILS OF PROPOSAL

Guidance is sought from Council on providing direction to the voting delegates on the motions raised in the WALGA Annual General Meeting Agenda.

COMMENT

ANALYSIS

The agenda for the WALGA Annual General Meeting on Friday 25 September 2020 has been received and contains two specific motions for consideration.

To provide guidance to the two delegates on how they should be voting on these matters, the following two motions on the agenda are provided for Council's consideration:

Item 3.1 of the agenda – Drought in Western Australia – Shire of Dundas

That WALGA:

1. **Requests assistance from the Federal Minister for Agriculture, Water and Environment, to reconsider the Federal Government's approach when determining the criteria on what areas are eligible and the whole of the Pastoral Range Lands be reconsidered for inclusion; and,**
2. **Requests the State Minister for Agriculture and Food, to reconsider the State Government approach of not assisting with the drought situation, and if the State cannot help under their Water Deficiency Program that is implemented to cart water, then an alternative assistance package be considered.**

Officer Comment

This item does not impact on the City, however, from a broader perspective and supporting those local governments that are affected, the motion is in keeping with the WALGA State Council resolution of March 2020, requesting WALGA, in consultation with ALGA, to liaise

with the WA State Government Ministers for Water, Agriculture and Environment to provide a coordinated holistic response in respect to the ongoing drying climate issues and access to the Drought Communities Funding Program. RESOLUTION 37.1/2020

Suggest that the motion be **SUPPORTED**

Item 3.2 of the agenda – State owned unallocated Crown land (UCL) House Blocks – Shire of Dundas

That WALGA request the Minister for Local Government, Hon. David Templeman to consider a review into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL).

Officer Comment
At the 2019 WALGA AGM the following motion was carried:

That WALGA advocate to the Minister for Housing to include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.

WALGA's policy position is as follows;
Rating Exemptions – Section 6.26
Position Statement: Request that a broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act.

Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)
Position Statement: Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997; and either:

- amend the charitable organisations section of the *Local Government Act 1995* to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or
- establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.

Rating Exemptions – Rate Equivalency Payments
Position Statement: Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government.

Rating Restrictions – State Agreement Acts
Position Statement: Resource projects covered by State Agreement Acts should be liable for Local Government rates.

These matters were pursued by WALGA however no progress was made with the Department for Local Government, Sport and Cultural Industries and the Department of Housing and there appears to have been no further follow up by WALGA.

In addition to this, recommendation 50 of the Local Government Act Review Panel Report suggests that the Economic Regulatory Authority (ERA) undertake a review of the rating system, including a thorough examination of the case for the current exemptions.

It is suggested that motion be **SUPPORTED**.

A copy of the WALGA AGM Agenda is attached to this report.

ATTACHMENTS

1. ⇩ WALGA AGM Agenda 2020

RECOMMEND

That Council delegates vote the following way in respect to the WALGA AGM items:

SUPPORT Item 3.1:

1. **Requests assistance from the Federal Minister for Agriculture, Water and Environment, to reconsider the Federal Government's approach when determining the criteria on what areas are eligible and the whole of the Pastoral Range Lands be reconsidered for inclusion; and,**

2. **Requests the State Minister for Agriculture and Food, to reconsider the State Government approach of not assisting with the drought situation, and if the State cannot help under their Water Deficiency Program that is implemented to cart water, then an alternative assistance package be considered.**

SUPPORT Item 3.2

That WALGA request the Minister for Local Government, Hon. David Templeman to consider a review into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL).

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 15/2020

WARD	:	ALL
FILE No.	:	M/540/20
DATE	:	27 August 2020
REF	:	MC
RESPONSIBLE MANAGER	:	Chief Executive Officer

In Brief:

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 15/2020 to be received by Council

Strategic Implications

The following general information and memorandums were circulated in Issue No 15/2020 on 10 September 2020

COMMENT

Correspondence & Papers

NIL

Information from Human Resources

Employee Movements

Information from Technical Services

NIL

Information from Community Services

NIL

Information from City Strategy

Progress Report
Progress Report on Contingency, Operational & Strategic Project
Outstanding Matters & Information Items
Report on Outstanding Matters – City Strategy Committee
Economic Development
Tourism & Visitor Centre Report
Accounting Reports
Rates Written Off
Rates Debtors Report
Rates Graph
Report of the Common Seal

Information from Development Services

Outstanding Matters & Information Items
Report on Outstanding Matters - Development Services Committee
Review before the State Administrative Tribunal (SAT)
Health
Health Services Manager's Report – August 2020
Planning
Planning Applications Report - August 2020
Town Planning Scheme No.4 - Amendment Action Table
Subdivision Applications - WAPC Approvals/Refusals – August 2020
Subdivision Applications - Report on Lots Registered for 2020/2021
Compliance Officer's Report - August 2020
Building
Building Services Manager's Report – August 2020
Building Health/Compliance Officer's Report - August 2020

ATTACHMENTS
There are no attachments for this report.

RECOMMEND

That Council acknowledge receipt of Issue 15/2020 of the Information Bulletin

CHIEF EXECUTIVE OFFICER'S REPORT

ATTACHMENTS

14 SEPTEMBER 2020

ATT NO.	SUBJECT	PAGE
1.1 WALGA ANNUAL GENERAL MEETING		
1.1.1	WALGA AGM Agenda 2020	67

AGENDA

Annual General Meeting

Friday, 25 September 2020

Crown Perth

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AGENDA

WALGA

Annual General Meeting

To be held at

Crown Perth, Grand Ballroom

Friday 25 September 2020
at 1:30pm

Meeting Program

1:30pm	**Welcome address by WALGA President, followed by Welcome to Country and the National Anthem**
2:05pm	**Address from Hon David Templeman MLA, Minister for Local Government; Heritage; Culture and the Arts**
2:15pm	**Address from Hon Bill Marmion MLA – Shadow Minister for Mines; Petroleum; Local Government; Science**
2:25pm	**ALGA President Address – Mayor David O'Loughlin (TBC)**
2:35pm	**LGIS Report to AGM – Peter Forbes, Chair LGIS**
2:40pm	**Presentation of the *Jacqui Dodd Scholarships* for the Diploma in Local Government**
2:45pm	**Announcement of Local Government Honours for:** • Long and Loyal Service Award • Merit Award • Local Government Distinguished Officer Award
2:50pm	**On-Stage Presentation of Local Government Honours for:** • Eminent Service Award • Local Government Medal
3:10pm	**Afternoon Refreshments**
3:40pm	**AGM Business Session Commences:** • Attendance, Apologies and Announcements; • Confirmation of Minutes from last AGM (Attachment 2); • Adoption of Annual Report; • Consideration of 2019/2020 Financial Statements; and • Consideration of Executive and Member Motions
5:30pm	**Close of Annual General Meeting and Sundowner**

WALGA

1 Annual General Meeting – Order of Proceedings

1.1 Record of Apologies

- Cr Brett McGuinness Shire of Quairading

Announcements

1.2 Adoption of Standing Orders

DRAFT MOTION

That the AGM Association Standing Orders be adopted.

1.3 Confirmation of Minutes

Minutes of the 2019 WALGA Annual General Meeting are contained within this AGM Agenda.

DRAFT MOTION:

That the Minutes of the 2019 Annual General Meeting be confirmed as a true and correct record of proceedings.

2.0 Adoption of Annual Report

Annual Report including audited Financial Statements distributed to members separately.

DRAFT MOTION:

That the 2020 Annual Report including the 2019/20 Audited Financial Statements be received.

3.0 Consideration of Executive and Member Motions

As per motions listed.

4.0 Closure

3. Consideration of Executive and Member Motions

3.1 Drought in Western Australia

Shire of Dundas Delegate to move

MOTION

That WALGA:

1. **Requests assistance from the Federal Minister for Agriculture, Water and Environment, to reconsider the Federal Government's approach when determining the criteria on what areas are eligible and the whole of the Pastoral Range Lands be reconsidered for inclusion; and,**

2. **Requests the State Minister for Agriculture and Food, to reconsider the State Government approach of not assisting with the drought situation, and if the State cannot help under their Water Deficiency Program that is implemented to cart water, then an alternative assistance package be considered.**

IN BRIEF

The Australian Government has released a drought response, resilience and preparedness plan.

The plan is focused on three themes:

- Immediate action for those in drought.
- Support for the wider communities affected by drought.
- Long-term resilience and preparedness.

Read the detail in the: Australian Government's Drought Response, Resilience and Preparedness Plan.

Most regions in WA did not form part of the Drought Program

MEMBER COMMENT

In relation to the above the Hon David Littleproud MP, Minister for Agriculture, Drought and Emergency Management announced on 1 July 2020 that the Australian Government was investing $3.9 billion (growing to $5 billion) in the Future Drought Fund.

This long-term, sustainable investment will make $100 million available each year to help farmers and communities become more prepared for, and resilient to, the impacts of drought. The first of the Future Drought Funds Programs were announced and began to roll out from July 2020, funding farm business planning, greater access to information for decision-making, adoption of research and technologies, and building the drought resilience of natural resources such as soil and vegetation in agricultural landscapes.

Communities will also benefit through improved regional planning, strengthening networks, leadership and community capabilities and small-scale infrastructure projects.

The eight programs, totalling $89.5 million, are:

1. The $20m Farm Business Resilience program will provide farm businesses with training to strengthen their strategic business management skills and develop a farm business plan to build risk management capacity and drought resilience.

2. The $10m Climate Services for Agriculture program will fund the development and delivery of interactive digital 'climate information services' for the agriculture sector to assist farmers to make real-time decisions.

3. The $3m Drought Resilience Self-Assessment Tool will provide an online self-assessment tool for farmers to self-identify drought risks based on a range of social, economic and environmental indicators, and take action to build the drought resilience of their farm business.

4. The $20.3m Drought Resilience Research and Adoption program will establish two regionally located Drought Resilience Adoption and Innovation Hubs, and Innovation Grants will become available to research organisations, private sector, industry, not-for-profit organisations and community groups.

5. The $15m Natural Resource Management (NRM) Drought Resilience program will fund regional NRM bodies to undertake projects to build drought resilience of natural resources on agricultural landscapes, and there will also be grants available to organisations, farmer groups and individuals to undertake NRM projects to build the drought resilience of natural resources on small scales.

6. The $3.75m Networks for Building Drought Resilience program will support community-driven projects that enhance drought resilience and strengthen networks, including small-scale infrastructure projects to make community facilities drought resilient.

7. The $7.45m Drought Resilience Leaders program will develop leadership capability in communities and include a mentoring component to foster uptake of innovative practices to build drought resilience of farmers and their businesses.

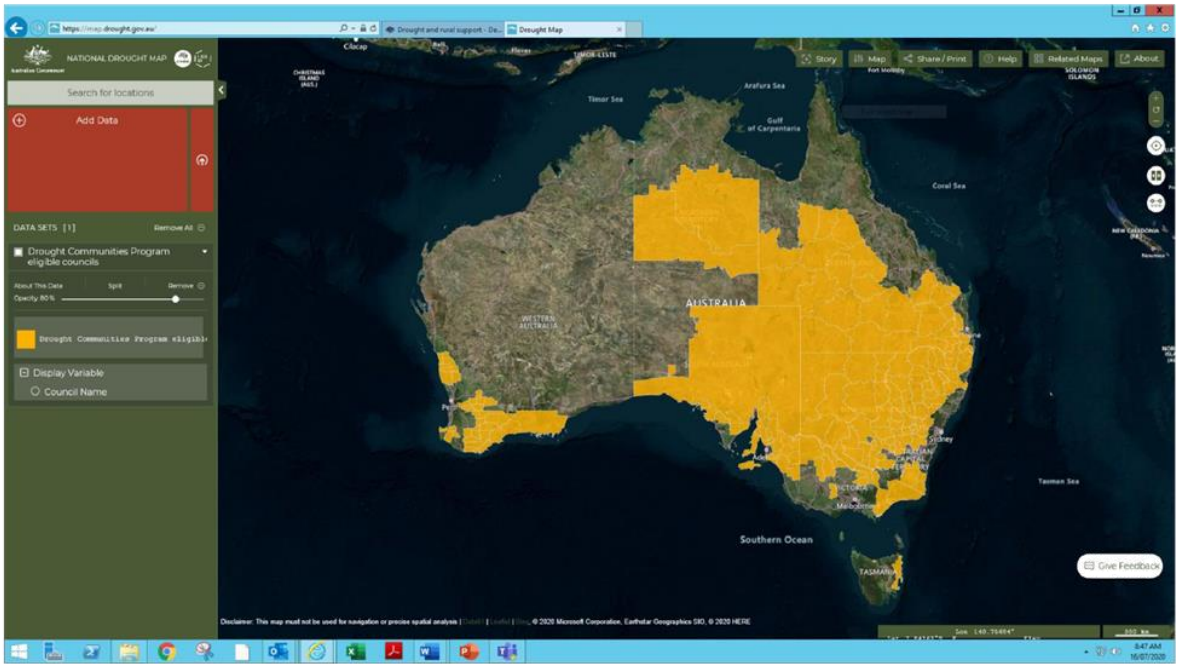
8. The $10m Regional Drought Resilience Planning will provide funding to consortia of local councils or equivalent entities to develop Regional Drought Resilience Plans for agriculture and allied industries.

In response to the above announcements on the 1 July 2020, the Western Australian Government was critical of these as they had bypassed critical WA projects that had been presented in a WA Government submission. WA's submission included research and development projects to regenerate degraded and dehydrated lands, projects to prove and promote on-farm desalination, a boost to Strategic Community Water Supplies in the grainbelt and support for horticulture on the Gnangara Mound. While any Federal drought funding is welcomed by the State Government, they felt that this program represents a lost opportunity for WA farmers in need of long-term drought support.

Despite its disappointment with the outcome, the McGowan Government stated it will work with the Federal Government to deliver programs in WA and will continue to push for projects to deal with systemic dry conditions in WA.

Recently the State Government has also declared a water deficiency in another area of the Goldfields Esperance Region in the Shire of Esperance - Cascade area. This is the 12th declaration since May 2019. A declaration is made as a last resort, after continued dry conditions due to climate change have depleted on-farm and State Government managed community water supplies.

https://map.drought.gov.au/



The above map identifies the Shires or Regions eligible for this funding. Unfortunately most areas in WA are excluded from any assistance for these programs, and it is important to highlight the Western Australian position as severely impacted with a lack of understanding or support from both Federal and State Governments.

SECRETARIAT COMMENT

The motion is in keeping with the State Council resolution of March 2020, requesting WALGA, in consultation with ALGA, to liaise with the WA State Government Ministers for Water, Agriculture and Environment to provide a coordinated holistic response in respect to the ongoing drying climate issues and access to the Drought Communities Funding Program. RESOLUTION 37.1/2020

3.2 State Owned Unallocated Crown Land (UCL) House Blocks

Shire of Dundas Delegate to move

MOTION

That WALGA request the Minister for Local Government, Hon. David Templeman to consider a review into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL).

IN BRIEF

Local Governments impose rates to raise revenue to fund the services and facilities.

The State Government do not pay rates on unallocated crown land.

Request a review into the justification and fairness of the State not paying rates on UCL land.

MEMBER COMMENT

The Shire of Dundas is concerned that the State Government does not pay rates on Unallocated Crown Land. What is not considered is the roads in front of these properties still need to sealed every ten years, the drains need repairs and verges need to be mowed, not to mention the portion of rates that contribute to the landfill, footy grounds, town-hall, public amenities, swimming pool and the general beautification of the Town.

The Shire of Dundas has 679 Town-site Properties.

The Shire of Dundas has 352 lots of Crown Land within the Town Boundary not paying rates or not vested to anyone to pay rates.

This is just over 50% of blocks in our community that does not pay rates while the infrastructure in-front of these blocks of land has to be maintained by the rest of our community. This equates to $158,400.00 per year that the community has to find to maintain the infrastructure in front of these properties, which is 16% of the Shire's rates revenue.

The Shire of Dundas believes that the State should review the rate exemption provisions into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL).

An alternative may be for the State to pay a minimum annual maintenance charge on each block to Local Governments to mitigate fire risk and asset management costs for roads, footpaths, drainage etc.

SECRETARIAT COMMENT

The above motion is consistent with WALGA's current policy of requesting for a broad review to be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act. This would include the current exemption for State Government Unallocated Crown Land (UCL).

It is also worth noting that the Local Government Review Panel have recommended that "*The Economic Regulation Authority (ERA) should be asked to undertake a review of the rating system, including a thorough examination of the case for the current wide range of exemptions".*

WALGA

Attachment 1: AGM Association Standing Orders

1. INTERPRETATIONS
For the purposes of these Standing Orders, if not inconsistent with the context, the following words shall have the following meanings:

1.1 ***"Absolute Majority"*** means:
a majority of delegates of the Association whether present and voting or not.

1.2 ***"Association"*** means:
all or any part of the Western Australian Local Government Association.

1.3 ***"Delegate or Deputy Delegate"*** means:
those persons duly nominated, from time to time, to represent a Member Local Government at a meeting of the Association.

1.4 ***"Deputy President"*** means:
the Deputy President for the time being of the Association.

1.5 ***"Meeting"*** means:
an Annual or Special General Meeting of the Association.

1.6 ***"Member Local Government"*** means:
a Local Government admitted to ordinary membership of the Association in accordance with the provisions of the Constitution.

1.7 ***"President"*** means:
the President for the time being of the Association.

1.8 ***"Simple Majority"*** means:
a majority of the delegates from the Association that are present and voting.

2. CONDUCT OF MEETINGS
The proceedings and business of meetings of the Association shall be conducted according to these Standing Orders.

3. NOTICE OF MEETING

3.1 Annual General Meeting
The Chief Executive Officer of the Association shall give at least ninety (90) days notice of an Annual General Meeting to all Member Local Governments, advising of the closing date for submission of motions for inclusion on the agenda.

3.2 Special General Meeting
A Special General Meeting of the Association is to be held if a request is received by the Association President, in accordance with the requirements of the Association's Constitution. No business shall be transacted at a Special General Meeting other than that for which the Special General Meeting was called.

3.3 Notice shall be given at the destinations appearing in the records of the Association. Notice will be deemed to have been delivered immediately if transmitted electronically or on the second working day after posting.

4. QUORUM

4.1 The Association shall not conduct business at a meeting unless a quorum is present.

4.2 At any meeting of the Association greater than one half of the delegates who are eligible to vote must be present to form a quorum.

