



**ORDINARY MEETING OF COUNCIL  
MONDAY, 22 APRIL 2024**

**AGENDA**

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HELD ON 15 APRIL 2024**

**CORPORATE SERVICES COMMITTEE MEETING  
HELD ON 16 APRIL 2024**

**CHIEF EXECUTIVE OFFICER'S REPORT**

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# NOTICE OF MEETING AND AGENDA

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

**MONDAY, 22 APRIL 2024**

**JOANNE ABBISS  
CHIEF EXECUTIVE OFFICER**

**18 April 2024**

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**1                    DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

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**2                    RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

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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**

Nil

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**6 PETITIONS**

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**7 CONFIRMATION OF MINUTES**

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**9 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN  
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Nil

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# CITY OF ARMADALE

## MINUTES

OF TECHNICAL SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,  
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 8  
APRIL 2024 AT 7.00PM.

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**PRESENT:**

Cr K Busby (Chair)  
Cr S S Virk (Deputy Chair)  
Mayor R Butterfield  
Cr P A Hetherington  
Cr J Joy  
Cr S Stoneham (Deputy to Cr S J Mosey)  
Cr C Wielinga (Deputy to Cr M Hancock)

**APOLOGIES:**

Cr M J Hancock (Leave of Absence)  
Cr S J Mosey  
Cr K Kamdar

**OBSERVERS:**

Cr G Smith  
Cr L Sargeson  
Cr J Keogh (7.17pm to 7.33pm)

**IN ATTENDANCE:**

Ms J Abbiss	Chief Executive Officer
Mr M Andrews	Executive Director Technical Services
Ms S van Aswegen	Executive Director Community Services (via Teams)
Mr N Burbridge	Sustainability Project Manager (via Teams 7.00pm to 7.04pm)
Mr G Taylor	Head of Environment and Sustainability
Ms N Mathieson	Senior Administration Officer Technical Services

**PUBLIC:**

Nil

“For details of Councillor Membership on this Committee, please refer to the City’s website  
– [www.armadale.wa.gov.au/your council/councillors](http://www.armadale.wa.gov.au/your_council/councillors).”

**DISCLAIMER**

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

**DECLARATION OF MEMBERS' INTERESTS**

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Nil

**QUESTION TIME**

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Nil

**DEPUTATION**

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Nil

**CONFIRMATION OF MINUTES**

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**RECOMMEND**

**Minutes of the Technical Services Committee Meeting held on 6 March 2024 be confirmed.**

**Moved Cr P A Hetherington**

**MOTION CARRIED**

**(7/0)**

**ITEMS REFERRED FROM INFORMATION BULLETIN**

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**Outstanding Matters and Information Items**

Various Items

**Monthly Departmental Reports**

Technical Services Works Programme

*No items were raised for report or further investigation.*

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## TECHNICAL SERVICES COMMITTEE

8 APRIL 2024

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***1.1 - ENG21 - STRATEGIC ENVIRONMENTAL COMMITMENT***

WARD : ALL  
FILE No. : M/167/24  
DATE : 21 March 2024  
REF : NB  
RESPONSIBLE : Executive Director  
MANAGER : Technical Services

**In Brief:**

- The Aspiration for the Environment, as stated in the City of Armadale Strategic Community Plan 2020-2030 (SCP), is further articulated in the Strategic Environmental Commitment policy.
- The Policy must be receptive to changes in the direction of Council, specifically the Aspiration for the Environment in the SCP, and other desired strategic outcomes.
- The Aspiration for the Environment in the SCP, and legislation relevant to the Policy have changed since it was originally produced, and changes are required.
- Recommend that Council endorse the draft amended ENG21 Strategic Environmental Commitment policy.

**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**

Corporate Business Plan 2023-2026

2.1. Conservation and Restoration of the Natural Environment:

- 2.1.1 Sustainability initiatives are supported and implemented throughout the City.
- 2.1.2 Improve water efficiency throughout the City's operations.
- 2.1.3 Seek to improve the quality of water within waterways throughout the City.



- 2.1.4 Minimise corporate and community carbon footprints within the City of Armadale.
- 2.1.5 Minimise impacts on air quality throughout the City.
- 2.1.6 Protect soil and land resources throughout the City.
- 2.1.7 Biodiversity is managed to preserve and improve ecosystem health.
- 2.1.8 Facilitate the creation of partnerships and support strategies for the maintenance and enrichment of the natural environment.

### **Legal Implications**

*Local Government Act 1995 (WA)*

*Local Government (Administration) Regulations 1996 (WA)*

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

None noted.

### **Budget/Financial Implications**

Nil

### **Consultation**

1. Intra-Directorate
2. Executive Leadership Team
3. Standing Order House Advisory Group

## **BACKGROUND**

This Report recommends a proposed revision to the policy, as part of the periodic review process.

### **Initial Policy Adoption**

The current Policy, 'ENG21 – Strategic Environmental Commitment' (SEC) was adopted by Council in August 2019 as a constituent component of a new Environmental Management Framework (EMF) (T53/8/19):

- *Endorse the proposed Environmental Management Framework as detailed in the attachment to this report.*
- *Pursuant to section 2.7(2)(b) of the Local Government Act 1995, adopt the new Council Policy ENG 21 - Strategic Environmental Commitment*

Consequently, the policy is now due for review.

### **Rationale**

The adopted EMF (see Attachment 1) replicates the key principles of International Standard ISO14001 *Environmental Management Systems* (the Standard). The intended outcomes of the Standard include:

- Enhancement of environmental performance
- Fulfilment of compliance obligations
- Achievement of organisational environmental objectives

The overall intent is to effectively address environmental risks and opportunities, through the integration of environmental management into organisational processes and decision making.

Accordingly, the EMF is a hierarchy of documents that demonstrates how the high-level objectives of Council cascade through the organisation into detailed activities. This provides transparency in relation to the activities of the City's Environment and Sustainability team and demonstrates how they are aligned to Council's strategic objectives.