4.3 The Association is not to transact business at a meeting unless a quorum is present.

4.4 If a quorum has not been established within the 30 minutes after a meeting is due to begin then the Association can be adjourned –
(a) by the President or if the President is not present at the meeting, by the Deputy President;
(b) if neither the President nor Deputy President is present at the meeting, by a majority of delegates present;
(c) if only one delegate is present, by that delegate; or
(d) if no delegate is present, by the Chief Executive Officer or a person authorised by the Chief Executive Officer.

4.5 If at any time during a meeting a quorum is not present, the President shall thereupon suspend the proceedings of the meeting for a period of five (5) minutes and if a quorum is not present at the expiration of that period, the meeting shall be deemed to have been adjourned and the person presiding is to reschedule it for some future time.

4.6 Notice of a meeting adjourned because of absence of a quorum is to be given to all Member Local Governments.

5. MEETINGS OPEN TO THE PUBLIC
The business of the Association shall be open to the public except upon such occasions as the Association may by resolution otherwise decide.

6. ORDER OF BUSINESS
Unless the Association should decide otherwise, the order of business at meetings of the Association, with the exception of special meetings or an adjourned meeting, shall be as follows:
(a) Record of attendance and apologies;
(b) Announcements;
(c) Confirmation of minutes of previous meetings;
(d) President's report;
(e) Financial report for the financial year; and
(f) Consideration of Executive and Member Motions.

WALGA

7. VOTING ENTITLEMENTS

7.1 Each Member Local Government shall be entitled to be represented at any meeting of the Association.

7.2 Only eligible and registered delegates may vote.

7.3 A delegate shall be entitled to exercise one vote on each matter to be decided. Votes are to be exercised in person.

7.4 A delegate unable to attend any meeting of the Association shall be entitled to cast a vote by proxy.

7.5 A proxy shall be in writing and shall nominate the person in whose favour the proxy is given, which person need not be a delegate. Proxy authorisations shall be delivered to the Chief Executive Officer of the Association before the commencement of the meeting at which the proxy is to be exercised and shall be signed by the delegate or by the Chief Executive Officer of the Member Local Government that nominated the delegate.

8. SPECIAL URGENT BUSINESS

At any time during a meeting a delegate may, with the approval of an absolute majority, introduce a motion relating to special urgent business that calls for an expression of opinion from the meeting.

In presenting an item of special urgent business, a delegate shall have sufficient copies of the motion in writing for distribution to all delegates present at the meeting and, where practicable, give prior notice to the President of such intention.

9. PRESIDENT

In the construction of these Standing Orders unless the context requires otherwise, the word *"President"* shall in the absence of the President include the Deputy President or the delegate chosen by resolution to preside at any meeting of the Association.

10. DELEGATE AND DEPUTY DELEGATE

10.1 In the construction of these Standing Orders unless the context requires otherwise, the word "delegate" shall in the absence of the delegate include the deputy delegate.

10.2 A deputy delegate acting in the capacity of a delegate unable to attend a meeting of the Association shall exercise all rights of that delegate.

11. PRESIDENT TO PRESIDE

11.1 The President shall preside at all meetings of the Association, but in absence of the President, the Deputy President shall preside.

11.2 In the absence of the President and the Deputy President, the delegates shall choose by resolution, a delegate present to preside at the meeting.

12. SPEAKING PROTOCOL

12.1 Only registered delegates and members of the Association's State Council shall be entitled to speak at meetings of the Association.

12.2 The first person that is entitled to speak at a meeting who attracts the attention of the person presiding shall have precedence in speaking.

12.3 Speakers are to use the microphones supplied.

12.4 When addressing a meeting, speakers are to:

(a) rise and remain standing unless unable to do so by reason of sickness or disability;

(b) address the meeting through the person presiding;

(c) state their name and Local Government before otherwise speaking;

(d) refrain from reading comment printed in the agenda paper in support of a motion, but may identify key points or make additional comment; and

(e) refrain from using provoking or discourteous expressions that are calculated to disturb the peaceful current of debate.

12.5 Mobile phones shall not be switched on while the meeting is in session.

13. DEBATE PROCEDURES

13.1 A delegate moving a substantive motion may speak for –

(a) 5 minutes in his or her opening address; and

(b) 3 minutes in exercising the right of reply.

13.2 Other speeches for or against motions are to be limited to 3 minutes unless consent of the meeting is obtained which shall be signified without debate.

13.3 No delegate, except the mover of a motion in reply, is to speak more than once on the same motion except by way of personal explanation.

13.4 As soon as the right of reply has been exercised, the motion is to be forthwith put to the vote without further comment.

13.5 No discussion shall take place on any motion unless it is moved and seconded. Only one amendment on any one motion shall be received at a time, and such amendment shall be disposed of before any further amendment can be received. Any number of amendments may be proposed.

13.6 The provisions of these Standing Orders applicable to motions apply mutatis mutandis to amendments, except that the mover of an amendment shall have no right of reply.

13.7 When a motion has been moved and seconded, the person presiding shall at once proceed to take a vote thereon unless a delegate opposes it or an amendment is proposed.

13.8 No more than two delegates shall speak in succession on one side, either for or against the question before the meeting, and if at the conclusion of the second speaker's remarks, no delegate speaks on the other side, the motion or amendment may be put to the vote.

13.9 Notwithstanding clause 13.7, where a composite motion is moved which embodies the core aspects of subsequent motions listed on the agenda, a delegate whose motion has been superseded shall have the opportunity to speak on the question of the composite motion before it is put.

Once a composite motion has been carried, no further debate shall be permitted in respect of the superseded motions.

13.10 At any time during a debate, but after the conclusion of a delegate's comments, a delegate who has not spoken during the debate may move, without discussion, "that the question be now put". If that motion is seconded and carried by a majority, the question shall be submitted at once to the meeting, after the mover has replied.

14. QUESTIONS

Any delegate seeking to ask a question at any meeting of the Association shall direct the question to the President.

15. POINT OF ORDER

A delegate who is addressing the President shall not be interrupted except on a point of order, in which event the delegate shall wait until the delegate raising the point of order has been heard and the question of order has been disposed of, whereupon the delegate so interrupted may, if permitted, continue.

16. MOTION - SUBSTANCE TO BE STATED

A delegate seeking to propose an original motion or amendment shall state its substance before addressing the meeting thereon and, if so required by the President, shall put the motion or amendment in writing.

17. PRIORITY OF SPEAKERS

If two or more delegates wish to speak at the same time, the President shall decide who is entitled to priority.

18. PRESIDENT TO BE HEARD

Whenever the President signifies a desire to speak during a debate, any delegate speaking or offering to speak is to be silent, so that the President may be heard without interruption.

19. WITHDRAWAL OF MOTION

A motion or amendment may be withdrawn by the mover with the consent of the meeting, which shall be signified without debate, and it shall not be competent for any delegate to speak upon it after the mover has asked permission for its withdrawal, unless such permission has been refused.

20. PRESIDENT MAY CALL TO ORDER

The President shall preserve order, and may call any delegate to order when holding an opinion that there shall be cause for so doing.

21. RULING BY PRESIDENT

The President shall decide all questions of order or practice. The decision shall be final and be accepted by the meeting without argument or comment unless in any particular case the meeting resolves that a different ruling shall be substituted for the ruling given by the President. Discussions shall be permitted on any such motion.

22. RESOLUTIONS

22.1 Except as otherwise provided in the Association Constitution and these Standing Orders, all motions concerning the affairs of the Association shall be passed by a simple majority.

22.2 Any matter considered by the Association at a Special Meeting shall not be passed unless having received an absolute majority.

23. NO DISCUSSION

Where there is no discussion on a motion, the President may deem the motion to be passed unless the meeting resolves otherwise.

24. PERMISSIBLE MOTIONS DURING DEBATE

24.1 When a motion is under debate, no further motion shall be moved except the following:

(a) that the motion be amended;
(b) that the meeting be adjourned;
(c) that the debate be adjourned;
(d) that the question be now put;
(e) that the meeting proceed with the next item of business; or
(f) that the meeting sits behind closed doors.

24.2 Any delegate who has not already spoken on the subject of a motion at the close of the speech of any other delegate, may move without notice any one of the motions listed in clause 24.1 (b)-(f) and, if the motion is seconded, it shall be put forthwith.

24.3 When a debate is adjourned, the delegate who moves the adjournment shall be the first to speak on the motion when the debate is resumed unless the delegate advises of no desire to speak on the motion. Where this occurs, the President shall then call for further speakers, with the exception of those delegates who have previously spoken (unless the meeting otherwise agrees).

25. RESCISSION OF RESOLUTION

25.1 At the same meeting
Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may, by simple majority at the same meeting at which it is passed, rescind or alter a resolution if all delegates who were present at the time when the original resolution was passed are present.

25.2 At a Future Meeting
Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may rescind or alter a resolution made at an earlier meeting:

(a) by simple majority, where the delegate intending to move the motion has, through the Chief Executive Officer, given written notice of the intended motion to each delegate at least seven (7) days prior to the meeting; or

(b) by absolute majority, in any other case.

26. METHOD OF TAKING VOTES
The President shall, in taking a vote on any motion or amendment, put the question first in the affirmative, and then in the negative and may do so as often as is necessary to enable formation and declaration of an opinion as to whether the affirmative or the negative has the majority on the voices or by a show of hands or by an electronic key pad voting system.

27. DIVISION
The result of voting openly is determined on the count of official voting cards and, immediately upon a vote being taken, a delegate may call for a division.

28. ALL DELEGATES TO VOTE

28.1 At meetings of the Association, a delegate present at the meeting when a question is put shall vote on the question.

28.2 Each delegate shall be entitled to exercise one deliberative vote on any matter considered.

29. PRESIDENT'S RIGHT TO VOTE
The President shall have a casting vote only.

30. SUSPENSION OF STANDING ORDERS

30.1 In cases of urgent necessity or whilst the Association is sitting behind closed doors, any of these Standing Orders may be suspended on a motion duly made and seconded, but that motion shall not be declared carried unless a simple majority of the delegates voting on the question have voted in favour of the motion.

30.2 Any delegates moving the suspension of a Standing Order shall state the object of the motion, but discussion shall not otherwise take place.

31. NO ADVERSE REFLECTION ON ASSOCIATION
A delegate shall not reflect adversely upon a resolution of the Association, except on a motion that the resolution be rescinded.

32. NO ADVERSE REFLECTION ON DELEGATE
A delegate of the Association shall not reflect adversely upon the character or actions of another delegate nor impute any motive to a delegate unless the Association resolves, without debate, that the question then before the Association cannot otherwise be adequately considered.

33. MINUTES

33.1 The Chief Executive Officer of the Association is to cause minutes of the meeting to be kept and preserved.

33.2 The minutes of a meeting are to be submitted to the next Annual or Special General Meeting for confirmation.

33.3 Copies of the minutes will be supplied to all delegates prior to the meeting.

Attachment 2 Minutes Annual General Meeting 2019

Minutes

WALGA
Annual General Meeting

Wednesday, 7 August 2019

Perth Convention and Exhibition Centre Perth

Minutes

WALGA

Annual General Meeting

held at the
Perth Convention and Exhibition Centre
21 Mounts Bay Road, Perth
Riverside Theatre (Level 2)

Wednesday 7 August 2019
at 1.30 pm

1 Annual General Meeting – Order of Proceedings

1.1 Record of Apologies

- Cr Kelly Holzknecht, Shire of Broomehill Tambellup
- Mr John Giorgi, Town of Cambridge
- Cr /Anthony Farrell, Shire of Chapman Valley
- Cr Peter Osborne, Shire of Chittering
- Cr Tracey Rathbone, Shire of Coolgardie
- Mayor Philip Angers, Town of Cottesloe
- Cr Lorraine Young, Town of Cottesloe
- Shire of Denmark
- Cr Alison Harris, Shire of Cunderdin
- Cr Doug Thompson, City of Fremantle
- Cr Bryn Jones, City of Fremantle
- President Malcolm Edwards, Shire of Halls Creek
- Cr Brooke O'Donnell, City of Kalamunda
- Cr Suzie Williams, City of Kalgoorlie Boulder
- Shire of Menzies
- Cr Justin Bagley, Shire of Mingenew
- Shire of Ngaanyatjarraku
- Cr Michael Ryan, Shire of Northam
- Commissioner Eric Lumsden, City of Perth
- Cr Ian Goldfinch, Shire of Ravensthorpe
- Cr Vicki McQuie, Shire of Sandstone
- Cr David Lagan, City of Stirling
- President Melanie Brown, Shire of Trayning
- Cr Ian Turton, Shire of Wandering
- Cr Stephen Gamble, Shire of Wyalkatchem

1.2 Adoption of Standing Orders

RESOLUTION:

Moved Cr Jan Court, Shire of Gingin
Seconded Cr Julie Brown, City of Gosnells

That the AGM Association Standing Orders be adopted.

WALGA

1.3 Confirmation of Minutes

Minutes of the 2018 WALGA Annual General Meeting.

RESOLUTION:

Moved Cr Jenna Ledgerwood, Town of Mosman Park
Seconded Cr Frank Johnson, Shire of Gingin

That the Minutes of the 2018 Annual General Meeting be confirmed as a true and correct record of proceedings.

2.0 Adoption of Annual Report

RESOLUTION:

Moved Cr Frank Johnson, Shire of Gingin
Seconded Cr Jan Court, Shire of Gingin

That:
1. The 2019 Annual Report be received; and,
2. The 2018/19 Financial Statements be received.

3.0 Consideration of Executive and Member Motions

As per motions listed.

4.0 Closure

There being no further business the Chair declared the meeting closed at 6:05pm.

WALGA

3. Consideration of Executive and Member Motions

3.1 Coastal Erosion

MOTION

Moved **Cr Jan Court, Shire of Gingin**
Seconded **Cr Tim Barling, City of Melville**

That WALGA advocate to the Federal and State Governments with respect to the importance of responding to the increasing challenges faced by Coastal Councils, and develop policy initiatives to include:

IN BRIEF

- WALGA advocate for more resources to be provided to Coastal Councils to manage coastal hazards.
- Intergovernmental Agreement to develop a coordinated national approach to Coastal

1. **Introduction of a national funding formula to provide the resources necessary to manage and maintain the coast effectively on behalf of all Australians, including the funds needed to increase the adaptive capacity of Councils to address climate impacts.**
2. **Allocation of State Funding Grants to properly investigate the causes of coastal erosion and to provide options to address the negative impacts and assist in funding the required works to stabilise the coastal areas and communities against coastal hazards where appropriate**
3. **Development of an intergovernmental agreement on the Coastal Zone that will provide a co-ordinated national approach to coastal governance through and in cooperation with Australian state, territory and local governments and clearly define the roles and responsibilities of each tier of government in relation to coastal zone management.**
4. **Creation of a National Coastal Policy, the basis of which is formed by the intergovernmental agreement on the Coastal Zone, that outlines the principles, objectives and actions to be taken to address the challenges of integrated coastal zone management for Australia.**
5. **An increase in funding for Australian climate science research programs conducted by CSIRO and other research bodies, including the restoration of funding for the National Climate Change Adaption Research Facility or establishment of a similar body, and continuing support for *CoastAdapt*. This is essential to ensure that appropriate guidance in responding to coastal hazards is accessible by Australia's coastal Councils so that coastal communities and assets are adequately prepared to address the adverse effects of climate change impacts.**

CARRIED

MEMBER COMMENT

Many Western Australian Local Governments attended the Australian Coastal Councils Conference in NSW earlier this year. From this conference it was clear that other State Governments are working more closely with Local Governments to provide guidance, advice and funding to help manage coastal hazards, including storm erosion, shoreline recession and coastal inundation.

This conference also clearly outlined the fact that there is no coordinated Federal, State and Local Government Policy outlining clear responsibilities, which essentially leaves Councils in a very uncertain situation with respect to how to deal with the coastal issues that they face.

The estimated cost of coastal hazards is unprecedented and yet there is no clear direction at the Commonwealth level as to responsibilities or action plans. In nearly all instances it is being advised/proposed that retreat is the preferred method of dealing with coastal hazards, yet the financial cost of this option eclipses the cost of performing minor works to alleviate the issue for the short to medium term.

Without entering into a debate about sea-levels rising, we all acknowledge that the climate is changing and all coastal Councils in WA are being affected in some way or another that is directly impacting their residents and ratepayers. It should be noted that this matter will not only affect coastal Councils but other Council that will be affected by the ingress of water such as those located on coastal estuaries.

As such, it is requested that WALGA, whilst continuing to work in this space, has a strong focus on the recommendation above which will provide coastal Councils with the necessary support, tools, advice, resources and financial backing to work through these issues in a coordinated manner.

WALGA SECRETARIAT COMMENT

In 2013 the Western Australian Planning Commission (WAPC) adopted a significantly revised *State Planning Policy 2.6: State Coastal Planning Policy.* This policy was revised largely in response to a growing scientific consensus that increasing sea levels and storm intensities will cause more frequent coastal inundation, storm erosion and shoreline recession in coastal areas. A recent report published by the Climate Council emphasises these challenges.

In particular, the revised state coastal policy introduced new policy measures which require Local Governments to:

a) Show due regard to coastal hazards when assessing new development proposals, or making or amending a new planning scheme
b) Prepare strategies (Coastal Hazard Risk Management and Adaptation Plans) to preserve public interests in coastal areas, and
c) Inform landholders of coastal hazard risks.

WALGA has been working with its members for a number of years to help Local Governments meet these responsibilities. Key activities include:

- Preparation of *Local Government and Coastal Land Use Planning: Discussion Paper* (2014)
- Preparation of *Disclosing Hazard Information: The Legal Issues* (2017)
- Establishment of the Local Government Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) forum, which meets every three months to discuss common issues with member officers and progress key actions
- Submissions to the Department of Planning Lands and Heritage on the Draft Planned and Managed Retreat Guidelines (2017) and CHRMAP Guidelines (2019), and
- Preparation of *Local Government Coastal Hazard Planning Issues Paper* (in draft).

It is the secretariat's view that the requested advocacy activities, outlined in this motion, generally align with and are complementary to, the direction being pursued by members through the Local Government CHRMAP forum to seek additional resources and pursue collaborative approaches with other levels of government to manage coastal hazard risk.

The motion also aligns with:

1. Recommendations made by a Commonwealth Government parliamentary inquiry in 2009
2. Advocacy being pursued by the Australian Coastal Councils Alliance
3. WALGA's climate change advocacy, outlined in WALGA's *Policy Statement on Climate Change*, adopted by WALGA State Council in 2018, and
4. The State Government's intent to formulate a new climate change policy

WALGA

3.2 Department of Housing Leasing Residential Property to Charitable Organisations

MOTION

Moved Mayor Carol Adams, City of Kwinana
Seconded Cr Julie Mathison, City of Subiaco

IN BRIEF

- Department of Housing policy and practice to lease housing assets, to not for profit organisations is eroding Local Governments' rate base.