As detailed within the Standard, strategic environmental policies are required towards the top of a business' hierarchy, to set the intention and direction of an organisation by 'Executive Management' (Council). They are a key component of an Environmental Management System.

The Vision of Council, as stated in the City of Armadale Strategic Community Plan 2020-2030 (SCP), is articulated in the SEC policy. Consequently, the Policy must be receptive to changes in the strategic direction of Council, specifically the Vision. The EMF highlights a mutual feedback loop between the SEC and the SCP/Corporate Business Plan (CBP).

Within the SEC, Strategic directions are set for each of the Environmental Assets of the City (Biodiversity, Water, Aboriginal Heritage, Soil and Land and Air). These align with the Standard and provide the detail for initiatives be delivered in operational work plans.

Strategic documents are currently in production for Biodiversity, Water, Soil and Land and Air. The approach to the Aboriginal Heritage Strategy is defined in the City's 'Innovate – Reconciliation Action Plan'.

#### Requirements of an Environmental Policy

In accordance with ISO140001, the policy should:

- Be appropriate to the purpose and context of the organisation.
- Provide a framework for setting environmental objectives.
- Include a commitment to the protection of the environment, including the prevention of pollution and other specific commitments relevant to the context of the organisation (e.g., sustainable resource use, climate change mitigation, protection of biodiversity and ecosystems).
- Include a commitment to fulfil compliance obligations.
- Include a commitment to continual improvement of the environmental management system to enhance environmental performance.

The City of Armadale SEC is designed to cover the components above or requirements of the Standard.

In addition, it is specifically worded to reflect the City's extent of control or influence around the Environmental Assets of the City e.g. The City may not be held accountable for overall water quality changes across the City, as these may be significantly impacted by non-City activities and regulated by different bodies.

#### **COMMENT**

Relevant environmental commitments from the SCP in relation to environmental matters are highlighted in the following table. These are cross referenced to the relevant detail in the SEC, with changes proposed where necessary.

Outcome/Objective as per SCP	Current Detail in SEC	Comment/Proposed Change
Outcome - 2.1 Conservation and Restoration of the Natural Environment	Objective of SEC - To clearly define the key Environmental Objectives the City will pursue in achieving its environmental goal of having a <b>natural environment that is valued and conserved</b>	<b>Propose Change</b> - To clearly define the key Environmental Objectives the City will pursue in achieving its environmental goal of the <b>Conservation and Restoration of the Natural Environment.</b>
2.1.1 Sustainability initiatives are supported and implemented throughout the City	None.	<b>Propose Change</b> – add new comment - <b>Sustainability initiatives are supported and implemented within City operations.</b>
2.1.2 Improve water efficiency throughout the City’s operations	Utilise water efficiently as part of City operations.	No change proposed.
2.1.3 Seek to improve the quality of water within waterways throughout the City	Minimise detrimental impacts to water quality in the City’s rivers, streams, brooks and drains.	No change proposed. Policy position represents City’s accountability/extent of control or influence over water quality across the City of Armadale.
2.1.4 Minimise corporate and community carbon footprints within the City of Armadale.	Minimise the City’s carbon footprint.	No change proposed. Policy position represents City’s accountability/extent of control or influence over carbon footprints across the City of Armadale.
2.1.5 Minimise impacts on air quality throughout the City.	Minimise pollution to the atmosphere from City operations.	No change proposed.
2.1.6 Protect soil and land resources throughout the City.	Minimise the pollution of soil and land that could result from City activities.	No change proposed.
2.1.7 Biodiversity is managed to preserve and improve ecosystem health.	Preserve and enhance the City’s natural areas.  Ensure development outcomes are sensitive to pre-existing environmental values.	<b>Propose Change</b> – amend ‘Ensure development...’ to <i>Seek to protect and enhance biodiversity assets through the land development process</i> , as this is more consistent with the recently approved City of Armadale Biodiversity Strategy.
2.1.8 Facilitate the creation of partnerships and support	None.	<b>Propose Change</b> – add new comment - Create

Outcome/Objective as per SCP	Current Detail in SEC	Comment/Proposed Change
strategies for the maintenance and enrichment of the natural environment.		partnerships and support strategies for the maintenance and enrichment of the natural environment.

Throughout the policy, the term ‘Cultural Heritage’ will be amended to ‘Aboriginal Heritage’ to be consistent with the approach adopted in the ‘Innovate – Reconciliation Action Plan’. Section 3.1 of the *Local Government Act 1995* (WA) has introduced the requirement for local governments to promote environmental sustainability. In addition, there is the necessity to mitigate risks associated with climate change, and consider impacts to future generations in decision making processes. The policy has been amended to reflect these requirements.

Consequently, changes are proposed to the SEC to reflect amendments to the City’s strategic documents and the *Local Government Act 1995* (WA). In accordance with the procedure for developing, amending and reviewing Policies **POLICY - ENG 21 Strategic Environment Commitment** has been appropriately amended and presented as Attachment 1 to this report.

### OPTIONS

The following options are presented for consideration:

1. Endorse the draft amended ENG21 Strategic Environmental Commitment policy.
2. Not endorse the draft amended ENG21 Strategic Environmental Commitment policy and seek further amendments.

It is the Officer’s recommendation that Option 1 is supported.

### CONCLUSION

The Strategic Environmental Commitment forms part of the City’s Environmental Management Framework and sets the direction and intent of Council towards their approach to environmental management.

Within the SEC, the City’s Assets are classified into Biodiversity, Water, Aboriginal Heritage, Soil and Land and Air.

There is a mutual feedback loop between the strategic direction of the City (as defined in the SCP), and the SEC. This allows for amendments to the SEC in response to changes in the City’s aspiration’s as it relates to the environment.

There have been minor changes to the City’s aspiration and objectives in relation to environmental management, and additional sustainability requirements under the *Local Government Act 1995* (WA). Consequently, these need to be reflected in the Strategic Environmental Commitment.

**ATTACHMENTS**

1. [↓](#) Draft Strategic Environmental Commitment Policy

**RECOMMEND**

T1/4/24

**That Council:**

1. **Endorse the draft amended ENG21 Strategic Environmental Commitment policy.**

**Moved Mayor R Butterfield**

**MOTION CARRIED**

**(7/0)**

## **2.1 - URBAN FOREST PROGRESS REPORT**

WARD : ALL  
FILE No. : M/120/24  
DATE : 7 March 2024  
REF : CJ/JA  
RESPONSIBLE : Executive Director  
MANAGER : Technical Services

### **In Brief:**

- This report presents a status update on the works undertaken in the 2023-24 Urban Forest Greening Programs.
- The programs combine planning, on-ground works and opportunities to engage residents with the ultimate goal to effectively promote and manage the City's tree canopy.
- The report recognises the foundational work of the City's tree data collection program in 2024, as a base to grow from.
- It is recommended that Council note the update provided.

### **Tabled Items**

Nil

### **Decision Type**

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

### **Officer Interest Declaration**

Nil

### **Strategic Implications**

- 2.1 Conservation and restoration of the natural environment
- 2.2 Attractive, inclusive and functional public places
- 2.2.1 Focus on achieving a high level of streetscape amenity in new developments.
- 2.2.2 Improve the amenity of streetscapes in established suburbs to provide an attractive, shaded network that connects residents to locations of interest.
- 2.2.3 Advocate for the improved maintenance of verges on major arterial roads.
- 2.2.4 Develop, improve and maintain quality parks, playgrounds and public open spaces throughout the City.

### **Legal Implications**

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

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

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

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

### **Budget/Financial Implications**

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

### **Consultation**

- Intra Directorate

## **INTRODUCTION**

The City adopted the Urban Forest Strategy (the Strategy) in 2014 (T29/4/14) and the Strategy has served since to guide the management and improvement of the Urban Forest. The Strategy is approaching 10 years old and is due to be reviewed in the coming financial year, once the current data collection process is complete. At the date of this report, data had been collected from 992 of the City's street trees.

Under the current strategy, the City has an annual program of tree planting and maintenance works.

The three sub-programs include:

1. The Greening Program
  - a. Location Planning
  - b. Implementation
    - i. Street tree planting
    - ii. Parkland tree planting
    - iii. Maintenance and Watering
2. The Resident Request Program; and
3. An Engagement Program.

This progress report provides Council and the community with an update on the works undertaken in these programs over the 2023 planting season (July 2023 to June 2024) and works prepared ready for the 2024 planting season (July 2024 to June 2025).

## **GREENING PROGRAM 2023-24**

Under the Greening Program, trees are planted within road reserves and parklands and maintained for three years for establishment. The delivery of the Greening Program requires monitoring and collaboration. The program consists of two phases - Planning and Implementation - with each having its own cycle of tasks.







such as improvements to the letters and envelopes out, with the aim to encourage residents to review the letter when received and contact the City for further information.

For information, when a resident refuses a tree, Officers take time to educate residents on the benefits of the tree and actively encourage acceptance. Should the resident still reject the tree after this engagement, then it is conceded that a tree will not be planted this season but will be reconsidered in the future seasons and a follow up letter is issued noting the change and benefits of the urban forest greening program. The engage page has also been updated to provide more user-friendly information.

The most common reasons residents reject a tree are:

- Perceived mess of the property from dropped leaves.
- Potential for maintenance associated with the trees.
- Impacting on current verge use, such as parking.

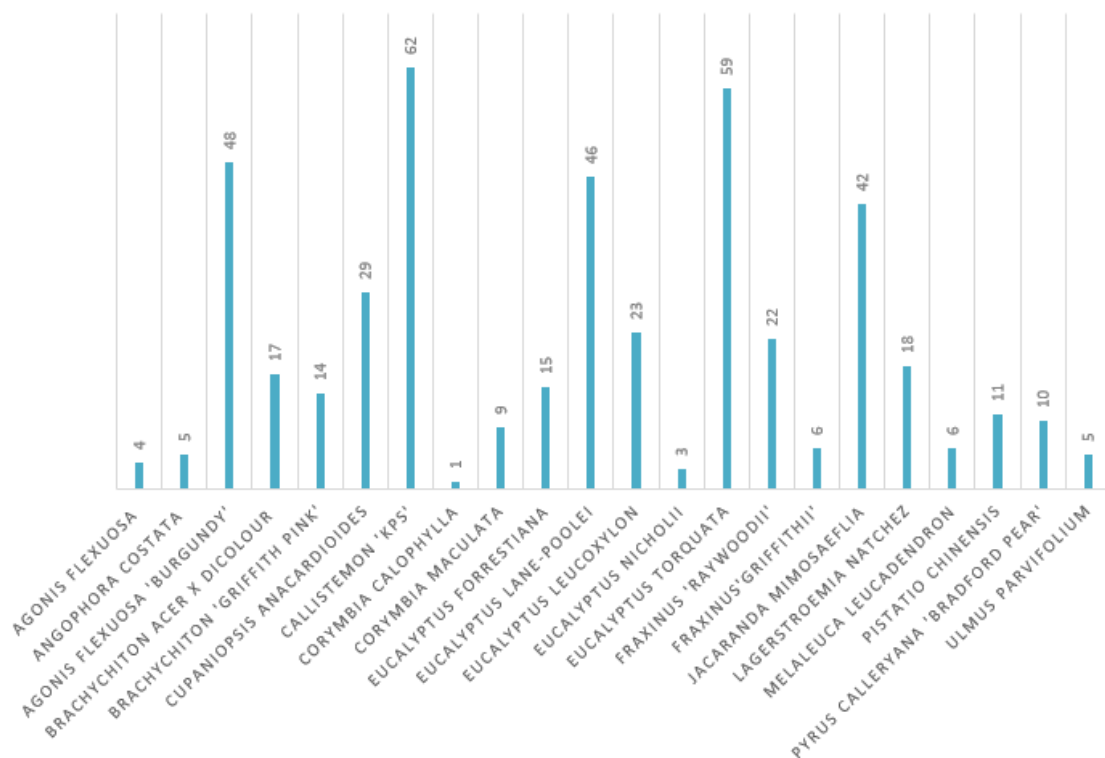
Anecdotally, other Local Governments are experiencing a similar level of rejection from their residents.