WALGA advocate to the Minister for Housing to:

1. **Cease the policy of the Department of Housing leasing their housing assets to charitable/not for profit organisations who are then eligible for charitable Local Government rate exemptions; or**
2. **Provide Local Governments with a rate equivalent payment annually as compensation for the loss of rates income; or**
3. **Include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.**

AMENDMENT

Moved Cr Giorgia Johnson, City of Bayswater
Seconded President Tony Dean, Shire of Nannup

That points 1 and 3 be deleted from the original motion.

LOST

AMENDMENT

Moved Cr Cliff Collinson, Town of East Fremantle
Seconded Mayor Brett Pollock, Town of Mosman Park

That points 1 and 2 be deleted from the original motion.

THE AMENDMENT WAS PUT AND CARRIED

THE MOTION AS AMENDED NOW READS:

That WALGA advocate to the Minister for Housing to include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.

CARRIED

MEMBER COMMENT

The Department of Housing contribute to Local Government rates and do not receive the charitable rate exemption outlined in the *Local Government Act 1995*. It should be noted however that land that is held by the Crown and used for public purposes, is not rateable in accordance with section 6.26(2)(a)(i) of the *Local Government Act 1995*.

The Department of Housing own a large residential housing portfolio in Kwinana and have been paying local government rates for the tenants to access services (such as Library, crèche services, Zone Youth Space, roads and footpaths, parks and reserves) and programs (through the Community Centres, Zone, Library, free events). The standard of services and programs that the City offer is in line with community expectations. A reduction in rate revenue, which is predominantly the revenue source that funds these services, will increase the cost burden onto the remaining ratepayers to pay for these services and programs or result in a reduced standard of service to the community.

Prior to May 2019, the Department of Housing had 13 properties that were exempt from rates due to the Department of Housing leasing these properties to charitable/not for profit organisations, which is estimated to cost the City around $20,000 annually in lost rate revenue. At the 8 May 2019 Ordinary Council Meeting, Council approved rate exemptions for another 31 Department of Housing properties as a result of these being leased to charitable/not for profit organisations, which is estimated to result in approximately an additional $85,000 annually in lost rate revenue.

City Officers have undertaken a preliminary review of the types of properties that the Department of Housing own and has estimated that there are 338 residential properties that could be leased to charitable/not for profit organisations. If the Department of Housing entered into an agreement with a charitable organisation to manage these 338 properties and they applied for a rate exemption, the estimated annual loss of rate revenue is $585,000.

Overall, the potential annual loss of rates revenue from the Department of Housing continuing with this business practice could be up to $690,000. If the City maintained the same level of service, programs and capital schedule, the shortfall from the annual loss of rates revenue would equate to a 1.85% rate increase for the remaining ratepayers. A loss of this amount would be a major risk under the City's risk assessment framework.
The properties that have been granted charitable rate exemptions are still using the services and accessing programs that are being delivered, however they are not contributing towards this through rates. Each charitable rate exemption reduces the base for rates income and therefore increases the burden on other ratepayers to fund the services provided to the community by a local government. It is recommended that WALGA advocate to the Minister for Housing the negative financial impact that this current Department of Housing policy is having on Local Governments; that exempting these residential properties from rates is increasing the burden on other ratepayers; and that users of local government services should contribute towards the cost of these, including the State Government.

The City does not receive information from the Department of Housing in regards to the plans for leasing their properties until such time that a lease is entered into. The trend over recent years is that the Department of Housing owned properties are leased to charitable and/or not-for-profit organisations without any rate equivalent payment being made for the local government's loss of rates revenue.

Every Western Australian Local Government is required to apply the provisions of the *Local Government Act 1995* regarding exempt properties, including those for charitable rates exemptions and are potentially facing the same issues with the Department of Housing as the City of Kwinana.

WALGA SECRETARIAT COMMENT

The issue of rate exemptions has been a high priority for the sector in the current Local Government Act Review.

This item from the City of Kwinana is consistent with the current advocacy positions of the Association.

The sectors current policy positions are as follows:

Rating Exemptions – Section 6.26

Position Statement: Request that a broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act.

Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)

Position Statement: Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997; and either:

- amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or
- establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.

Rating Exemptions – Rate Equivalency Payments

Position Statement: Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government.

Rating Restrictions – State Agreement Acts

Position Statement: Resource projects covered by State Agreement Acts should be liable for Local Government rates.

3.3 Motorist Taxation Revenue and Spending in WA

IN BRIEF

- Fair distribution of funding from motorists to road maintenance, congestion and road safety is sought.
- An inquiry into road user pricing should be established.

MOTION

Moved **Hon. President Cr Paul Omodei, Shire of Manjimup**
Seconded **Cr Lynn Daubney, Shire of Manjimup**

To support the independent position of the RAC, that WALGA call on the State and Federal Government to:

1. **Provide a fairer distribution of funding from revenue collected from Western Australian motorists (consistently a minimum of 50%) to remediate Western Australia's $845m road maintenance backlog and tackle the increasing costs of congestion and road trauma, to deliver productivity and liveability outcomes; and**

2. **Hold an inquiry into road user pricing as part of a broader reform of motorist taxation that would remove revenue raising fees and charges, and / or hypothecate money collected for the provision of transport infrastructure and services.**

AMENDMENT

Moved **Cr Rod Bradley, Town of Cambridge**
Seconded **Cr Tony Pratico, Shire of Bridgetown Greenbushes**

That an additional point 3 be added that reads:

3. **WALGA request RACWA to initiate a joint action in the High Court of Australia, based on SECTION 99 of the Australian Constitution, to claim an adjustment to the payment of Fuel Levies to Western Australia and for the Commonwealth to make a full and proper distribution of monies to enable Western Australia to properly build and maintain the road network needed in our vast State.**

LOST

AMENDMENT

Moved **Cr Sandra Lee, City of Kwinana**
Seconded **Mayor Carol Adams, City of Kwinana**

That the figure of $845m be removed from point 1.

THE AMENDMENT WAS PUT AND CARRIED

THE MOTION AS AMENDED NOW READS:

To support the independent position of the RAC, that WALGA call on the State and Federal Government to:

1. **Provide a fairer distribution of funding from revenue collected from Western Australian motorists (consistently a minimum of 50%) to remediate Western Australia's road maintenance backlog and tackle the increasing costs of congestion and road trauma, to deliver productivity and liveability outcomes; and**

2. **Hold an inquiry into road user pricing as part of a broader reform of motorist taxation that would remove revenue raising fees and charges, and / or hypothecate money collected for the provision of transport infrastructure and services.**

CARRIED

BACKGROUND

A 2018 report by Acil Allen Consulting called "Motorist Taxation Revenue and Spending in WA" commissioned by the RAC reveals that over the past twelve years Western Australia has only received back on average 34 cents in every dollar of motoring taxation collected by successive Federal Governments.

Motoring taxation is collected by the Federal Government through:

- GST;
- Luxury Car Tax;
- Excise on petrol and diesel; and
- Passenger motor vehicles customs duty.

In 2016 the Western Australian Auditor General identified that Western Australia was facing an $845M road infrastructure maintenance backlog and it is widely recognised that the condition of many metropolitan, regional and rural roads are not up to an appropriate standard. Partly supporting this position is that the Western Australian road fatality rate that is 33% higher than the national average, and that Infrastructure Australia is projecting that by 2031 Western Australia will have seven of the top ten most congested roads in Australia.

It is concerning that in 2021/22 the projection is that Western Australia motorists are expected to pay $3.3b in motoring taxes however in the same year only $562m is forecast to be returned to fund road and transport projects, a return of 17 cents in the dollar which is the lowest level since 2007/08.

WALGA SECRETARIAT COMMENT

The $845m road maintenance backlog identified by the Western Australian Auditor General in 2016 relates only to Main Roads WA controlled roads. Additionally there is consistently a shortfall in the amount that Local Governments are able to invest in road maintenance and renewal compared that required to maintain the asset in current condition.

Twenty percent of revenue collected by the State Government from Motor Vehicle Licencing is currently provided to Local Governments through the State Road Funds to Local Government Agreement. The balance of this revenue is hypothecated to Main Roads WA. Under earlier agreements between State and Local Governments up to 27% of motor vehicle licence fee revenue has been provided to Local Governments for the road network. This difference equates to $67 million per year. Increased Federal funding for road infrastructure would not only result in higher levels of service from State roads but also create a more favourable environment for achieving higher levels of funding for Local Government roads.

Numerous inquiries into road user pricing and broad reform of motorist taxation have been completed including:

- Productivity Commission 2007 Road and Rail Freight Infrastructure Pricing
- Henry, K *et al* 2009 Australia's Future Tax System
- COAG Road Reform Plan 2013
- Heavy Vehicle Charging and Investment Reform 2014
- Harper, I. *et al* 2015 Competition Policy Review
- Infrastructure Australia 2016, Australian Infrastructure Plan

WALGA has actively contributed to these inquiries including formal submissions endorsed by State Council (for example 65.3/2011 and 249.4/2013).

Each of these inquiries conclude that the current way of funding road infrastructure is unsustainable and inefficient. Increasingly fuel efficient vehicles, and ultimately electric or hydrogen powered vehicles are undermining the revenue base from fuel excise. However, the Federal Government firmly asserts that there is no link or hypothecation of fuel excise revenue to road funding.

The Australian Government is continuing to investigate heavy vehicle road pricing reform through the Transport and Infrastructure Council, which comprises Transport, Infrastructure and Planning Ministers from all jurisdictions, Federal Ministers and the Australian Local Government Association. The current focus is on developing nationally consistent service level standards for roads to provide an evidence base for investment decisions. Studies are also underway looking at independent price regulation and establishing a forward-looking cost base.

If roads are to become a priced utility (like power or water networks) an important consideration would be sustainable funding for low traffic volume roads, all of which are the responsibility of Local Governments. There remains an important role for all levels of government to support the provision of basic road services to ensure social mobility, economic welfare, road safety and public security. Any reforms to road investment and charging arrangements must be mindful of how best to integrate roads as an economic service with roads as a community service obligation.

3.4 Biosecurity Groups (RBGs)

MOTION

Moved **Cr Tony Pratico, Shire Bridgetown Greenbushes**
Seconded **Cr Alan Wilson, Shire of Bridgetown Greenbushes**

That WALGA revokes its current policy position of not supporting the establishment and operations of Recognised Biosecurity Groups (RBGs) and that the decision on whether to support RBGs is to rest with individual Local Governments.

CARRIED

IN BRIEF

- Current WALGA policy position is that local government isn't supportive of Recognised Biosecurity Groups (RBGs).
- Since development of this policy position 16 RBGs have been established in Western Australia, covering land within 61 separate local governments.
- Individual local governments can be discouraged from trying to work with the RBG in its area due to the current sector policy provision.
- It is timely to review the current policy position.

MEMBER COMMENT

A component of WALGA's current policy position on 'biosecurity' is that:

Local Government are not supportive of Recognised Biosecurity Groups (RBGs).

With the establishment of the Biosecurity and Agriculture Management Regulations in 2013 the State Government communicated a new policy setting, being a community coordinated approach to managing biosecurity. In Western Australia Recognised Biosecurity Groups (RBGs) were introduced as the key mechanism to deliver a community coordinated approach, and to manage widespread and established pests in WA.

The Shire of Bridgetown-Greenbushes recognises that when RBGs were initially being established in Western Australia the sector's preference was that the State Government maintains responsibility for the management of pests including providing assistance to land managers and establishment of a biosecurity network. However with the significant establishment of RBGs since 2013 the Shire of Bridgetown-Greenbushes believes it is timely for WALGA to review its current policy position.

Currently there are 16 RBGs established in Western Australia with more being considered for establishment. The 16 current RBGs have a footprint across 61 local governments in Western Australia. As the RBGs are established it is therefore appropriate and at times necessary for the affected local governments to work with the RBG to ensure that the services provided by the RBG are coordinated and compatible with services, works, etc. that are provided by the local government. This working environment and partnership can be compromised by the existence of a sector-wide policy provision that states that Local Government isn't supportive of the existence of the RBG.

With 16 RBGs established and more likely to come it is unlikely that legislation is going to be amended to discontinue this approach to biosecurity management.

The Shire of Bridgetown-Greenbushes proposes that WALGA amend its current policy position by removing the specific part that states that the sector is not supportive of RBGs. Instead the decision on whether to support a RBG should rest with individual Local Governments.

The Blackwood Biosecurity Group (BBG) operates within the boundaries of the Shire of Bridgetown-Greenbushes. The Shire has chosen to recognise and respect the work being done by the BBG noting that the establishment of the BBG wasn't a Shire initiative.

The choice on whether to support the activities of the BBG was a decision that solely rested with the Shire of Bridgetown-Greenbushes. However this decision appears to have left the Shire open to criticism within the sector. In recent times, at various meetings where the subject of RBGs has been on the agenda, including those with WALGA representatives in attendance, there was a view expressed by some that by supporting the BBG the Shire of Bridgetown-Greenbushes is acting in contradiction of a sector policy provision, is therefore weakening the sector's position and could be seen to be encouraging the extension of RBGs or the establishment of more RBGs in Western Australia.

The Shire of Bridgetown-Greenbushes respects the rights of individual Local Governments to oppose the establishment of, or continuation of a RBG within their areas.

The WALGA policy position on biosecurity groups was determined before the growth in the number of RBGs in Western Australia and therefore it is timely to review that position. All other components of the WALGA policy position on 'biosecurity' can be retained.

SECRETARIAT COMMENT

Correspondence received in May 2019 from the Minister for Agriculture has indicated that the review of the *Biosecurity and Agriculture Management Act (2007)* will occur in the second quarter of 2020.

It is envisaged that the current Policy Position will be reviewed in response to any proposed changes to the Act. The policy review will include the provision of a discussion paper on any potential changes to the Act, and a series of workshops for members across the State in order for members, the WALGA zones, and ultimately State Council, to make their respective determinations.

That said, the change proposed by the Shire of Bridgetown-Greenbushes asserts the primacy of each member to make its own decisions, in accordance with its community's desires and expectations.

WALGA

3.5 WALGA Members Support for Waste to Energy

MOTION

Moved **Cr Peter Robinson, Shire of Dardanup**
Seconded **Cr Bennett, Shire of Dardanup**

That WALGA seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy.

In particular these commitments should clearly indicate how the State Government will cease the proliferation of landfills in the non-metropolitan areas which are predominantly taking metropolitan waste or waste generated elsewhere in the state including mining and construction camps. These commitments should encourage alternative options and outline what incentives the Government will put in place to reduce, and eventually eliminate, our reliance on landfill.

IN BRIEF

- Seeking support for the Waste Strategy: Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 from WALGA Members.
- To seek firm commitments from the State Government as to how it will be achieved, including alternative options and incentives to reduce and eventually eliminate reliance on landfill.

CARRIED

ATTACHMENTS

Attachment 1 – Waste Avoidance and Resource Recovery Strategy 2030
http://www.wasteauthority.wa.gov.au/media/files/documents/Waste_Avoidance_and_Resource_Recovery_Strategy_2030.pdf

Attachment 2 – Waste Avoidance and Resource Recovery Strategy Action Plan 2030
http://www.wasteauthority.wa.gov.au/media/files/documents/Waste_Avoidance_and_Resource_Recovery_Strategy_2030_Action_Plan.pdf

Attachment 3 – Waste t Energy Position Statement
https://www.wasteauthority.wa.gov.au/media/files/documents/W2E_Position_Statement.pdf

Attachment 4 – WALGA Waste to Energy Discussion Paper for Local Government
https://www.dropbox.com/s/7ihc97m8p056nk1/Attachment%204%20-%20W2E%20Discussion%20Paper%20FINAL.pdf?dl=0

MEMBER COMMENT

- Currently the Strategy sets Targets for these outcomes but does not include a firm plan of how the State Government is going to actually implement and achieve these Targets. The Waste Avoidance and Resource Recovery Strategy Action Plan 2030 **(Attachment 2)** also does not provide clarity or concrete actions or incentives to address these targets.

- Building on and updating the first Western Australian Waste Strategy: Creating the Right Environment published in 2012, earlier this year (2019) the State Government released the West Australia's Waste Strategy (Waste Avoidance and Resource Recovery Strategy 2030). Previous State Government Targets have included goals of towards zero waste to landfill by 2020. This may no longer be achievable, however there has been positive trends in waste figures as included in Table 1 on page 9 of the Waste Strategy:

WALGA

Table 1: Changes in waste generation and landfill in Western Australia, 2010–11 and 2014–15 (Hyder, 2013 & ASK Waste Management, 2017)

	2010–11	2014–15	Percentage change
Generation – total	6.53 million tonnes	6.23 million tonnes	↓5%
Generation – per capita	2,764 kilograms	2,437 kilograms	↓12%
Waste to landfill	4.49 million tonnes	3.61 million tonnes	↓20%
Resource recovery	2.04 million tonnes	2.62 million tonnes	↑28%

- Increases in FOGO and other recycling efforts have improved resource recovery significantly up 28%, whilst per capita generation is down 12%. The knock on effect is that there was a fifth (20%) less waste going to landfill in 2014/15 than in 2010/11. However, there have been questions raised regarding the accuracy of this data and the Department of Water and Environmental Regulation are going to require mandatory reporting by Local Government and industry to address this issue. Even given questions about the data, there is still more than 3.6 million tonnes of waste going to landfill every year.

- To reduce this the Waste Strategy 2030 sets out the following targets:

VISION	*Western Australia will become a sustainable, low-waste, circular economy in which human health and the environment are protected from the impacts of waste.*		
OBJECTIVES	**Avoid** *Western Australians generate less waste.*	**Recover** *Western Australians recover more value and resources from waste.*	**Protect** *Western Australians protect the environment by managing waste responsibly.*
TARGETS	⊙ **2025** – 10% reduction in waste generation per capita ⊙ **2030** – 20% reduction in waste generation per capita	⊙ **2025** – Increase material recovery to 70% ⊙ **2030** – Increase material recovery to 75% ⊙ **From 2020** – Recover energy only from residual waste	⊙ **2030** – No more than 15% of waste generated in Perth and Peel regions is landfilled. ⊙ **2030** – All waste is managed and/or disposed to better practice facilities

Source: Waste Avoidance and Resource Recovery Strategy 2030 page 6

- If these targets are achieved it would result in the following:
  - Total waste generated in 2030 reduced by 20% from 2014/15 figures to 4.98 million tonnes per annum.
  - Only 15% of total waste generated is landfilled (acknowledging that the target is only set for Perth and Peel), the total waste to landfill across the state will be 0.75 million tonnes.
  - Resource recovery is increased to 75%, resulting in 3.74 million tonnes being recovered.
  - That leaves 0.5 million tonnes potentially available for Waste to Energy – which the Strategy notes should only be generated from 'residual waste'. The alternative is that waste to landfill will increase to 1.25million tonnes per annum.

- Whilst the targets are clear, the plan about how this will be implemented is yet to be developed and Local Government and industry will need long term certainty to invest to achieve these targets. The Shire of Dardanup is therefore asking WALGA members to support WALGA to advocate to the State Government for more specific and firm commitments to divert waste from landfill through local options for reprocessing, recycling and waste to energy.

- In this regard, the Waste Authority recognises the benefits in siting waste infrastructure close to the

source of waste generation. Benefits include reduced transport impacts from the movement of waste, such as greenhouse impacts, traffic congestion and community amenity (Waste Authority's Waste to Energy Position Statement, 2013 - **Attachment 3**). It is therefore important that **local options** for reprocessing, recycling and waste to energy are considered an essential component in achieving the Waste Strategy's targets. Not taking action and continuing with the status quo will mean waste is transported hundreds or even thousands of kilometres to be disposed of in the regions, rather than being dealt with at source. By considering smaller scale local options it would provide opportunities for reduction at source and also assist communities in the regions to reduce their waste to landfill.

- Considering the above, without Waste to Energy (WtE) and significant improvements in resource recovery, there would still be 25% or 1.25million tonnes state-wide of waste being sent to landfill. According to a 2013 discussion paper (**Attachment 4**) prepared for WALGA by the Municipal Waste Advisory Council (MWAC), a standing committee of the Association with delegated authority to represent the Association in all matters relating to solid waste management, WtE could reduce the weight of waste by 70-80% and the volume of waste by 90%.

- The Waste Authority considers best practice WtE processes to be a preferable option to landfill for the management of residual waste but not at the expense of reasonable efforts to avoid, reuse, reprocess or recycle waste. WtE has the potential to divert substantial volumes of waste from landfill (and thereby support the delivery of Waste Strategy targets) and produce a beneficial product (Waste Authority's Waste to Energy position Statement, 2013).

- To address this it is important that options for reduction in the amount of waste going to landfill also consider smaller waste to energy plants that could be located within regional areas to reduce reliance on landfill. Initial investigations indicate that current available technologies could provide opportunities for smaller plants to be established that would use about 500kg of Municipal Solid Waste per hour or about 4,400 tonnes per annum. Such facilities could be located across regional areas and reduce waste to landfill but also provide for energy generation.

- It is recommended that the alternative options outlined in this item be incorporated into the Waste Strategy's Action Plan 2030 with specific incentives put in place by the Government to ensure we reduce, and eventually eliminate, our reliance on landfill.

SECRETARIAT COMMENT

The Shire of Dardanup should be commended for their initiative and identification of key issues such as the need to control the development of new landfills, to support the Strategy Targets, and to develop local solutions to divert material from landfill for material and energy recovery.

WALGA

3.6 Membership of Development Assessment Panels

MOTION

Moved **Cr Lynn Fisher, Shire of Mundaring**
Seconded **Cr John Daw, Shire of Mundaring**

That WALGA advocate increasing Local Government membership in Development Assessment Panels.

CARRIED

IN BRIEF

- DAP includes 3 experts and 2 elected members, which is considered by DoPLH as a balanced decision-making framework;
- There is a need to strengthen transparency and increase public respect for the DAP process;
- It is proposed that WALGA advocate for increasing local government membership on DAP.

MEMBER COMMENT

At its meeting of 3 March 2018, the Shire of Mundaring Council resolved to:

> *"Advise WALGA that it recommends WALGA investigate increasing local government membership in Development Assessment Panels, rather than advocate for the introduction of Third Party Appeal Rights."*

The Shire will be reconsidering its position in relation to Third Party Appeal Rights at its meeting on the 11 June 2019; its position on seeking WALGA investigate increasing local members on DAP however remains unchanged.

The Department for Planning's website states:

As a key component of planning reform in Western Australia, Development Assessment Panels (DAPs) are intended to enhance planning expertise in decision making by improving the balance between technical advice and local knowledge.

Development Assessment Panels *(DAPs)* comprise three technical experts in planning (one of whom chairs the meeting) and two elected members from the local government in which the DAP applies. This is not a balance and there could be various membership options that WALGA could explore, with some likely to be more palatable to the State than others.

For example, an equal number of local elected members and planning professionals on a DAP would demonstrate respect for the expertise of local members in applying planning regulations to a proposed development. It would demonstrate that local elected members have views of equal importance to those of the other Panel members.

Equal numbers of members could result in a tied vote with the Chairperson having a deciding vote. That would not diminish the importance of a balanced number of local representatives and planning experts participating in the decision making process.
DAPs are public meetings. Community members attend to take the opportunity to briefly address the Panel and to listen to the reasons why the decision is made.

Appointing additional elected member/s to DAPs means community members would have local experts and three planning experts explain how the proposed development would impact on a local area and what conditions, if any, are justifiably imposed. This would be educative for the community, strengthen transparency and increase public respect for the DAP process.

SECRETARIAT COMMENT

The Minister for Planning initiated several amendments to Development Assessment Panels (DAPs) to improve their efficiency and operation. The majority of the changes were *"primarily administrative to ensure the system remains flexible and responsive, while more clearly communicating DAP decisions to the public"* (*Changes-to-the-DAP-system-announced.aspx*), and did not include changes to DAP membership.

A previous 2016 AGM resolution was for WALGA to advocate for consideration of a series of reforms, in the event that DAPs remain in place, to ensure greater accountability, transparency and procedural fairness for ratepayers through the Panel's assessment and decision making processes. One of the reforms specifically sought a change that would require equal membership on the DAP between Local Government and Appointed Specialist members with an independent chair approved by both State and Local Governments.

At the same 2016 AGM, WALGA was also requested to advocate for an independent review of the decision making within the WA planning system, looking at the roles and responsibilities of State and Local Government and other decision making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process

In December 2016, two reports were presented to WALGA's State Council, one on the review of the entire planning system (Resolution 108.6/2016), followed by one on the possible improvements to the DAPs system (Resolution 109.6/2016). The report on the review of Decision Making within the WA Planning System also resolved to undertake research on third party appeals around Australia and further consult with members regarding its current policy position. The Association prepared a discussion paper which provided background on the development of WALGA's position and a review of the arguments both for and against third party appeals which was then circulated to the Local Government sector for comment and feedback during 2017.

At the May 2018 WALGA State Council meeting, it was resolved to amend the policy position to support the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels (DAPs) (Resolution 37.2/2018). The following resolutions were made: -

1. Note the results of the additional consultation with members on the possible introduction of Third Party Appeal Rights into the Planning System;
2. Based on the feedback received, amend its current policy position to support the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels;
3. Provide the State Government with the outcomes of this consultation and advocate for the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels as part of the upcoming Independent Planning Reform process; and
4. Further consult with members to provide more clarity on the exact details of the criteria that would need to be established, before any system of Third Party Appeals for decisions made by Development Assessment Panels is implemented by the State Government.

At its May 2019 meeting (Resolution 44.4/2019), WALGA's State Council considered a 'Preferred Model' and resolved that WALGA:

1. Continues to advocate for the State Government to introduce Third Party Appeal Rights for decisions made by Development Assessment Panels, and
2. Endorses the 'Preferred Model' as presented in the May 2019 Agenda, as the Third Party Appeals process for decisions made by Development Assessment Panels and in future give consideration to broadening Third Party Appeal Rights to other parties relating to Development Assessment Panel decisions.

The Shire of Mundaring proposal to have equal representation may achieve an actual balance between technical advice and local knowledge, as espoused as the objective of the DAP framework. This would

be a beneficial improvement to the DAP system, particularly in the event that the State is unwilling to pursue any introduction of Third Party Appeal Rights to DAP decisions. The Minister for Planning has advised that Third Party Appeal rights would not be considered by the Government as it would add unnecessary complexity and red tape to the planning framework, contrary to the intent of the current planning reform process.

WALGA

3.7 Review of the *Mining Act 1978*

IN BRIEF

- FIFO and DIDO to be limited in a reviewed Mining Act, similar to the Stronger Resource Communities Act in Qld https://www.legislation.qld.gov.au/view/whole/pdf/inforce/current/act-2017-028
- That an MOU with Councils is addressed as a compulsory part of the mining application process
- That the MOU forms part of the Audit process of the relevant Local Government

MOTION

Moved **President Laurene Bonza, Shire of Dundas**
Seconded **Cr Les Price, Shire of Cue**

That:

1. **WALGA requests that the Hon. Bill Johnston, Minister for Mines and Petroleum, undertakes a review of the outdated *Mining Act 1978* and that the revision address FIFO and DIDO, and its impact on local communities; and**

2. **The Mining application process includes a mandatory MOU with the Local Government which would be overseen by the Auditor General to ensure fairness to the Community by having the mining company contribute to local infrastructures as a Legacy project.**

AMENDMENT

Moved **Cr Sandra Lee, City of Kwinana**
Seconded **Mayor Carol Adams, City of Kwinana**

That point 1 be amended to read:

WALGA requests that the Hon. Bill Johnston, Minister for Mines and Petroleum, undertakes a review of the *Mining Act 1978* with a view to maximising the benefits to local communities and its impact on local communities; and

THE AMENDMENT WAS PUT AND CARRIED

THE MOTION AS AMENDED NOW READS:

That:

1. **WALGA requests that the Hon. Bill Johnston, Minister for Mines and Petroleum, undertakes a review of the *Mining Act 1978* with a view to maximising the benefits to local communities and its impact on local communities; and**

2. **The Mining application process includes a mandatory MOU with the Local Government which would be overseen by the Auditor General to ensure fairness to the Community by having the mining company contribute to local infrastructures as a Legacy project.**

CARRIED

MEMBER COMMENT

As a Local Government we have felt and seen the impact of mine closures and factors out of our control and how this can devastate a small community. This has significant flow on effects from lack of volunteers to support fighting bush fires in our 95,000 square kilometres of currently unmanaged, UCL land, lack of volunteers to support St Johns Ambulance services, to reducing the capacity of our school

through a steady decline in numbers. Businesses have closed, as have Government Departments as the population declines.

We are not advocating a total elimination of FIFO and DIDO as this would be an unrealistic approach.

We seek the Minister's support as a matter of urgency to make our small communities sustainable.

SECRETARIAT COMMENT

The Association provided an interim submission to the Education and Health Standing Committee Inquiry into mental health impacts of FIFO work in October 2014. This inquiry was in response to the suicides of nine FIFO lives in the Pilbara region of WA.

The submission reinforced support for the implementation of the key recommendations of the 2013 House of Representatives Standing Committee Senate Inquiry report, *Cancer of the bush or salvation for our cities.* That Inquiry recommended research to be undertaken by the Commonwealth Government to determine the socio economic impact of FIFO work practices, accurate measurement of the impact of FIFO on existing on infrastructure and services, and strategies to address current inequities in infrastructure and sustainability of regional medical services health service delivery.

WALGA

3.8 Financial Assistance Grant

MOTION

Moved **Cr Laurene Bonza, Shire of Dundas**
Seconded **Cr Tony Pratico, Shire of Bridgetown Greenbushes**

That WALGA requests the Hon. Minister of Local Government and Communities David Templeman to assist all Local Governments to Lobby the Federal Government to retain the Financial Assistance Grant at one percent of the of Commonwealth Taxation Revenue.

CARRIED

IN BRIEF

- Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of council services and infrastructure;
- Expresses its concern about the decline in the value of Financial Assistance Grants funding at the national level from an amount equal to around 1% of Commonwealth Taxation Revenue in 1996 to a current figure of around 0.55%.; and
- Calls on all political parties contesting the 2019 Federal Election and their local candidates to support the Australian Local Government Association's call to restore the national value of Financial Assistance Grants funding to an amount equal to at least 1 % of Commonwealth Taxation revenue and therefore to provide a Fairer Share of Federal funding for our local communities.

MEMBER COMMENT

The Shire of Dundas feels the current funding arrangements for Local Government are no longer fit for purpose.

The roles and responsibilities of Local Government has grown significantly. The main funding available from the Australian Government (the Financial Assistance Grants) has consistently declined from a level equal to 1% of Commonwealth Taxation Revenue (CTR) in 1996 to just 0.55% of CTR today.

The Australian Government collects approximately 82% of Australia's tax revenue and is responsible for just one tenth of Australia's public infrastructure assets.

Local councils raise 3.6% of taxes and are responsible for 33% of public infrastructure, including 75% of Australia's roads

3.6% of the tax take is not adequate funding to unlock the potential of our communities. The decline in the Financial Assistance Grants funding has left local councils worse off struggling to meet increasing demand on local infrastructure and services and impacting their ability to build and maintain essential infrastructure to the higher standard required today.

The result is increased pressure on rates and council budgets, making it harder to maintain community services and infrastructure.

There is a current infrastructure backlog of $30+billion dollars. The requirement to upgrade and renew infrastructure built during the 'baby boom' and rapid growth periods in the 60s and 70s is becoming a major problem. New infrastructure is also required to meet the needs of the growing population and to meet productivity and safety requirements.

There are also increasing community expectations related to the type and standards of services available to local communities. This is placing pressure on local governments particularly when they are required to provide services previously provided by the other spheres of government. This is particularly the case in thin markets such as rural and regional areas where, if federal or state governments withdraw services, local government must step in or no one will, as we have seen in recent years.

SECRETARIAT COMMENT

WALGA supports the need for a review of the Financial Assistance Grants (FAGs) system, from the perspective of growing the overall size of the pool.

WALGA has consistently supported advocacy, through ALGA and other channels, for increases in funding from the Commonwealth Government to Local Government through Financial Assistance Grants. WALGA continues to work with ALGA to advocate to increase FAGS funding to 1% of taxation revenue.

ALGA's number one priority in their Federal Election advocacy strategy was to restore Financial Assistance Grant funding to one percent of Commonwealth taxation revenue. This remains an ongoing area of advocacy for ALGA.

WALGA

3.9 Third Party Appeal Rights

IN BRIEF

- Further amendments proposed to the Preferred Model for Third Party Appeals Process

MOTION

Moved **Cr Giorgia Johnson, City of Bayswater**
Seconded **Cr Julie Mathison, City of Subiaco**

1. **That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.**

2. **That there be an amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.**

CARRIED

MEMBER COMMENT

The Council has taken a particularly strong stand on this important issue and it is requested that this matter be given further consideration.

SECRETARIAT COMMENT

At its May 2019 meeting, WALGA's State Council considered a 'Preferred Model' and resolved that WALGA:

1. Continues to advocate for the State Government to introduce Third Party Appeal Rights for decisions made by Development Assessment Panels, and

2. Endorses the 'Preferred Model' as presented in the May 2019 Agenda, as the Third Party Appeals process for decisions made by Development Assessment Panels and in future give consideration to broadening Third Party Appeal Rights to other parties relating to Development Assessment Panel decisions.

(Resolution 44.4/2019)

The above resolution was sent to the Minister for Transport: Planning with a copy of the proposed model (as attached).

The May 2019 Agenda item sought to finalise a 'Preferred Model' for appeals on Development Assessment Panel decisions. WALGA's State Council considered several alternative WALGA Zone resolutions, as several Zones proposed alternative 'Preferred Models' for decisions made by DAPs, preferred types of Third Party Appeals and one Zone indicated its opposition to any Third Party Appeals model being introduced, as follows: -

SOUTH METROPOLITAN ZONE

That the Position Statement be referred back to WALGA officers to provide an evidence case to support the need for change, the expected benefits, and an analysis of the implications of change in terms of cost, resource and timeframes by utilising the experience of other States where third party appeals exist and applying that to the system proposed.

GREAT SOUTHERN COUNTRY ZONE
That the Zone opposes Third Party Appeals in relation to Item 5.2 in the May 2019 WALGA State Council Agenda.

EAST METROPOLITAN ZONE

That there be an amendment to the Preferred Model, being that third parties are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.

CENTRAL METROPOLITAN ZONE

That WALGA:

1. Continues to advocate for the State Government to introduce Third Party Appeal Rights for decisions made by Development Assessment Panels; and
2. Endorses the original December 2018 'Preferred Model' as the third party appeals process for decisions made by the Development Assessment Panels with the following amendments:
    a. DOT POINT 1 "which could possibly be expanded later if it proves to be beneficial" to be removed
    b. DOT POINT 4 to be replaced with "Other affected parties would be able to appeal a DAP decision"

Based on the formal resolutions received and members discussions at Zone meetings, there were a range of options available for State Council to consider at its meeting in May: -

1. Not adopt a Preferred Model until more information on cost and resource implications is provided;
2. Adopt the Preferred Model as presented in the May 2019 Agenda;
3. Adopt the Preferred Model as presented in the May 2019 Agenda, with the amendments suggested by the East Metropolitan Zone, ie ability to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels;
4. Adopt the Preferred Model as circulated to members in December 2018;
5. Adopt the Preferred Model as circulated to members in December 2018, with the amendments suggested by the Central Metropolitan Zone;
6. Adopt the Preferred Model with different amendments (any amendments discussed by State Council);
7. Not adopt any Preferred Model but still advocate for Third Party Appeal Rights for DAPs decisions
8. Adopt a different Third Party Appeal model (ie wider than just for DAPs);
9. Consult the sector again on what model of Third Party Appeal rights is considered acceptable given the wide range of views;
10. Return to the pre-May 2018 position, where any Third Party Appeal rights are not supported

The preferred approach by State Council was to adopt the Preferred Model as presented in the May 2019 Agenda, as it would provide the starting point for discussion with the State Government about the introduction of Third Party Appeals for Development Assessment Panel decisions.

WALGA provided this position to the Minister for Transport; Planning and the Minister's response was as follows:

I note WALGA's State Council endorsed Preferred Model on this matter, however I maintain concerns regarding the unnecessary complexity and red tape third party appeal rights would add to the

planning system, which is contrary to the objectives of the Government's commitment to planning reform.

The Department of Planning, Lands and Heritage received 254 submissions in response to the Green Paper, including many which confirmed the issues and views identified in the Green Paper regarding the current DAP system.

An Action Plan for planning reform which contains a program of initiatives to address the concerns identified by the Green Paper and submissions is currently being finalised by the Department for consideration by Government.

I will make announcements regarding the content of the Action Plan and reform initiatives in the near future.