For clarity, City Officers’ proactive approach saw 100% of rejected tree stock, reallocated to other residential verges, roadsides and parks, and reserves such as Harber Park and Cam Clay Reserve.

**Species Diversity**

Species selection was carefully considered, with species diversity, soil type, existing infrastructure, water use and local character being the most influencing factors. The following graph indicates the species diversity installed in 2023-24.

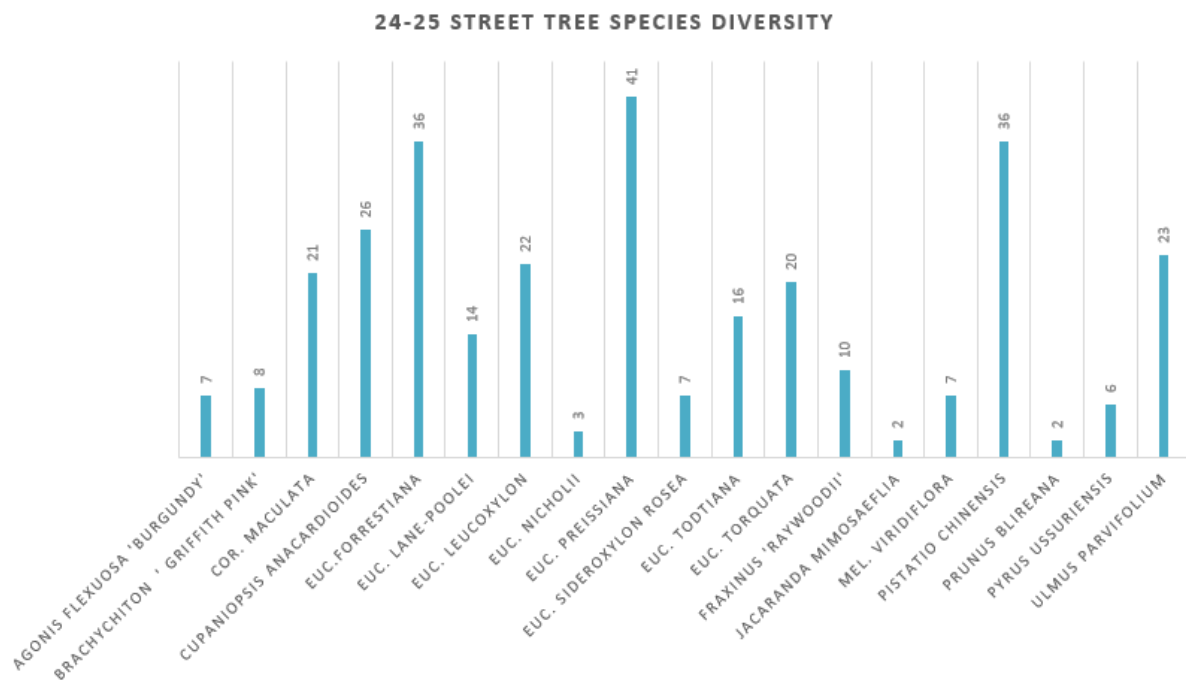
**23-24 STREET TREE SPECIES DIVERSITY**



To date, 330 (30-45ltr) trees have been planted in the 2023-24 planting season. In order to trial the viability of diversifying the planting season even further, this year additional planting has been planned to be installed in May during which 135 street trees are planned for installation in the Seville Grove and Armadale areas.

**Looking Ahead - Greening Program 2024-25**

304 trees are currently planned to be installed within road reserves under the 2024-25 program. Locations have been selected in Armadale, Champion Lakes, Seville Grove, Piara Waters and Harrisdale. Overall, the species diversity has been increased, as noted in the table below with vacant verges being targeted to increase diversity and reduce heat through the screening and shading of the large expanse of hard surfaces as well as provide habitat and beautification for the streetscapes.



Communications to adjacent residents has commenced and the Engage Page, which proved to be a highly effective tool last season, has been updated to reflect the upcoming program of work.

It should be recognised that since the introduction of the program, not all residents are happy with the installation of trees on verges. Officers take a positive approach to tree planting and actively encourage residents to support the tree planting program and work with residents to find a compromise that suits. For example, a change of position (to the right or left to enable a carparking space to remain) or a change of species is often a simple modification that can be accommodated.

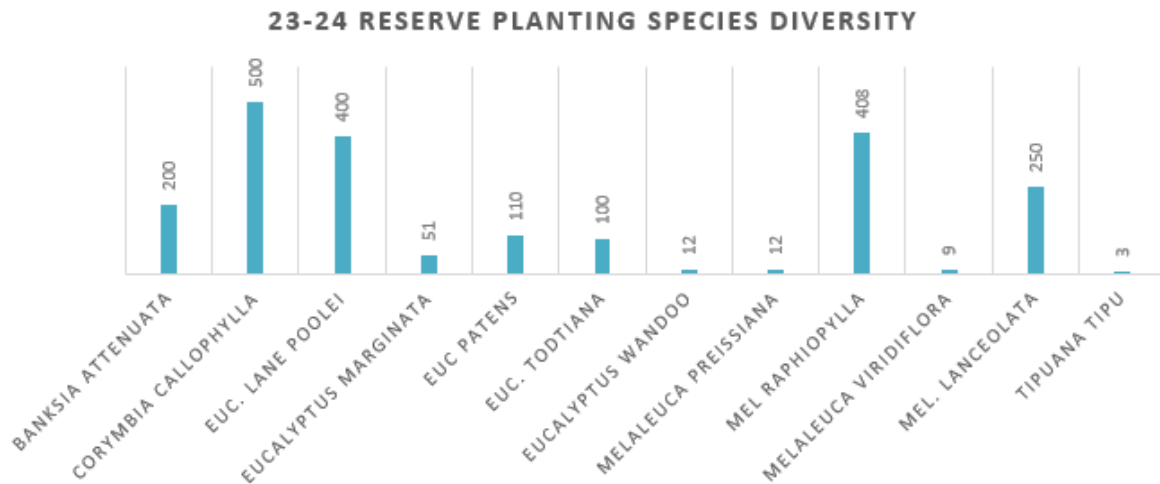
**Parkland Tree Planting 2023-24**

*Location Planning*

As stated earlier, the target areas for this season were chosen due to the mapping indicating these parklands having hot land surface temperatures. The majority of the parkland tubestock were planted within Kuhl Park, with excess tubestock allocated to Verdant Reserve.