WALGA

Preferred Model

Third Party Appeal Rights for decisions made by Development Assessment Panels

Benefits of Third Party Appeal Right for decisions made by Development Assessment Panels

- Only Local Governments will be able to challenge and seek review of DAP decisions that are made contrary to the recommendations of the Responsible Authority Report (RAR) or Council position.
- In future, possible consideration to a broadening of Third Party Appeal Rights to other parties relating to Development Assessment Panel decisions.
- Local Government would be able to appeal a DAP decision and defend the merits of their policies and defend the enforceability of their conditions.
- More transparent process in both decision making and condition setting, resulting in more accountable DAP members.

- Would allow for an appeal to be made on the conditions of approval or refusal
  - i) that may have been removed from a RAR; or
  - ii) added to the decision, particularly where no liaison has occurred with the Local Government for clearing or enforcing the condition; or
  - iii) applied inappropriately i.e. the condition would change the intent or design of the development and therefore a new application should have been lodged.
- Limits appeal rights to larger, more complex applications and would filter out 'smaller' impact applications which could potentially overburden the system.
- Provides the opportunity for additional information to be included in the appeal process, particularly if information was not received before the DAP meeting.
- Provides the ability to challenge any new information being presented at the DAP meeting without the Local Government being able to undertake any assessment of the new information (unassessed revised plans are currently being lodged and approved at meetings).
- Able to appeal the 'Deferral' process being over utilised, i.e. DAPs are tending to defer applications multiple times rather than making a decision to approve or refuse the proposal.
- Can give the Local Government more confidence that the developer will provide a fully complete application and discuss the application with the Local Government first, rather than relying on the DAP to condition the proposal requiring additional critical information.

Appellants in a Third Party Appeal

Should be for

- A Local Government where DAP has gone against the position of Council itself; or
- A Local Government where DAP has gone against the Responsible Authority Report (RAR)

Local Government makes a submission

- SAT would need to ensure that appeals are made on valid planning grounds and are not made for commercial or vexatious reasons.
- The existing Directions Hearing process could be used to see if the appeal has reasonable planning merit, which would assist in providing clarity on what constitutes a valid planning consideration and what would be an invalid planning consideration. The Directions Hearing could consider the appellant's justification for submitting the appeal, in particular, whether the grounds of appeal are supported by documentary evidence or other material (a similar process for justifying the lodgement of an appeal already exists through Section 76 of the *Planning and Development Act 2005).*
- *** Will need to discuss with SAT the definition of 'valid planning grounds' to determine whether the submission has reasonable grounds for appeal***

What can be appealed?

- DAP applications that are compulsory over $10 million for JDAPs and $20 million for City of Perth DAP; or
- DAP applications in the optional threshold $2m – 10m for JDAPs and in the City of Perth $2 million - $20 million; or
- DAP applications seeking amendments to approvals ***i.e.*** Form 2 applications proposing a change to the development application, and including applications for an extension of time

Timeframe to lodge an appeal

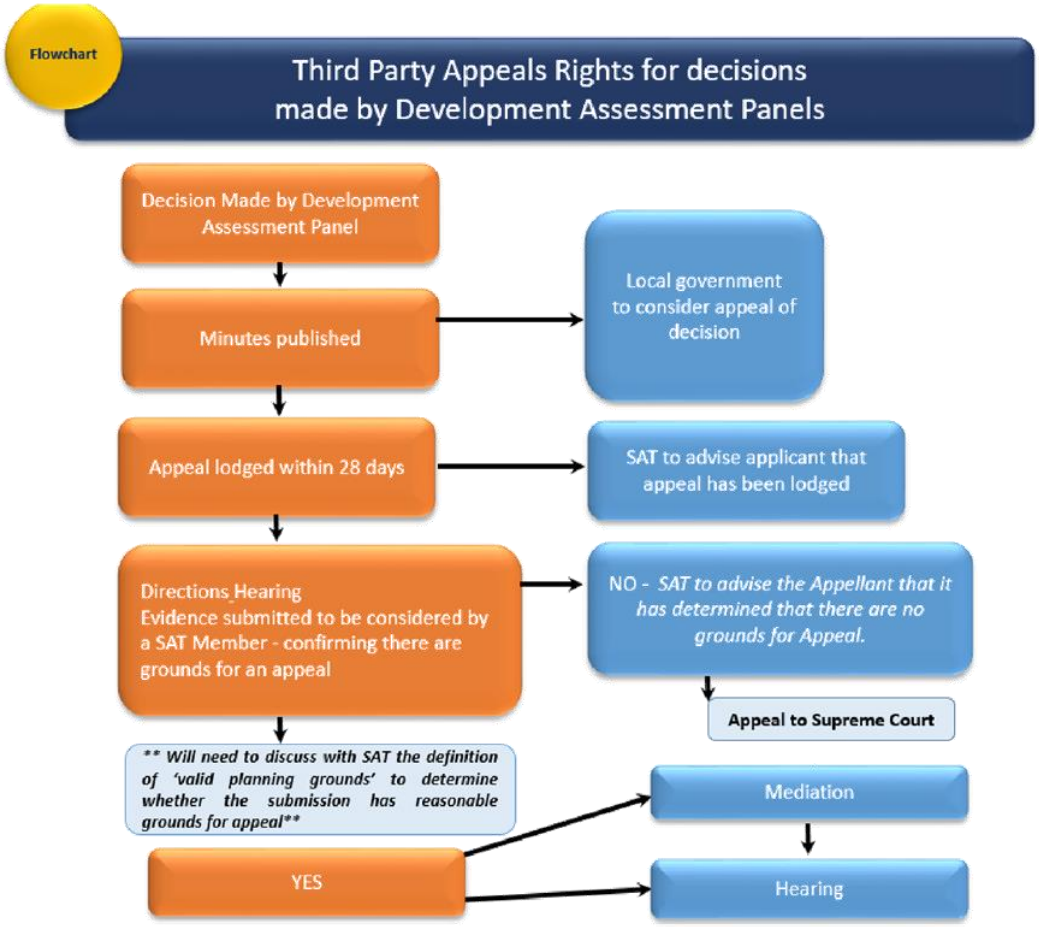
- As per the existing timeframe, an appeal on a decision made by a Development Assessment Panel should be lodged within 28 days of the decision being made public, ie publishing of the DAP minutes.
- Local Governments would need to determine within their own organisation what process to follow in order to decide whether or not to lodge an appeal against a DAP decision. In many cases this may require a Special Council meeting to determine this.

Costs

- Any Local Government would need to cover their costs of initiating the appeal, attending SAT directions, mediation and hearings, and costs could also include obtaining expert advice.

WALGA

Appeals Process



WALGA

Attachment 3: Action Taken on Resolutions of the 2019 AGM

Action Taken on Resolutions of the 2019 Annual General Meeting

Action Taken on Resolutions of the 2019 Annual General Meeting

3.1 Coastal Erosion That WALGA advocate to the Federal and State Governments with respect to the importance of responding to the increasing challenges faced by Coastal Councils, and develop policy initiatives to include: 1. Introduction of a national funding formula to provide the resources necessary to manage and maintain the coast effectively on behalf of all Australians, including the funds needed to increase the adaptive capacity of Councils to address climate impacts. 2. Allocation of State Funding Grants to properly investigate the causes of coastal erosion and to provide options to address the negative impacts and assist in funding the required works to stabilise the coastal areas and communities against coastal hazards where appropriate 3. Development of an intergovernmental agreement on the Coastal Zone that will provide a co-ordinated national approach to coastal governance through and in cooperation with Australian state, territory and local governments and clearly define the roles and responsibilities of each tier of government in relation to coastal zone management. 4. Creation of a National Coastal Policy, the basis of which is formed by the intergovernmental agreement on the Coastal Zone, that outlines the principles, objectives and actions to be taken to address the challenges of integrated coastal zone management for Australia. 5. An increase in funding for Australian climate science research programs conducted by CSIRO and other research bodies, including the restoration of funding for the National Climate Change Adaption Research Facility or establishment of a similar body, and continuing support for *CoastAdapt*. This is essential to ensure that appropriate guidance in responding to coastal hazards is accessible by Australia's coastal Councils so that coastal communities and assets are adequately prepared to address the adverse effects of climate change impacts.	In July 2019, the WALGA President publically raised the issue of coastal erosion and its impacts on Local Governments and their communities on the ABC TV news. In August 2019, the State Government released the Coastal Erosion Hotspots in Western Australia report, commissioned to gain a better understanding of where coastal erosion is expected to have a significant impact on public and private property or infrastructure over the next 25 years. It identifies 55 locations across Western Australia – 15 metropolitan and 40 regional – that have varying levels of risk that will need collaborative solutions. An additional 31 locations have been placed on a watch-list for future monitoring. The estimated cost for managing the 55 locations could be up to $110 million over the next five years, with additional funding required in the long term. In October 2019, the President raised the issue of coastal erosion and inundation with the Premier, Treasurer and Ministers for the Environment and Local Government at the State Local Government Partnership Agreement Leaders Meeting, and also placed it firmly on the ALGA agenda. The issue was subsequently addressed at the national level through the Meeting of Environment Ministers in Adelaide on 8 November 2019, where coastal erosion and inundation was acknowledged as a risk that requires a collaborative approach from all levels of government. With ALGA in attendance, Ministers agreed to establish an intergovernmental working group to collate existing information on coastal erosion and inundation hazard risk management, and propose a collaborative approach to coastal erosion for consideration through a future meeting of Environment Ministers. Western Australia is the lead jurisdiction on the intergovernmental working group, which is currently being developed. ALGA has representation on this through WALGA (Dr Garry Middle). Concurrently, WALGA continues to advocate to the State Government through its State Pre-Budget Submission, seeking $55m over four years to support the sector in managing the impacts of coastal erosion, and via the WALGA submission to the State Climate Change Issues Paper, with a strong focus on related

Action Taken on Resolutions of the 2019 Annual General Meeting	
	legal liability, land use planning and risk management issues. The Intergovernmental Working Group has met three times this year and has been working on two key projects. The first is to get an accurate estimate of the current and predicted costs of managing coastal erosion and inundation to both State and Local Governments, and providing a submission to Infrastructure Australia (IA). IA identified coastal inundation as a priority area for infrastructure spending, and the Working Group's submission argued that coastal erosion is also a significant issue it should address and that options for infrastructure spending should include other adaptation options other than building protection infrastructure, and should include managed retreat spending.
3.2 Department of Housing Leasing Residential Property to Charitable Organisations That WALGA advocate to the Minister for Housing to include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.	The WALGA President, wrote to the Minister for Housing, Hon Peter Tinley AM MLA in September 2019 in relation to the issue addressed by the motion. The Minister's reply noted the Local Government sector's concerns but did not provide any undertaking to reform the system to require community housing providers to pay Local Government rates. WALGA has also actively advocated on this issue (and broader related issues of rate exemptions) during the current review of the *Local Government Act 1995*. The recent Local Government Act Review Panel report recommended "The Economic Regulation Authority (ERA) to undertake a review on the rating system, including a thorough examination of the case for the current wide range of exemptions". WALGA will continue to strongly advocate on this issue.
3.3 Motorist Taxation Revenue and Spending in WA To support the independent position of the RAC, that WALGA call on the State and Federal Government to: 1. Provide a fairer distribution of funding from revenue collected from Western Australian motorists (consistently a minimum of 50%) to remediate Western Australia's road maintenance backlog and tackle the increasing costs of congestion and road trauma, to deliver productivity and liveability outcomes; and 2. Hold an inquiry into road user pricing as part of a broader reform of motorist taxation that would remove revenue raising fees and charges, and / or hypothecate money collected for the provision of transport infrastructure and services.	1. WALGA is developing estimates of the taxes paid by Western Australian motorists and expenditure on developing and maintaining road infrastructure in the State. These estimates will inform the advocacy strategy and approach. Early stage discussions have been held with organisations that share concerns regarding funding road infrastructure in WA with the view to a combined advocacy approach if considered most effective. Consolidation of existing road condition survey data coupled with a specific survey in the Mid West region will provide additional supporting evidence of the size, location and scale of the road maintenance backlog. Detailed analysis of road trauma has been prepared for each Local Government area and region.

WALGA

Action Taken on Resolutions of the 2019 Annual General Meeting	
	2. WALGA is providing input into the national Heavy Vehicle Road Reform process, being overseen by the Transport and Infrastructure Council (Commonwealth and State Ministers with responsibility for transport and infrastructure). This process will consider how best to set heavy vehicle charges, and options for hypothecating heavy vehicles charging revenue to road maintenance and upgrade.
3.4 Biosecurity Groups (RBGs) That WALGA revokes its current policy position of not supporting the establishment and operations of Recognised Biosecurity Groups (RBGs) and that the decision on whether to support RBGs is to rest with individual Local Governments.	On 22 August, at the WALGA Forum on Pest Animal Biosecurity Management, the Minister for Agriculture committed to a review of the *Biosecurity and Agriculture Management Act 2007* in this term of government. The Terms of Reference for the review have yet to be released. In the interim, WALGA participates on the Biosecurity Senior Officers Group, and seeks to ensure that the terms of reference for the review of the Act enable full consultation. The item is being considered at the March meeting of the Environment Policy Team. The Department of Primary Industries and Regional Development (DPIRD) chair the Biosecurity Senior Officers Group, and at the June 2020 meeting officers of DPIRD advised that a draft Terms of Reference for the review of the Act has been prepared as is with the Minister, who has yet to release a final version. Given that a State Election is due early in 2021, it is unlikely that a review panel will be established until after the election.
3.5 WALGA Members Support for Waste to Energy That WALGA seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy. In particular these commitments should clearly indicate how the State Government will cease the proliferation of landfills in the non-metropolitan areas which are predominantly taking metropolitan waste or waste generated elsewhere in the state including mining and construction camps. These commitments should encourage alternative options and outline what incentives the Government will put in place to reduce, and eventually eliminate, our reliance on landfill.	WALGA supports the intent of the Motion and will continue to advocate for action from the State Government regarding the implementation of the Waste Avoidance and Resource Recovery Strategy 2030. WALGA commends the motion and its identification of key issues such as the need to control the development of new landfills, to support the Strategy Targets, and to develop local solutions to divert material from landfill for material and energy recovery. MWAC will continue to advocate for funding from the State Government regarding the implementation of the Waste Avoidance and Resource Recovery Strategy 2030. WALGA included in the Submission on the Environmental Protection Act review a specific recommendation in relation to reducing the proliferation of landfills, and will continue to advocate for this outcome through the waste reform process.
3.6 Membership of Development Assessment Panels	A report on the change to membership of Development Assessment Panels was presented to the December 2019 State Council Meeting, where it was resolved:

WALGA

Action Taken on Resolutions of the 2019 Annual General Meeting	
That WALGA advocate increasing Local Government membership in Development Assessment Panels.	*That WALGA advocate to the Minister for Planning, that the composition of Development Assessment Panels (DAPs) be modified to provide equal representation of Specialist Members and Local Government Members, in accordance with the original objectives of the DAP system to enhance the decision making process by improving the balance of experts.* Correspondence has been sent to the Minister for Planning in accordance with the resolution above the following response has been received: "*As you are aware the recently released Action Plan for Planning Reform proposes several reforms and improvements to DAP systems and processes. These will provide a consistent robust DAP process reducing potential conflicts of interest and promote consistency of decision making, thereby addressing many of the perceived issues with the current system.* *As you have noted, the composition of Local Government representation is not being considered as part of the current planning reform process, however, a number of other significant reforms are proposed. The most notable being a reduced number of DAPs to no more than three and the engagement of specialist members on a full time basis. This will be supported by the establishment of a pool of non-voting subject matter experts to provide DAPs with independent, expert advice as required.* *It is my intention that these reforms will enhance the decision making process by providing greater consistency and transparency. The reduced number of DAPs and the engagement of full time specialist members will also allow specialist members to gain a greater level of local expertise therefore further enhancing the process.* *Thank you for raising this with me and I encourage WALGA and the local government industry to remain an active participant in the planning reform process."* These proposed changes to the DAPs systems and processes, will require amendment to the DAP Regulations, therefore, the matter of Local Government equal representation will be raised again as part of the public comment period. The Department of Planning Lands and Heritage have advised that the amendments to the DAP regulations must be gazetted before April 2021, as the appointment of new Panel Members will be required

WALGA

Action Taken on Resolutions of the 2019 Annual General Meeting	
	at this time. It is therefore anticipated that the draft Regulations will be released at the end of 2020 or beginning of 2021 for public comment.
3.7 Review of the *Mining Act 1978* That: 1. WALGA requests that the Hon. Bill Johnston, Minister for Mines and Petroleum, undertakes a review of the *Mining Act 1978* with a view to maximising the benefits to local communities and its impact on local communities; and 2. The Mining application process includes a mandatory MOU with the Local Government which would be overseen by the Auditor General to ensure fairness to the Community by having the mining company contribute to local infrastructures as a Legacy project.	This item was referred to the Mining Communities Policy Forum for action in December 2019. Following the Forum's deliberations, it was recommended that WALGA: 1. Prepare a State Council agenda item advocating to the Minister for Mines and Petroleum, highlighting members concerns with the current Mining Act 1978 and requesting that the Minister initiate a review of the Mining Act 1978. 2. Establish a forum where the sector can be provided with information on the current rating provisions and the tools needed to more appropriately rate mining tenements and infrastructure located in their communities. Given the onset of COVID-19 and the State Government's primary focus on the COVID-19 recovery, advocacy relating to a review of the Mining Act has been reprioritised and placed on hold until a more appropriate time. WALGA is currently looking to facilitate opportunities for Local Governments to hear from others about how they can achieve positive community outcomes within the current provisions of the Act.
3.8 Financial Assistance Grant That WALGA requests the Hon. Minister of Local Government and Communities David Templeman to assist all Local Governments to Lobby the Federal Government to retain the Financial Assistance Grant at one percent of the of Commonwealth Taxation Revenue.	This item was considered by the Governance and Organisational Services Policy Team at their 4 March 2020 meeting. At the 4 March meeting, it was recommended that WALGA request ALGA to advocate for a national position on the need for a Financial Assistances Grants (FAGs) Review to be conducted by the Productivity Commission that addresses: • The current complex and confusing assessment and allocation methodology; • Clarification of how 'disabilities' are defined and administered within these methodologies; • The need for more money to be provided in the total funding pool; and • Support for the retention of minimum grant allocations. This advocacy has been placed on hold, given that the priority is to distribute greater amounts of funding to all councils through all existing mechanisms, including FAGs, in order to support local economies as they recover from COVID-19.

WALGA

Action Taken on Resolutions of the 2019 Annual General Meeting	
3.9 Third Party Appeal Rights 1. That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal. 2. That there be an amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.	A letter relating to this issue was sent to every Local Government Chief Executive Officer in WA on 9 November 2019. The letter requested CEOs to advise whether their Council supports or does not support the motion to amend the Preferred Model. As several WALGA members have requested an extension to the original January deadline, the new closing date for feedback was 28 February 2020. An item was presented to the May 2020 State Council meeting for State Council's consideration. The following State Council resolution was made (Resolution 59.2/2020) 1. That the proposed amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal on decisions made by Development Assessment Panels, is not supported, and 2. That the proposed amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels, is not supported.

CITY OF Armadale

ORDINARY MEETING OF COUNCIL

MONDAY, 24 AUGUST 2020

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, 24 AUGUST 2020 AT 7.00PM .**

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

PRESENT:

Mayor, Cr R Butterfield presided over	River Ward
Deputy Mayor, Cr C Frost	Lake Ward
Cr H T Jones	River Ward
Cr J H Munn CMC	Ranford Ward
Cr S Peter JP	Ranford Ward
Cr M S Northcott	Palomino Ward
Cr D M Shaw	Heron Ward
Cr E J Flynn	Heron Ward
Cr G J Smith	Minnawarra Ward
Cr M Silver	Lake Ward
Cr G Nixon	Hills Ward
Cr C M Wielinga	Hills Ward

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Mrs Y Loveland	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 2 Press: 1

LEAVE OF ABSENCE: Nil

APOLOGIES:
Apology received from Cr K Busby & Cr C A Campbell

3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

1 Request for Leave of absence (Cr Caroline Wielinga)

Cr C M Wielinga requested leave of absence for the period Tuesday 1 September to Monday 30 November 2020, inclusive).

MOVED Cr G Nixon

That Council grant leave of absence to Cr C M Wielinga for the period Tuesday 1 September to Monday 30 November 2020, inclusive (includes 6 Council meetings – 14 & 29 September, 12 & 26 October and 9 & 23 November 2020).

MOTION not opposed, DECLARED CARRIED (12/0)

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 10 AUGUST 2020.

MOVED Cr M S Northcott that the Minutes of the Ordinary Council Meeting held on 10 August 2020 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (12/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 CONSULTATION AND COMMUNICATION

Tuesday 11 August, had a discussion with a representative of a community group in relation to the old Church on the Justice Precinct site and potential uses in future.

Wednesday 12 August, attended the Bungendore Environment Working Group meeting.

Wednesday 19 August, hosted the Dale Christian College and Providence Christian College in the Chambers and discussed various issues impacting the City of Armadale. Cr Busby also attended.

Sunday 16 August Attended the opening of a new 'creativity' based business in Kelmscott.

2 MARKETING AND PUBLIC RELATIONS

Saturday 15 August, had an interview with Heritage FM.

Saturday 15 August in the evening, attended the launch of the Nzuri Show Premier which is an African Talkback Television show that encourages African groups to have a media presence.

Tuesday 18 August spoke at the opening ceremony for Springtime at Araluen.

Saturday 22 August gave phone interview with 6PR regarding the City's program, Native Plants for Residents.

3 GOVERNANCE AND ECONOMIC DEVELOPMENT

Wednesday 12 August 2020 the SOHAG Committee met to discuss delegations and policy review. Attending Cr's were Cr Campbell, Cr Nixon, Cr Munn and myself.

Friday 14 August, held three separate private grouped citizenship ceremonies for a total of 60 people. Yaz Mubarakai MLA attended one of the ceremonies and Cr Smith was in attendance for all three.

On Wednesday 19 August Participated in an informal WALGA State Council meeting. Also on Wednesday 19 August Attended a WALGA briefing of Mayors, Presidents and CEO's on the LG Panel report.

Friday 21 August attended a JDAP meeting regarding a Park Home development.

Sunday 23 August along with the CEO and Cr Frost, attended the Premier and Cabinet Community Reception held at the Royal Aero Club of WA in Jandakot.

Monday 24 August along with the CEO, presented to Cabinet Ministers at a Cabinet Meeting held at SJ Council Chambers.

Monday 24 August along with the CEO and Cr's Frost, Nixon and Wielinga, attended a networking lunch meeting with State Cabinet Ministers.

Monday 24 August held meeting with CEO and Deputy Mayor.

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 17 August 2020.

MOVED Cr D M Shaw that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation D50/8/20 - Consideration of Tenders - Preparation of Kelmscott District Activity Centre Structure Plan

Cr Butterfield declared a non-financial interest in Recommendation D50/8/20 on the basis that she served on the DevelopmentWA Armadale Land Redevelopment Committee with an employee of one of the tenderers. As a consequence, there may be a perception that her impartiality on the following matter may be affected, but declared that she would disregard this association, consider the matter on its merits and vote accordingly.

Cr Shaw disclosed a non-financial interest as she has a professional association with one of the tenderers. As a consequence, there may be a perception that her impartiality on the following matter may be affected, but declared that she would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr D M Shaw

That Council:

1. **Accept the tender from Taylor Burrell Barnett for a period of two years commencing 7/09/2020 in accordance with:**

   a) **The tenderer's submitted lump sum as presented in Confidential Attachment 1, subject to 1c) below;**

   b) **Council's contract documentation, Budget and Long Term Financial Plan estimate;**

   c) **Negotiation of a contract that factors minor (not greater than 10%) variations to the tendered price, in consideration of available information, some components of the consultancy no longer requiring extensive work, the advertised tender specifications, and optional inclusions in the tender documents and tenderer's response.**

2. **Authorise the Chief Executive Officer to extend the contract for one period of twelve (12) months up to 7 September 2023, subject to satisfactory performance by the contractor and price adjustments, as specified in the Request for Tender Special Conditions of Contract Clause 4.1.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D51/8/20 - Update on Normalisation of DevelopmentWA Redevelopment Areas

Cr Butterfield declared a non-financial interest in this item as she is a member on the DevelopmentWA Armadale Land Redevelopment Committee. As a consequence, there may be a perception that her impartiality on the following matter may be affected, but declared that she would disregard this association, consider the matter on its merits and vote accordingly.

MOVED Cr D M Shaw

That Council:

1. **Endorse the changes in methodology foreshadowed in this report for dealing with normalisation of DevelopmentWA's Forrestdale Business Park East, West of Rail and Wungong precincts, specifically:**

    - **Support DevelopmentWA's advice that the Forrestdale Business Park East Developer Contribution Plan may potentially be rescinded;**

    - **DevelopmentWA's advice that the West of Rail Developer Contribution Plan may potentially be rescinded following a City of Armadale Developer Contribution Plan becoming seriously entertained; and**

    - **DevelopmentWA's advice that the Wungong Developer Contribution Plan would need to be the subject of an amendment to Town Planning Scheme No.4.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D52/8/20 - Proposed Amendment No.114 To TPS No.4 - Normalisation of Lot 2, 4853 and 9500 Forrestdale Business Park East from DevelopmentWA to City of Armadale

Cr Butterfield declared a non-financial interest in this item as she is a member on the DevelopmentWA Armadale Land Redevelopment Committee. As a consequence, there may be a perception that her impartiality on the following matter may be affected, but declared that she would disregard this association, consider the matter on its merits and vote accordingly.

MOVED Cr D M Shaw

That Council:

1. **Pursuant to Part 5 of the *Planning and Development Act 2005*, initiate Amendment No.114 to Town Planning Scheme No.4 as a standard amendment in accordance with Part 5 Clause 34 – standard amendment subsections (b), (c) and (e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* to:**

    a. **Include Lot 9500 Armadale Road, Forrestdale as designated on the Scheme Amendment Map into the Scheme boundary;**

    b. **Rezone Lot 9500 Armadale Road, Forrestdale as depicted on the Scheme Amendment Map from unzoned to 'Industrial Development' zone;**

c. Rezone Lot 2 Keane Road, Forrestdale and Lot 4853 Allen Road, Forrestdale from unzoned to 'Parks and Recreation (Regional)' reserve;

d. Amend Special Control Area Map 3 to designate Development Area No.69 over Lot 9500 Armadale Road, Forrestdale as depicted on the Special Control Area Map 3;

e. Amend Schedule 8 – Development (Structure Planning) Areas to include the following new Development Area:

No.	Description of Land	Additional provisions applicable to subdivision and development
69	**Lot 9500 Armadale Road, Forrestdale.**	**69.1 Prior to any subdivision or development, comprehensive planning shall be undertaken by the preparation of a Structure Plan to guide subdivision and development.** **69.2 Any Structure Plan shall be accompanied by detailed environmental studies of the Conservation Category Wetland and its buffers on the subject site including, but not limited to:** **1. flora assessment;** **2. fauna assessment; and** **3. wetland management plan.** **The recommendations of any environmental studies shall be implemented and any environmental assets protected in the Structure Plan and at the subdivision and/or development stages to the satisfaction of the City of Armadale on advice from the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.**

f. Amend the Scheme Map accordingly.

2. Refers the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to section 81 of the *Planning and Development Act 2005.* Should the EPA advise that the amendment does not require assessment, advertise the amendment for a period of 42 days.

3. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.

4. Forward a copy of the amendment to the Western Australian Planning Commission and DevelopmentWA for information.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D53/8/20 - Final Adoption - Amendment No.103 to TPS No.4 - Omnibus Amendment for the Armadale Strategic Metropolitan City Centre

Cr Smith declared a financial interest in this item on the basis that he owns property and business ownership within the proposed report area and left the meeting at 7.07pm.

In moving the following motion to not adopt Cr Wielinga foreshadowed an alternative motion to remove Proposal 4 and Part Proposal 21 relating to the Neerigen Brook Drain from Amendment No.103

MOVED Cr C M Wielinga that Recommendation D53/8/20 be not adopted.
OPPOSED Cr D M Shaw, SECONDED Cr G Nixon

MOTION LOST (3-8)

MOVED Cr D M Shaw, OPPOSED Cr C M Wielinga
SECONDED Cr E Flynn

That Council:

1. **Pursuant to Part 5 of the *Planning and Development Act 2005* to adopt, with modifications, Amendment No.103 to Town Planning Scheme No.4 the following proposals:**

   Proposal 1 – Modify the Scheme Map by rezoning from 'Residential R40' to 'Strategic Regional Centre R-AC0', Lot 35 (9), Lot 36 (11) and Lots 1 to 4 (15A to 15D) Sixth Road, Armadale.

   Proposal 2 – Modify the Scheme Map by rezoning from 'Mixed Business / Residential R40' to 'Strategic Regional Centre R-AC0', Lots 11 (479) to 13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale and Lot 31 (4) and Lot 32 (2) Selkirk Road, Armadale.

   Proposal 3 – Modify the Scheme Map by recoding the area bounded by Armadale Road – except Lots 22 (91), 25 (89), 1 (69), 77 and 78 Jull Street, Armadale (north); South Western Highway, Church Avenue and the south-eastern boundaries of Lot 120 and Lot 31 (90) Jull Street, and Lot 894 and Lot 58 (4) Church Avenue, Armadale (east); Thomas Street, Church Avenue - except Lot 109 (23) Thomas Street and Lot 125 (16) Third Road, and John Street (south); and Commerce Avenue and Neerigen Street (west) from 'R-AC3' and 'R80' to 'R-AC0'.

   Proposal 4 – Modify the Scheme Map by recoding the area bounded by Forrest Road (south), Aragon Court (east), the southern boundary of Lot 301 Abbey Road, Armadale (north) and Abbey Road (west) from 'R40' to 'R-AC0'.

   Proposal 5 – Modify the Scheme Map by recoding from 'R80' to 'R-AC0', Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale.

   Proposal 6 – Modify the Scheme Map by rezoning the area bounded by John Street (south); South Western Highway (east); Thomas Street (north) and the south-eastern boundaries of Lot 42 (43) John Street, Lot 55 (30) William Street, Lot 59 (33) William Street, Lot 82 (30) Fourth Road, Lot 5 (29) Fourth Road and Lot 107 (22)

Thomas Street, Armadale (west); from 'Mixed Business / Residential R40' and 'Strategic Regional Centre R80' to 'Residential R-AC0'.

Proposal 7 – Modify the Scheme Map by rezoning from 'Strategic Regional Centre R80' to 'Mixed Business / Residential R-AC0', Lot 42 (43) John Street, Lot 56 (32) William Street, Lots 1 and 2 (52 and 54) Church Avenue, Lot 59 (33) William Street, Lot 50 (35) William Street, Lot 82 (30) Fourth Road, Lot 83 (32) Fourth Road, Lot 5 (29) Fourth Road, Lot 201 (31) Fourth Road, Lot 107 (22) Thomas Street, Lot 108 (24) Thomas Street, Lot 109 (23) Thomas Street and Lot 125 (16) Third Road, Armadale.

Proposal 8 – Modify the Scheme Map by recoding Lot 55 (30) William Street, Armadale from 'R40' to 'R-AC0'.

Proposal 9 – Modify the Scheme Map by rezoning the area bounded by Church Avenue (south), South Western Highway (east), Jull Street (north) and the south-eastern boundaries of Lot 120 and Lot 31 (90) Jull Street, and Lot 894 and Lot 58 (4) Church Avenue, Armadale (west) from 'Strategic Regional Centre R-AC3' and 'Strategic Regional Centre R80' to 'Mixed Business / Residential R-AC0'.

Proposal 10 – Modify the Scheme Map by rezoning Lot 22 (91), Lot 25 (89) and Lot 1 (69) Jull Street, Armadale from 'Strategic Regional Centre R-80' to 'Mixed Business / Residential R-AC0'.

Proposal 11 – Modify the Scheme Map by rezoning from 'Residential R15/25 – Additional Use No.19' to 'Mixed Business / Residential R-AC0 – Additional Use No.19', Lot 17 (16) South Western Highway, Armadale, Lot 123 (16) South Western Highway, Armadale, Lot 157 (10) South Western Highway, Armadale and Lot 49 (4) Crystal Court, Mount Richon.

Proposal 12 – Modify the Scheme Map by recoding from 'R-AC3' to 'R-AC0', Lots 162 Commerce Avenue, Armadale and Lot 163 Church Avenue, Armadale.

Proposal 13 – Modify the Scheme Map by recoding from 'R15/60' to 'R-AC0', Lot 100 (1) Little John Road, Armadale.

Proposal 14 – Modify the Scheme Map by rezoning from 'Strategic Regional Centre R80' to 'Parks and Recreation (Local)', Lots 77 and 78 Jull Street, Armadale.

Proposal 15 – Modify the Zoning Table in Part 3 of the Scheme Text as follows:

Use Class	Zones			
	Mixed Business / Residential (current)	Mixed Business / Residential (Proposed)	Strategic Regional Centre (Current)	Strategic Regional Centre (Proposed)
Ancillary Accommodation	X	X	D	X
Convenience Store	X	D	P	P
Display Home Centre	D	D	A	X
Grouped Dwelling	D	X	D	X
Hospital	D	D	X	D
Multiple Dwelling	D	D	A	D

Proposal 16 – make the following modifications to Part 4A and 4C of the Scheme Text:

(a) Include a new Clause 4A.4 and title 'Setbacks in the Armadale Strategic Metropolitan City Centre' with the following:

"In the case of Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, setbacks are to be in accordance with an approved Activity Centre Plan prepared in accordance with the requirements of the Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or draft State Planning Policy 7.2 – Precinct Design."

(b) Include a new Clause 4A.5 and title 'Building Heights in the Armadale Strategic Metropolitan City Centre' with the following:

"In the case of Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, building heights are to be in accordance with an approved Activity Centre Plan prepared in accordance with the requirements of the Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or draft State Planning Policy 7.2 – Precinct Design."

(c) Include a new Clause 4A.6 and title 'Building Bulk in the Armadale Strategic Metropolitan City Centre' with the following:

"For Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, plot ratio is to be determined in accordance with an approved Activity Centre Plan or prepared in accordance with the requirements of the Western Australian Planning Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or draft State Planning Policy 7.2 – Precinct Design."

(d) Modify Clause 4C as follows:

"This Part applies to the Strategic Regional Centre Zone, the Mixed Business / Residential Zone, the District Centre Zone and the Local Centre Zone, unless expressly stated to the contrary in a clause of this Part."

(e) Delete Clause 4C.1.1 and replace with the following:

"4C.1.1 – Buildings are to be setback from boundaries in accordance with an adopted Activity Centre Plan and/or prepared in accordance with the requirements of the Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or draft State Planning Policy 7.2 – Precinct Design."

(f) Include a new Clause 4C.1.2 as follows:

"In the case of District Centres, Local Centres and Mixed Business / Residential Zones outside of the Armadale Strategic Metropolitan City Centre, buildings are to be setback having regard to any Structure Plan and the following criteria:

i. The setbacks of any adjoining or adjacent development with which the proposed building is likely to relate, and in the case of a site which adjoins land in another zone, the setback requirements for that zone;

ii. The use or usability of the setback area, taking into consideration the nature of the adjoining street and the desirability or otherwise of direct vehicular access to that street, and from any adjoining property;
iii. The desirability of continuous building frontages where pedestrian access is to be provided adjacent to the frontage of the building or where such access and associated pedestrian shelter would be desirable to facilitate movement between adjoining sites;
iv. The space requirements for pedestrian access, and the need and/or desirability of segregating pedestrian access from vehicular access and parking;
v. The desirability or otherwise of landscaping within the setback area in order to reduce any adverse visual impact associated with the proposed building façade and/or associated use of setback areas; and
vi. The safety and convenience of pedestrian and vehicular access to the site from the adjoining street and from adjacent sites."

(g) Delete Clause 4C.2.1 and replace with the following:

"4C.2.1 – Buildings heights are to be in accordance with the adopted Activity Centre Plan prepared in accordance with the requirements of the Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or draft State Planning Policy 7.2 – Precinct Design."

(h) Include a new Clause 4C.2.2 as follows:

"In the case of District Centres, Local Centres and Mixed Business / Residential Zones outside of the Armadale Strategic Metropolitan City Centre, building heights are to have regard to any Structure Plan and the following criteria:

i. The height of any adjoining or adjacent development, and the desirability or otherwise of maintaining consistency in relation to the height and scale of buildings within the particular centre or precinct;
ii. In the case of a site which adjoins land in another zone, the height and setback requirements of that zone;
iii. The effect of shading associated with the proposed development and in particular whether there will be any significant overshadowing of existing or proposed pedestrian spaces;
iv. The need for safe and convenient pedestrian shelter, and the desirability of maintaining continuity and/or compatibility in relation to adjoining pedestrian facilities;
v. The design of the external facades of the building, including the height of any awnings or parapets and their relationship with those of adjacent buildings; and
vi. The finished ground level proposed for the development site in relation to that of the adjoining sites."