*Species Diversity*

Parkland tree planting is considered an opportunity to install larger native species less suited to street tree planting. Most of the species planted are endemic species as noted below.



To date, 2,000 tubestock (40mm pot) have been planted in the winter 2023-24 planting season. Again, in order trial the possibility of breaking up the planting season, 55 x 45lt parkland trees are planned for installation in the month of May, with the majority allocated to Cam Clay reserve, Troon and Burtonia Park.

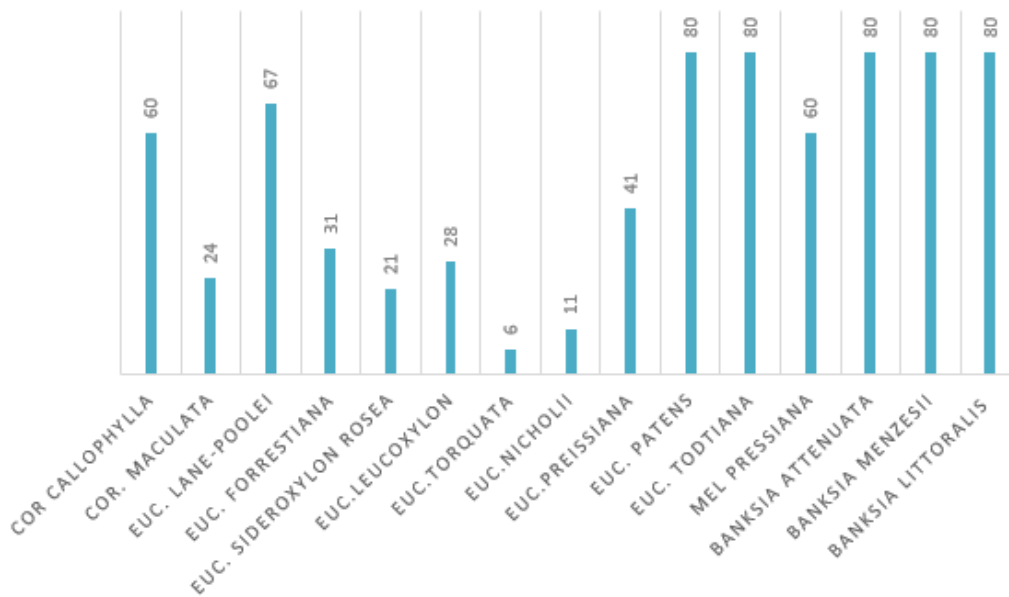
***Looking Ahead - Parkland Tree Planting 2024-25***

The upcoming tubestock planting is planned to be undertaken as a community planting day in collaboration with the Armadale Gosnells Landcare Group (AGLG) team. The drainage basins at Harrisdale playing fields have been selected for several reasons including:

- Urban heat and higher density
- Existing infrastructure to support establishment of tubestock
- High community visibility
- Education / engagement target area
- Existing facilities to support event.

169 x 45lt trees are currently planned to be installed in parks under the 2024-25 program. Species diversity has been targeted as well as selecting endemic species suitable to the existing soil and groundwater conditions.

**24-25 RESERVE PLANTING SPECIES DIVERSITY**



**Maintenance and Watering 2023-24**

Under the greening program, the program funds for the planted trees to be maintained for three years, including watering and general maintenance. This year the City has continued to undertake tree watering as per the Implementation Plan:

- 2023/2024 Planting (Weekly) September to April
- 2022/2023 Planting (Fortnightly) September to April
- 2021/2022 Planting (Monthly) January to April

Also, a component of the program is undertaking maintenance work on trees planted during the past three years. Associated maintenance works completed in 2023/2024 incorporated:

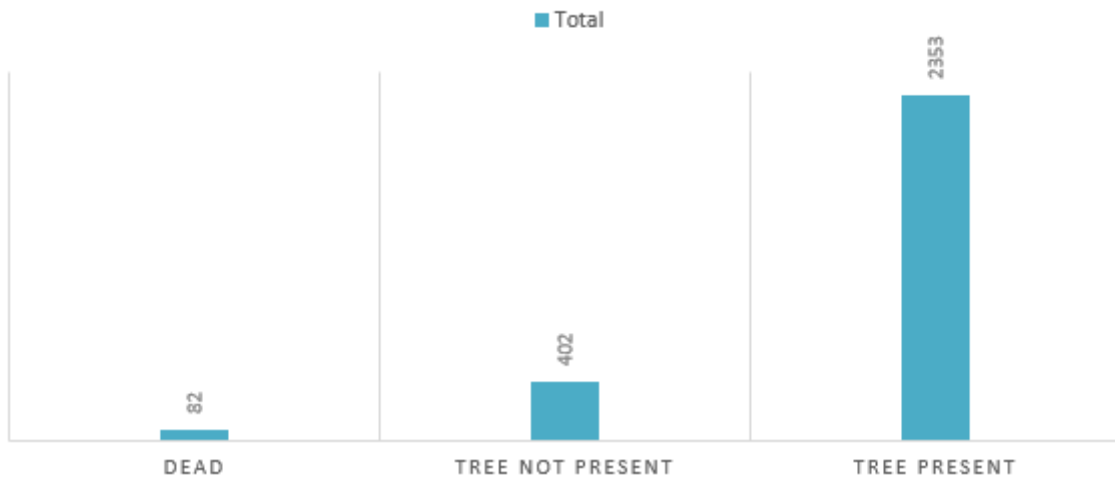
- Formative prune
- Re-staking
- Retying
- Mulching
- Fertilizing
- Removal of dead trees and associated stakes and tree wells
- Weeding

In addition, an audit of the past four years (2019-2023) planting has been undertaken to inform corrective works required.