(j) Modify Clause 4C.3.1 to read as follows:

"Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, the maximum plot ratio within the respective zones and precincts is to accord with the following standards:

(a) Mixed Business / Residential: 1.5
(b) District Centre Zone: 1.0
(c) Local Centre Zone: 1.0
(d) Strategic Regional Centre: To be determined by an approved Structure Plan.

For Mixed Business/Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, plot ratio is to be determined by an approved Structure Plan."

Proposal 17 – Modify the Table of Contents in the Scheme Text to include:

(a) "4A.4Setbacks in the Armadale Strategic Metropolitan City Centre".
(b) "4A.5Building height in the Armadale Strategic Metropolitan City Centre".
(c) "4A.6Building bulk in the Armadale Strategic Metropolitan City Centre".

Proposal 18 – In Schedule 2 – Additional Uses, modify Additional Use No.19 to read as following:

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
19.	Lots 123, 157 and 17 South Western Highway and Lot 49 Crystal Court, Mount Richon.	Permitted (P) use: Mixed Uses incorporating key elements of the old Armadale Tea Rooms consisting of: • Shop • Office(s) • Restaurant • Holiday Accommodation • Cottage Industry • Market • Motel; and • Showroom The following land uses is a 'X' use: Grouped Dwellings	19.1 In determining any planning application for subdivision and development approval, the local government shall have regard to the approved Activity Centre Structure Plan. 19.2 The overall development may comprise either, a single building or multiple buildings with a common theme, and shall incorporate key elements of the Old Armadale Tearooms (Muckross Hall) building as follows to the satisfaction of the local government: a) the use of the building, at least in part, is to recognise the building's original function as a meeting place; b) recognition of the large open truss construction of the internal parts of the building; c) respect for the existing roofline and the original cladding style of the roof; d) materials for the existing walls may be replaced provided the appearance respects the original character; and e) the building could be extended out the back and side, provided the outline of the façade and roofline, as visible from the Albany Highway approach into Armadale, retains its character and shape.

			19.3 A Traffic Management Plan addressing site access and car parking both on and off site will need to be prepared and implemented, to the satisfaction of Council, as part of any development application for redevelopment of the land. **19.4 Vehicular access to Crystal Court shall be limited to residential uses only and may require a traffic study prior to Council granting approval.** **19.5 In preparing and/or assessing any planning application for development approval, the applicant and the local government should consider the possible provision of access for vehicular and pedestrian movement and parking, together with drainage, where applicable over the adjacent Lot 100 (Pioneer Village Narrogin Inne premises) Albany Highway, in a manner satisfactory to the Local Government to ensure safe, convenient and integrated traffic circulation. Such an arrangement may require agreement with the landowners of Lot 100 Albany Highway.** **19.6 Notification in the form of a Section 70A notification, pursuant to the *Transfer of Land Act 1893* (as amended) is to be placed on the Certificate of Title on Lot 17 South Western Highway, Armadale advising prospective purchasers that the lot may be affected by noise from the Water Corporation pump station on the adjoining Lot 18 South Western Highway.**

Proposal 19 - Delete Restricted Use No.7 and Restricted Use No.8 from the Scheme Map and Schedule 3 of the Scheme Text.

Proposal 20 - In Schedule 3 – Restricted Uses, delete Restricted Use No.12 and replace with the following:

No.	Description of Land	Restricted Use	Conditions and Requirements (See Note 1)
12.	**Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale.**	**All land uses permissible in the Strategic Regional Centre zone shall be 'X' Uses, with the exception of the following Discretionary (D) uses:**	**12.1 Development shall be in accordance with an approved Activity Centre Plan.** **12.2 No vehicular access permitted from Armadale Road.** **12.3 Reception Centre, Restaurant,**

		• Holiday Accommodation • Hotel • Multiple Dwellings • Reception Centre • Restaurant • Small Bar • Tavern • Motel • Exhibition Centre	Tavern, Exhibition Centre and Small Bar shall only be permitted where the uses form part of an integrated Hotel / Motel / Holiday Accommodation development.

Proposal 21 – Modify the Scheme Map and the table in Schedule 3 – Restricted Uses of the Scheme Text to include a new Restricted Use No.13 as follows:

No.	Description of Land	Restricted Use	Conditions
13	Lots 158 (19) to 162 (33), 500 (17) to 502, 153 (5 - 7) to 156 (11), 700 (3) Abbey Road, Armadale and Lots 51 (6), 800 (8), 150 (10), 146 (18) to 150 (10) 6 (20), 33, 12 (24) and 4 (26) Aragon Court, Armadale. Area bounded by and including Lot 43 (41) John Street, Lot 54 (28) William Street, Lot 60 (31) William Street, Lot 81 (28) Fourth Road, Lot 4 (27) Fourth Road and Lot 106 (20) Thomas Street, Armadale to the west; Thomas Street to the north; John Street to the south; and the South Western Highway to the east.	The following land uses are to be a 'X' use: • Grouped Dwelling The following land uses are to be an (A) use in areas prescribed as semi-active edge only in an approved Structure Plan: • Restaurant • Convenience Store • Office The following land use is to be a (D) use: • Single House	13.1 Development shall be in accordance with an approved Activity Centre Plan.

Proposal 22 – Modify Schedule 7A – Car Parking Standards of the Scheme Text to:

(a) Insert the following paragraph between the heading "Schedule 7A – Car Parking Standards" and the Table:

"The car parking standards for the City apply as per Table 1, with the exception of the Armadale Strategic Metropolitan City Activity Centre Structure Plan area where car parking standards apply as per Table 2."

(b) Insert a new heading "Table 1" above the Table.

(c) Insert a new Table at the end of the Schedule as follows:

Table 2 – Armadale Strategic Metropolitan City Centre"

Land Use	Minimum Parking Standard
Residential	In accordance with Clause 6.3.3 Criteria A (Properties within 800m of a high frequency rail line and/or within 250m of a high frequency bus route) for all residential development. A minimum of one in four bays shall be designated for visitor use, which may on agreement with the City of Armadale be publicly available.
Non-Residential Uses (Office and Shop)	A capped rate of 1 space per 45m^2. Reduction in car parking supply will be supported based on shared / reciprocal parking for retail and office use due to different peak periods. A minimum 10% of commercial / office and 50% of retail parking shall be designated publicly available.
Education uses (Tertiary)	15 bays per 100 FTE's (staff and students)
Civic and Community Purpose	1 space per 50m^2 for community purpose and civic uses.
Other	Car parking for all other land uses is to be in accordance with Table 1.

"

Proposal 23 - Modify Schedule 7B – End of Trip Facilities for Bicycle Users by introducing the following notation:

"All non-residential developments that are required to provide 6 or more employee bicycle parking bays in accordance with Schedule 7B, must also provide end of trip facilities meeting the following criteria:

i. A minimum of one female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.
ii. Additional shower facilities to be provided at a rate of one shower for every 10 additional bicycle parking bays.
iii. End of trip facilities are to be located as close as possible to the bicycle parking facilities."

Proposal 24 – Modify the Table in Schedule 8 – Development (Structure Plan) Areas of the Scheme Text, and include corresponding changes on the Scheme Map, identifying a new Development Area No.66 as follows:

No.	Description of land	Additional provisions applicable to subdivision and development
DA 66	Armadale Strategic Metropolitan City Centre being the area: ▪ bounded by Armadale Road (north), South Western Highway (east), John Street (south), Commerce Avenue and Neerigen Street (west); ▪ bounded by Armadale Road (north), Abbey Road (west), Forrest Road (south) and Aragon Court (east); and ▪ including Lot 100 (1) Little John Road; Lots 11 (479) to	66.1 Generally in accordance with an approved Activity Centre Structure Plan.

	13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale, Lots 31 (4) and 32 (2) Selkirk Road, Armadale; Lot 163 Church Avenue and Lot 162 Commerce Avenue; and Lots 17 (16), 123 (16) and Lot 157 (10) South Western Highway, Armadale, and Lot 49 (4) Crystal Court, Mount Richon.	

Proposal 25 – Modify the definition of 'Strategic Regional Centre' under Section 3.2.11 of the Scheme Text to read as follows:

"Strategic Regional Centre

(a) To provide for an extended range of shopping, commercial, administrative, business, entertainment, educational and employment opportunities in the retail core of the Armadale Strategic Metropolitan City Centre and a range of supportive mixed use including office, civic and community purpose type uses in the Civic Precinct.

(b) Encourage a mixture of high density residential development in accordance with the R-AC0 coding of the R-Codes in the Abbey and William Precincts; and

(c) To ensure the urban design of new developments in the Armadale Strategic Metropolitan City Centre provides for landmark development and a high amenity mixed use shopping environment and contributes to Armadale's distinctive sense of place and community."

2. Authorise the Mayor and Chief Executive Officer to execute the Amendment documents.

3. Forward the amendment documentation to the Western Australian Planning Commission for its consideration and requests the Hon Minister for Transport and Planning grant final approval to the amendment.

4. Endorse the comments made in this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission.

5. Advise the submitters and the applicant of its decision.

MOTION DECLARED CARRIED (10/1)

Cr C M Wielinga voted against the Recommendation.

Cr Smith returned to the meeting at 7.15pm

Recommendation D54/8/20 - Interim Review of Statement of Planning Policy 7.3 - Residential Design Codes - Volume 1

MOVED Cr D M Shaw

That Council:

1. **Supports the individual proposed changes to the Western Australian Planning Commission's Statement of Planning Policy 7.3 Residential Design Codes - Volume 1, subject to several modifications as outlined in the Attachments and raises a concern that if multiple R-Code variations are applied to a dwelling then it could lead to concerns regarding over development, loss of effective areas for gardens and green space, loss of the ability of a tree canopy to develop over time on privately owned land, urban heat impacts, etc.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D55/8/20 - Annual Leave - Executive Director Development Services

MOVED Cr D M Shaw

That Council pursuant to Management Practice ADM 12 and on the recommendation of the Chief Executive Officer, appoint the Executive Manager Development Services, Sergio Famiano or Garry Dine, Health Services Manager for the period 29 September to 9 October 2020 as Acting Executive Director Development Services.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D56/8/20 - Review of Local Planning Framework around Neerigen Brook and rezoning/recoding of the adjoining land

MOVED Cr D M Shaw

That the Councillor item regarding review of Local Planning Framework around Neerigen Brook and rezoning/recoding of the adjoining land be referred to Development Services for action/or report back to Committee.

MOTION not opposed, DECLARED CARRIED (12/0)

10.2 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 18 August 2020 .

MOVED Cr J H Munn that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation CS35/8/20 - Statement of Financial Activity - June 2020

MOVED Cr J H Munn

That Council:

(i) pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accepts the Statement of Financial Activity for the twelve (12) month period ended 30 June 2020; and

(ii) notes there are reportable actual to budget material variances for the period.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS36/8/20 - List of Accounts Paid - July 2020

MOVED Cr J H Munn

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

Municipal Fund
Accounts paid totalling $13,083,418.60 on Cheque 033081-033085, Batch 2523-2531, 2533, Direct Debits & PY01.01-PY01.03

Trust Fund
Accounts paid totalling $ 80.00 on Batch 2532

Credit Card
Accounts Paid totalling $4,737.10 for the period ended June 2020.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS37/8/20 - Expenditure Related to COVID Response and Recovery

MOVED Cr J H Munn

That Council:

1. **Endorse the proposed approach for the use of the COVID19 Response and Recovery provisions; and**
2. **Endorse $40,000 for the provision of a contract Rates Officer position for a period of 6 months to be funded from the Business Recovery Account.**

ABSOLUTE MAJORITY RESOLUTION REQUIRED

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)

Recommendation CS38/8/20 - Proposed Lease - 145 Jull Street, Armadale - South Metropolitan Tafe

MOVED Cr J H Munn

That Council:

1) Agrees to enter into a lease with VET (WA) Ministerial Corporation (South Metropolitan TAFE) for the premises on the ground floor of 145 Jull St, Armadale, being a portion of Canning Location 31 and being the whole of the land comprised in Certificate of Title Volume 1218 Folio 692, subject to the following essential terms and conditions:

Leased premises:	**The ground floor of 145 Jull St, Armadale consisting of approximately 468.2 m^2;**
Term:	**Three (3) years with no option for renewal;**
Commencement Date:	**1 July 2020;**
Rent:	**Commencing rent to be $70,000 per annum net of GST and outgoings, increased by Consumer Price Index (All Groups) Perth annually for the second and third years of the lease;**
Lessee's Responsibilities:	**Lessee to be responsible for:** • **building insurance and public liability insurance;** • **All normal outgoings;** • **Security; and** • **Internal maintenance of the building including the air conditioning that services the leased area.**
City's Responsibilities:	**The City to be responsible for:** • **Maintaining the structure of the building (including the cleanliness of the exterior) and air conditioning other than to the extent that the Lessee is responsible;** • **Maintaining the grounds; and** • **Maintaining Fire Alarm System and appropriate / Warden training;**

2) Authorise the Chief Executive Officer and Mayor to execute a lease agreement incorporating the details in 1 above; and

3) Authorise the Chief Executive Officer to –
- **a) negotiate all other administrative terms and conditions of the lease**
- **b) exercise all rights available and duties incumbent on the City under the lease**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS39/8/20 - Review of Policies and Delegations to the CEO - Various

MOVED Cr J H Munn

That Council:

1. Revokes* the following delegations as detailed in the attachment to this report, in accordance with section 5.45 of the *Local Government Act 1995:*

- **a. DS 5.0 - Environment, Animals and Nuisance Local Law;**
- **b. DS 6.0 – Fencing Local Law;**

c. TS 6.0 – Pest Plant Local Law;
d. TS 7.0 – Local Government Property Local Law;
e. TS 8.0 - Activities and Trading in Thoroughfares and Public Places Local Law; and
f. TS 10.0 – Extractive Industries Local Law.

2. Approves* the following delegations to the Chief Executive Officer, inclusive of any amendments and as presented in the attachment to this report, in accordance with section 5.42 of the *Local Government Act 1995:*

a. Procurement of Goods and Services;
b. Planning, building and other development related applications where the City is the applicant / land owner; and
c. Administration of Local Laws.

3. Adopts the following policies, inclusive of amendments and as presented in the attachment to this report:

a. Procurement of Goods and Services;
b. Access to Information and Requests for Assistance by Elected Members;
c. Public Question Time at Council and Council and Committee Meeting;
d. Council and Committee Meetings Prior to Ordinary Elections; and
e. Use of Elected Members Dining Room.

4. Grant authority to the CEO to make administrative changes to numbering and formatting of all reviewed policies and delegations, as approved by Council, upon completion of the full review. This authority does not extend to amending the content.

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)

Recommendation CS40/8/20 - New Delegation - Defer, Write Off, Grant a Concession or Authorise a Waiver for Monies Owing

MOVED Cr J H Munn

That Council:

1. Approves the following delegation and as presented in the attachment to this report, in accordance with sections 5.45 of the *Local Government Act 1995*:

a. Defer, write-off, grant a concession or authorise a waiver for monies owing

2. Revoke delegation CORPS 1.0 Writing off of small debts, as presented in the attachment to this report.

ABSOLUTE MAJORITY RESOLUTION REQUIRED

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)

Recommendation CS41/8/20 - COVID-19 Recovery - Further Financial Relief

MOVED Cr J H Munn

That Council not provide any further support, relief or assistance as proposed in this report and in response to COVID19 for its business and community sectors at this point in time, and keep $1.6M set aside, as the State of Western Australia remains in a State of Emergency.

MOTION not opposed, DECLARED CARRIED (12/0)

10.3 CHIEF EXECUTIVE OFFICER'S REPORT
Report of the Chief Executive Officer .

MOVED Cr D M Shaw that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation - Ward Boundaries and Representation

MOVED Cr J H Munn

That Council:

1. **endorse for the purposes of public consultation the Discussion Paper as attached to this agenda allowing for three (3) options as follows:**
   - **No wards;**
   - **Three (3) wards, five (5) Councillors per ward; and**
   - **Seven (7) wards , two (2) Councillors per ward.**
2. **in accordance with Schedule 2.2 (7)(1) of the *Local Government Act 1995* give local public notice advising:**
   - **That a review of its ward boundaries and the number of offices of councillor for each ward is to be carried out; and**
   - **That submissions may be made to the City by 11 October 2020.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation - Councillors Information Bulletin - Issue No 14/2020

MOVED Cr D M Shaw

That Council acknowledge receipt of Issue 14/2020 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (12/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

1 Risk Assessment of Public Events during Phase 4 COVID-19 Restrictions

In accordance with Clause 3.10 of the Standing Orders Local Law, the Presiding Officer advised that the matter requires urgent consideration by Council to assess the risks of public events scheduled in September and October 2020 during Phase 4 COVID-19 restrictions.
A late CEO's Report on the matter was tabled for consideration. [Report attached to the Minutes]

MOVED Cr G Nixon that the meeting be adjourned to allow Councillors to read the late CEO's Report and the meeting be reconvened at 7.30pm.
Motion Carried (12/0)

7.24 pm Meeting adjourned.
7.30 pm Meeting reconvened

MOVED Cr C Frost that Clauses 9.5 (Limitation of Number of Speeches) and 9.6 (Limitation on Duration of Speeches) of the Standing Orders be suspended.
Motion Carried (12/0)

Council discussed the report outlining the risks associated with holding large public events taking into consideration:

- *State Government's decision to extend COVID-19 Phase 4 restrictions;*
- *current WA Department of Health advice; and*
- *the City's Risk Assessment conducted in holding a large scale public event indicated that going ahead during Phase 4 restrictions posed too high a risk*

In view of the above, Council opted to adopt a precautionary approach in the interests of its community.