***Tree Survival***

The tree audit reported that 2,353 verge trees were present from planting date, 402 trees were 'not present' whilst 82 trees were confirmed dead – equating to an 80% success rate.

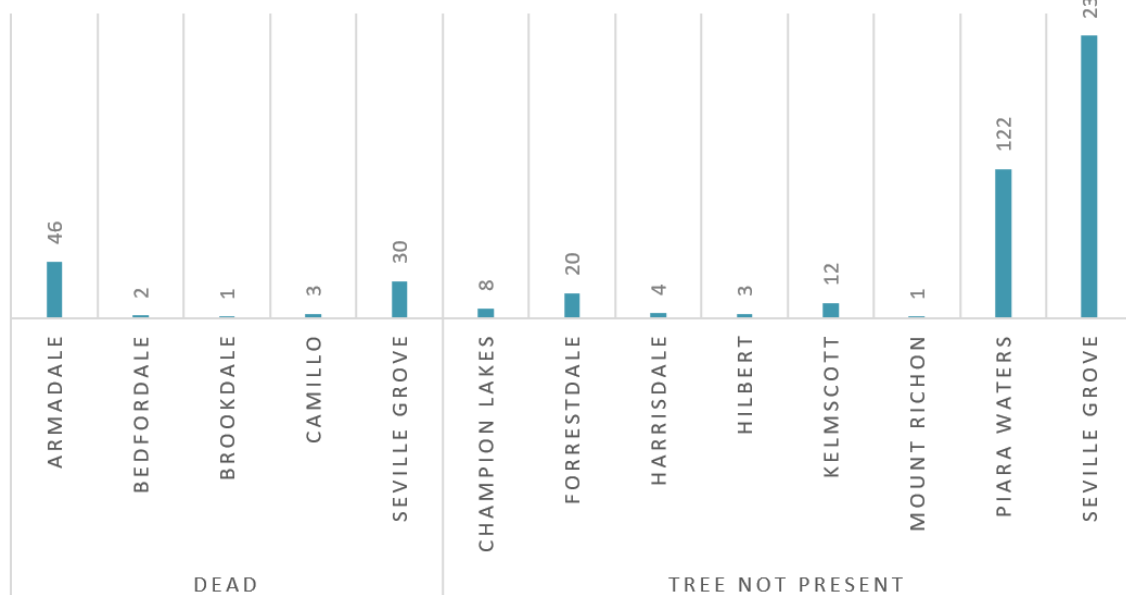
**TREE SUCCESS REPRESENTATION 2019-2023**



The spread of trees dead or not present shows Seville Grove appears to be the suburb with least success in terms of trees both reported dead or not present, whilst Armadale represents the suburb with the highest number of dead trees. There is no objective data that the City can use to ascertain why these suburbs have the most trees in these categories, although City Officers believe it is likely a combination of; residents removing the tree without City knowledge, due to their disapproval of the tree being planted or the tree has died and subsequently also removed by the resident without informing the City.

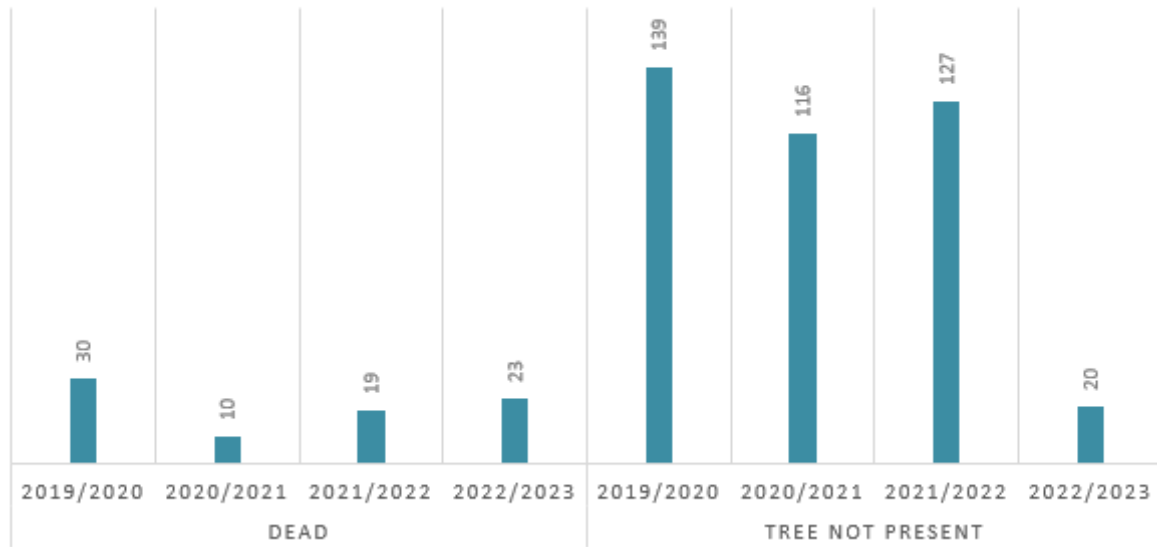
These observations and opportunities for lessons learnt are guidance for future efforts for tree planting.

**DEAD/TREES NOT PRESENT - SUBURB 2019-2023**



It is noted that ‘trees not present’ on verges is considerably higher than the ‘dead trees’ from 2019-2023 whilst in 2023 there is a significant decline in the number of trees that are not present. Although the City monitors its trees through its watering program and annual maintenance, noting why the tree was removed is not verifiable if not removed by the City.

### TREES DEAD/NOT PRESENT - YEAR PLANTED



City officers believe that the lessons learnt from the first three-years 2019-20 to 2021-22 seem to have worked to some degree, with the best ‘trees not present’ score being achieved in 2022-23.

Key lessons:

- City does not invest excessive time and money on residents who do not want a tree i.e. not force plants onto residents.
- The use of social media to promote the planting program seems to be very effective.
- Engaging residents adds to the effectiveness of the program, particularly when planting a tree, the City endeavours where possible to locate the tree in an agreeable location on the verge which potentially reduces the residents urge to remove the tree or reject the tree.

#### ***Looking Ahead – Maintenance and watering 2024-25***

The City will continue, to manage trees for three years, including watering and general maintenance. A program has been put into place to replace the dead or ‘not present’ trees in the next planting season and the backlog of trees will be addressed.

Officers will continue to undertake an annual audit in December 2024, to inform of corrective works and program regular tree replacements required for winter planting.

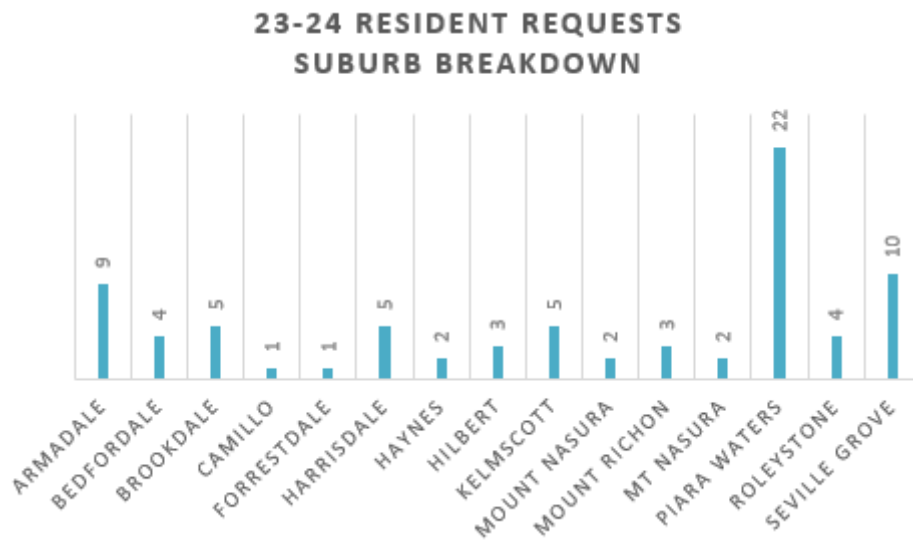
#### **RESIDENT REQUEST PROGRAM 2023-24**

The Resident Request planting program encourages residents to apply for a street tree to be planted on the verge adjoining their property. The point of difference between this program and planned urban greening planting is that the resident takes some ownership by agreeing to water the tree. This also allows planting in more of a sporadic manner without the need for contracted truck watering.

**Location Planning**

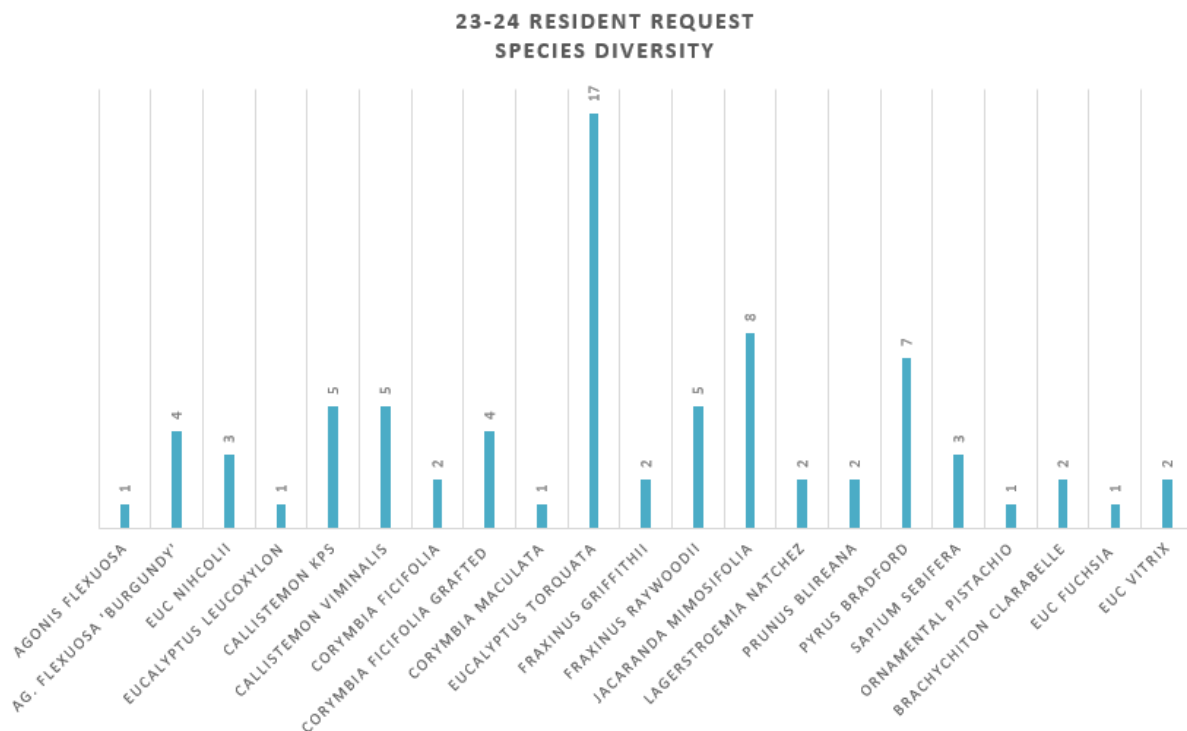
The program attracts applications from all over the City however, there has been a consistently high number of applications received from Piara Waters. These trends are a positive reflection on the community’s appetite for greening. In total 78 Resident Request trees were requested and planted.