MOVED Cr S Peter that Clauses 9.5 (Limitation of Number of Speeches) and 9.6 (Limitation on Duration of Speeches) of the Standing Orders be resumed.
Motion Carried (12/0)

MOVED Cr G Nixon

That Council:

1. **Cancel the delivery of the Highland Gathering/Perth Kilt Run to proceed on 4 October 2020 based on the Government of Western Australia – Department of Health's guidelines for safe events and current health advice.**

2. **Confirm the delivery of the Armadale Hills Open Art Studio Trail to commence on 10 September 2020 based on the Government of Western Australia – Department of Health's guidelines for safe events and current health advice**

MOTION not opposed, DECLARED CARRIED (12/0)

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

1 Streetscapes (Cr Donna Shaw)

That the matter of streetscape beautification and maintenance be referred to the Technical Services Committee

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 7.53pm

MINUTES CONFIRMED THIS 14 SEPTEMBER 2020

MAYOR

RISK ASSESSMENT OF PUBLIC EVENTS DURING PHASE 4 COVID-19 RESTRICTIONS

WARD	:	ALL
FILE No.	:	M/526/20
DATE	:	24 August 2020
REF	:	RM
RESPONSIBLE MANAGER	:	Executive Director Community Services

In Brief:

This report outlines the risks associated with proceeding with the delivery of the Armadale Hills Open Art Studio Trail scheduled to commence on 10 September 2020 and the Highland Gathering/Perth Kilt Run scheduled for 4 October 2020, based on the Government of Western Australia's decision to extend COVID-19 Phase 4 restrictions and its current *COVID-19 Safety Guidance*: *Events.*

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 A strong sense of community spirit
- 1.1.1 Provide opportunities to connect individuals to each other and the wider community
- 1.1.3 Value and celebrate our diversity and heritage
- 1.1.4 Foster local pride

1.2 Active community life that is safe and healthy
- 1.2.2 Provide opportunities to improve health outcomes for everyone

3.4 A desirable destination
- 3.4.1 Promote the district and opportunities to the region

4.1 Visionary Civic leadership and sound Governance
- 4.1.2 Make decisions that are sound, transparent and strategic

Legal Implications

COVID-19 advice and direction by the Government of Western Australian
COVID-19 advice and direction by the Australian Government

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The budget for 2020/21 comprises the following allocated funds for the events if they are to proceed:

Spring into Armadale (Armadale Hills Open Studio Arts Trail): $7000
Highland Gathering and Perth Kilt Run: $155,000

Consultation

1. City of Armadale internal departments
2. Western Australia Police
3. Government of Western Australian – Department of Health

BACKGROUND

In July 2020, (C19/7/20) a report was presented to Council outlining considerations informing the decision to cancel or confirm events scheduled to be delivered between September 2020 and January 2021. This resulted in the following recommendation:

> *That Council confirm the delivery of the events to proceed between September 2020 and January 2021 based on the WA Department of Health's guidelines for safe events and current health advice***.**

The report noted the events scheduled from September until January 2021 as follows:

- Armadale Hills Open Art Studio Trail – 10 September 2020
- Armadale Highland Gathering and Perth Kilt Run - 4 October 2020
- Christmas Parade/Carols by Candlelight – 4 December 2020
- Kambarang Festival – 10 November 2020
- Hawkers' Markets – 8 and 15 November 2020
- Australia Day – 26 January 2021

This report focuses on the Armadale Hills Open Art Studio Trail, the Armadale Highland Gathering/Perth Kilt Run and implications for any public events held in the City of Armadale.

Continuation of Phase 4 restrictions and cancellation of the Perth Royal Show
The Government of Western Australia recently announced that Phase 4 restrictions would continue to apply until 24 October 2020 due to the increasing number of COVID-19 infections in Victoria. At the same time, the cancellation of the Perth Royal Show was announced, with the following comment made by Premier Mark McGowan shortly afterwards on 18 August 2020:

He said unlike football games at Optus Stadium with assigned seating, it was close to impossible to contact trace at the Royal Show in the event someone infected with coronavirus attended.

"The show has a number of high frequency contact surfaces that would pose too big a risk," Mr McGowan said.

"If COVID were present at the show… it would lead to a significant outbreak (and) would result in spread of coronavirus like we haven't seen before in WA.

"It is a serious risk and one WA does not need to take."

Advice provided to the City on 20 August 2020 by the Government of Western Australia Department of Health reflects this comment, stating that with 20,000 people attending the Perth Royal Show each day, it will be impossible to limit the spread of COVID-19 if a case(s) is present or manage the cleaning that will be required for hand contact surfaces. Contact tracing would also be too difficult.

Current COVID-19 advice from the Department of Health for events
On 19 August 2020, the Government of Western Australia - Department of Health advised that the *Closure and Restriction (Limit the Spread) Directions No. 5* is now under review. In addition, the Department is also reviewing the *COVID Safety Guidance: Events* and the *Events* and *Mass Gatherings position statement* to support any changes to the *Closure and Restriction (Limit the Spread) Directions No. 5,* with local governments notified of all updates over the coming week. The aim of this is to provide greater clarity to event organisers that are planning larger scale events.

The decision of the Government of Western Australia to continue with Phase 4 restrictions until 24 October 2020, the cancellation of the Perth Royal Show and the upcoming updates to the direction of the Department of Health with regards to events may inform how the City approaches the delivery of its events scheduled from now until 24 October 2020.

The stance the City takes will also affect how it treats applications from external event organisers to hold events. Currently the City adheres to a Public Events Notification Process with the aim of ensuring any events held within the City of Armadale are safe and successful. This Process involves up to nine City Departments, each providing advice to a central contact officer to coordinate the necessary actions with the event organiser. Whilst the City does not formally 'sign off' its overall approval of the delivery of external events, event organisers

must comply with legislation specified within the Public Events Notification Process, including obtaining the required permits for food stalls, temporary electrical installations and large temporary structures. The Government of Western Australia - Department of Health's *Mass Gatherings position statement* (now under review) states that:

> *All events may continue to be assessed by the relevant local government authority in accordance with the requirements of the Health (Public Buildings) Regulations 1992. However, event organisers must understand that approval by local government does not guarantee that the event will be able to proceed.*
> *Local governments can process event applications, granting conditional approval in anticipation of the relevant restrictions being lifted by the time the event is due to take place.*

According to the Government of Western Australia - Department of Health's *COVID-19 Safety Guidance: Events:*

> *Authorised officers (the WA Police), under the Emergency Management Act 2005, have the power to close an event that they consider to be in breach of the current Directions or that puts the community at risk. Local government environmental health officers are not authorised under the Emergency Management Act 2005, and therefore will not play a role in enforcing adherence to the Directions. They remain responsible for enforcing the Health (Miscellaneous Provisions) Act 1911 and public building legislation.*

DETAILS OF PROPOSAL

It is proposed that in the context of the extension of Phase 4 restrictions, Council makes the decision to either confirm or cancel the delivery of the City's Armadale Hills Open Art Studio Trail and Armadale Highland Gathering/Perth Kilt Run. A risk assessment based on current advice from the WA Department of Health applied to the City's Risk Management process has been undertaken along with the identification of treatment measures to mitigate the risks where possible.

The Armadale Hills Open Art Studio Trail – commencing 10 September 2020

The Armadale Hills Open Art Studio Trail is classified as a program more than a major event, as it is anticipated that between 1000 and 3000 people are anticipated to attend 14 locations (studios) over a 10 day period.

A risk analysis was conducted using the Government of Western Australia's *COVID-19 Safety Guidance*: *Events* and applying the findings to the City's Risk Management matrices. The *COVID-19 Safety Guidance*: *Events* risk assessment section lists considerations including the size of the event and ability to conduct contact tracing. Whilst it notes that holding the event in indoor spaces increases the likelihood of spreading COVID-19, it also

asserts that an event attracting less than 200 people is classified as low risk (albeit if the event is held outdoors).

The City's Risk Management matrices indicated that proceeding with this event with treatment measures applied is considered a low risk within the attributes of reputation, governance and safety (City Assets) as the Armadale Hills Open Art Studio Trail is not considered a major event and small numbers of people will be at any one location at the same time. The likelihood rating of a COVID-19 case being detected at this event is deemed rare due to the low numbers of people in each location and the impact rating in these areas would be moderate if a COVID-19 case was detected at the event because of the fact that contact tracing would be easily and quickly conducted. With regards to the controls proposed for the Armadale Hills Open Art Studio Trail, these have been applied to programs and services with similar numbers and formats which have to date been considered effective, therefore this program may be deemed as an acceptable risk.

The following risk treatment measures for the Armadale Hills Open Art Studio Trail have been identified:

- Numbers can be managed and a booking system could be considered.
- Clear communications of social distancing and hygiene requirements and facilities.
- Hand sanitiser or hand washing facilities will be provided at the entrance to each premises, with all attendees required to utilise prior to entry.
- Social distancing measures of 2sqm to be promoted and maintained – pre-event promotion and event signage at entrance, in studios and any toilet facilities to remind patrons of this requirement.
- All attendee names and phone numbers can be collected on entry.
- Maximum numbers per studio as per Government of Western Australia regulations adhered to and displayed at each studio.
- Crosses utilised for studio queues.
- Follow Government of Western Australia - Department of Health publication *COVID-19 Safety Guidance: Events*.
- COVID-19 Safety Plan to be developed for the event by the City in conjunction with the individual artists to ensure each studio follows the guidelines correctly utilising the Department of Health template.
- Closely working with the City's Health Services Department and following Government of Western Australia's advice throughout the planning and implementation.

The Armadale Highland Gathering and Perth Kilt Run scheduled for 4 October
This event attracts a maximum of 20,000 people and to date has cost $26,000 to organise.

A risk analysis was conducted using the Government of Western Australia's *COVID-19 Safety Guidance*: *Events* and applying the findings to the City's Risk Management matrices. The *COVID-19 Safety Guidance*: *Events* risk assessment section lists considerations

including the size of the event and ability to conduct contact tracing. Whilst it notes that holding the event outdoors does reduce the likelihood of spreading COVID-19, it also asserts that an event attracting 1000+ people is classified as high risk. Whilst the likelihood rating of a COVID-19 case present at the event is deemed rare at this stage, the impact rating would be major to catastrophic if a COVID-19 case was detected at the event because of the fact it would be difficult to conduct contact tracing in a short timeframe due to the numbers of attendees.

The City's Risk Management matrices indicated that proceeding with this event even with control measures in place is considered a high risk in the attributes of reputation, governance and safety (City Assets). This is because the perceived efficacy of these proposed controls are rated as 'unknown' as whilst based on the current health advice and the Government of Western Australia's *COVID-19 Safety Guidance*: *Events*, the controls have not been tested in the current pandemic situation at a large event to be rated 'good' or 'excellent'.

The following controls have been identified:

1. Maximum Occupancy – 10,000 PAX
   To guarantee maximum occupancy numbers the event would need to be fenced and a ticketed system would need to be implemented to restrict the numbers.

   Further considerations include:
   - Additional expenses will be incurred for fencing around the site, security to manage the fenced perimeter and entry/exit points.
   - Entry/exit points are likely to create crowding issues at the entrances/exits which has implications on pathways, traffic and the patron experience.
   - Reduced attendance numbers would significantly reduce the viability of the food venders and commercial businesses who pay $250 to attend the event.
   - The event atmosphere will be limited with any fewer than 15,000 patrons.

2. 2sqm Physical Distancing – "All venues must maintain a strict limit of a minimum of two square metres (2sqm) per patron (excluding staff)"
   - Australian Government - Department of Health 'let's be covidsafe together' posters utilised via social media in the lead up to the event
   - Australian Government - Department of Health 'let's be covidsafe together' posters utilised at each entry point and throughout the event (A-Frames)
   - COVID-19 Safety Certificate with maximum event or area capacity displayed at each entry point and throughout the event (A-Frames)

- Food court areas – 2sqm distancing between all dining tables and only four chairs per table
- Entertainment areas – numbers of chairs ordered for each area reduced and positioned in every second seat placing
- COVID-19 Safety Certificate with maximum capacity placed on the front of each marquee or defined area
- Security to monitor maximum capacity for defined areas
- MC and entertainer announcements throughout the day reminding people to social distance while they are at the event
- Staggered times for Perth Kilt Run start (walkers/runners, 2.5km/5km)
- Crosses painted on the grass for food vendor and toilet areas to assist in managing queues

3. Hygiene
   - Australian Government - Department of Health 'good hygiene is in your hands' posters displayed within each toilet and at each dining table
   - Hygiene Stations strategically placed
   - Each toilet to have hand washing facilities included and be regularly cleaned
   - Dining areas to be regularly cleaned
   - Food venders encouraged to utilise tap and pay facilities rather than cash
   - Pre-promotion of cashless payments
   - All food vendors to have completed the COVID-19 Hospitality Training and have the certificate displayed

4. Training & Education
   - All food vendors to have completed the COVID-19 Hospitality Training and have the certificate displayed
   - All staff having completed the Australian Infection Control Training
   - Health & Wellbeing Officer and /or Health Services Team having an active presence at the event to educate patrons around COVID-19 safety and other health initiatives

5. Response Planning
    - Pre-promotion of the COVID-19 Safety App to recommend people download it before they attend
    - Attendance records – names, emails and phone numbers of all community groups and their members that were presenting at the event
    - Attendance record – event contact list for all contractors and stakeholders that are to access the site in bump in/out and during the event
    - Follow Government of Western Australia - Department of Health publication COVID-19 Safety Guidance: Events
    - COVID-19 Safety Plan to be developed for the event utilising the Government of Western Australia - Department of Health template
    - Closely working with the Health Services Team and following Government advice throughout the planning and implementation
    - Response protocol:
        - Inform Manager/Health Services immediately, who will contact public health and follow their advice
        - Keep other away from the person
        - Transport
        - Clean and disinfect
        - Assisting public health to identify close contacts

Externally organised events
From 1 September 2020 until 24 October 2020 there are 10 external events registered with the City's Public Events Notification Process. The maximum numbers of expected attendees range from 50 people to 12,000 people per day. For one event spanning just over five weeks, 70,000 people are expected in total.

As per the direction from the Government of Western Australia for all events, the City requires all event organisers to complete a COVID-19 Safety Plan. However as indicated with the risk assessment of the City's events cited in this report, the risk is proportionate to the numbers of people gathering in one place and how easily contact tracing can be conducted. It is also prudent to consider the rationale behind the cancellation of the Perth Royal Show and how that may influence the updates to be included in the *Closure and Restriction (Limit the Spread) Directions No. 5* to be issued to local governments by the Government of Western Australia for large public events.

The City does not currently approve the overall delivery of external events but can provide advice and issue applicable permits required by legislation. Therefore the organisers of external events are required to comply with the Government of Western Australia's direction at the time.

COMMENT

With the Phase 4 restrictions associated with the COVID-19 pandemic continuing until 24 October 2020, the City has a responsibility to review the implications for its major events and externally managed public events until Phase 5 restrictions are in place.

The recent announcement from the Government of Western Australia of the cancellation of the Perth Royal Show and the rationale behind this decision provides an insight into what may be included in the upcoming review of the *COVID Safety Guidance: Events* and the *Events* and *Mass Gatherings position statement* to support any changes to the *Closure and Restriction (Limit the Spread) Directions No. 5.* These updated documents will be issued to local governments in the near future.

The Armadale Hills Open Art Studio Trail scheduled to commence on 10 September is deemed low risk as it is not conducted as a major event but rather a program over 10 days across multiple locations, with 3000 people maximum attending. The proposed controls are rated as excellent resulting treatment option being to accept the risk by proceeding with the program.

The Armadale Highland Gathering/Perth Kilt Run is scheduled for 4 October, is located in the city centre and attracts approximately 20,000 people. This event is considered high risk. Even with the implementation of significant controls at the event including fencing the area to restrict attendees to 10,000 and ticketing the event, high numbers of people are in one place and contact tracing is difficult. The cost of the event is also increased to implement the additional measures whilst the experience for attendees may be reduced in quality due to the reduced numbers. The proposed controls are rated as unknown with the resulting treatment option being to avoid of the risk by not proceeding with the event.

OPTIONS

Council has the following options:

1. Confirm the delivery of the Highland Gathering/Perth Kilt Run to proceed on 4 October 2020 based on the Government of Western Australia – Department of Health's guidelines for safe events and current health advice.
2. Cancel the delivery of the Highland Gathering/Perth Kilt Run to proceed on 4 October 2020 based on the Government of Western Australia – Department of Health's guidelines for safe events and current health advice.

3. Confirm the delivery of the Armadale Hills Open Art Studio Trail to commence on 10 September 2020 based on the Government of Western Australia – Department of Health's guidelines for safe events and current health advice.
4. Cancel the delivery of the Armadale Hills Open Art Studio Trail to commence on 10 September 2020 based on the Government of Western Australia – Department of Health's guidelines for safe events and current health advice.
5. Request further information on the impact of cancelling the Highland Gathering/Perth Kilt Run and Armadale Hills Open Art Studio Trail in relation to the COVID-19 risk.

Options 2 and 3 are recommended.

CONCLUSION

While the City has historically implemented good control measures at large events to manage potential public health issues, infectious disease transmission of COVID-19 is still evolving and needs to be more comprehensive. In addition to the major public health risks of COVID-19 at large events, the management of media interest, political interest and public perceptions are also major challenges for the City. While it is understood that the cancellation/postpone of events have social and economic impacts on public morale, on national economies, and on individual livelihoods, a precautionary approach is warranted in this unprecedented time.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

That Council:

1. Cancel the delivery of the Highland Gathering/Perth Kilt Run to proceed on 4 October 2020 based on the Government of Western Australia – Department of Health's guidelines for safe events and current health advice.

2. Confirm the delivery of the Armadale Hills Open Art Studio Trail to commence on 10 September 2020 based on the Government of Western Australia – Department of Health's guidelines for safe events and current health advice

CONFIDENTIAL DEVELOPMENT SERVICES COMMITTEE

SUMMARY OF CONFIDENTIAL ATTACHMENTS

17 AUGUST 2020

ATT NO.	SUBJECT	PAGE
1.2	**CONSIDERATION OF TENDERS - PREPARATION OF KELMSCOTT DISTRICT ACTIVITY CENTRE STRUCTURE PLAN**	
1.2.1	Confidential - Pricing Schedule - Kelmscott District Activity Centre Structure Plan	36

NB: Confidential Attachments detailing the recommended tenderer's price/consideration is now being made public following Council's resolution of the successful tender.

PRICING SCHEDULE
CONFIDENTIAL ATTACHMENT No.1
Tender 11/20 – Kelmscott District Activity Centre Structure Plan

4.1.1.1 Overall Project Team

Line No	Description	Price Tendered (Ex GST)	GST Component	Price Tendered (Inc. GST)
1	Activity Centre Structure Plan	$185,720	$18,572	$204,292
2	Supporting Technical Appendices (not including Community Engagement/Communications Plan)	$186,605	$18,660.50	$205,265.50
3	Community Engagement/Communications Plan	$1,740	$174	$1,915
4	Town Planning Scheme Amendment Report	$5,880	$588	$6,468
5	Recommendations/Implementation Report	$9,170	$917	$10,087
	Disbursements	$4,970	$497	$5,467
	TOTAL	**$389,115**	**$38,912**	**$428,027**
	Artist Impressions / CAD renderings of the future centre, per drawing/unit	$2,500	$250	$2,750