The graph below illustrates the requests planted in 2023-24.



**Species Diversity**

To develop each resident's relationship with their street tree, the City will endeavour to honour specific species requests where possible. The requested species must be deemed suitable for the location, by taking this approach helps to increase species diversity and improve the residents’ ongoing invested interest in growing the City’s urban forest.



**Looking Ahead - Resident Request Program 2023-24**

141 Street Tree Request forms received for the 2024 Planting season. This increase from 78 to 141 is a massive increase in take up of the program. This is due to the improved engagement and promotion undertaken, which is further explained under the engagement program text.

After site inspections, 38 locations were unable to be planted due to a variety of reasons such as existing vegetation, sight lines and proximity to infrastructure or services. 142 trees were allocated to the remaining 103 locations. Requests were received from 14 suburbs with Piara Waters and Harrisdale again heavily represented.

**ENGAGEMENT PROGRAM 2023-24**

There is considerable evidence to suggest that the support of the community is vital to be successful in growing an urban forest. The City is home to a diverse range of residents and awareness of this fact is shaping the way to promote the greening program. Over time, the City has sought to diversify the ways in which the message is delivered to residents. In-2023-24, the City has undertaken the following approaches.

**Promotions 2023-24**

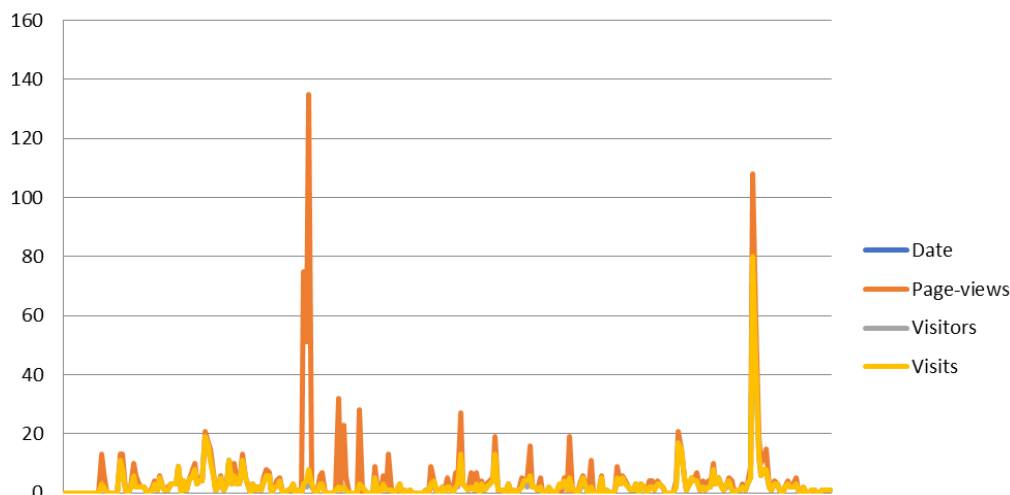
**Engage Page**

Season 2023 saw the introduction of the Urban Forest Engage Page, with the aim being to provide a platform easily accessible to residents providing information about the City’s Urban Forest Strategy, the reasons behind it and about the upcoming planting program.

The page also contained a link to the Residents Street Tree Request form for residents wishing to be included in the planned planting program. A link to the Engage Page was also included in letters sent to residents receiving a tree as a secondary source of information.

The Engage Page has also, for the first time, become a tool in which the City can measure the success of the promotional efforts. The City was able to align spikes in visitation to the page with mail outs and social media posts by Kelmscott Agricultural Society and the City. In total the Engage Page attracted 783 visitors between mid-February and end of November 2023. After analysis of the data produced on the Engage Page, it is undeniable that social media is by far the most effective communication tool evidenced by the spike in visitations coinciding with the social media posts.

Visitors Summary



Note: x-axis details November 2022 to December 2023.



A post card style flyer was also developed to place in the letterboxes at planting locations with a QR link to the Engage Page. This is also used as a tool to inform curious residents and passers-by during the planting season.

**URBAN FOREST PLANTING PROGRAM**

The City of Armadale's Urban Forest Strategy aims to protect one of our most valued resources – trees! Every year the City plants additional trees not only in our parks and reserves but our streetscapes – to increase the canopy cover and ensure our streets remain green and leafy.

Trees offer residents benefits such as;

- Environmental
- Health
- Social
- Economic

Check me out!

Online: [engage.armadale.wa.gov.au/from-little-things](https://engage.armadale.wa.gov.au/from-little-things) Email: [parkdesign@armadale.wa.gov.au](mailto:parkdesign@armadale.wa.gov.au) Call: 9394 5000

armadale.wa.gov.au  
(08) 9394 5000 | [info@armadale.wa.gov.au](mailto:info@armadale.wa.gov.au)

**URBAN FOREST PROGRAM**

Armadale is one of the fastest growing areas in Perth and with this rapid urban expansion comes a loss of canopy and a greater need to plant and maintain trees, creating what is known as an urban forest.

**How can you help green and cool our city?**

- Offer your verge tree some extra water in the hotter months to help it establish.
- Reduce hard surfaces around your home such as paving and concrete.
- Use natural surface treatments like mulch and plants.
- Reconsider the use of artificial turf. It absorbs more heat than the road surface!

### Resident Request Targeted Mail Out

In 2023-24 the Resident Request program was initially under the target number of applications. In response, Officers undertook a targeted campaign to increase awareness of the program. One of the actions undertaken was a direct mail out to a targeted area. Over 600 residents were directly invited to apply for a street tree via a postcard styled mail out. The locations were selected as the adjoining verges housed minimal underground services and deemed 'low risk' planting opportunities.

**REQUEST A FREE STREET TREE & WIN!\***

The City of Armadale will supply and plant a street tree free of charge to any property owner without a verge tree. All you have to do is water the tree during the first three years until it is established.

Did you know?

- One mature 30m tree absorbs 22kg of carbon and produces 2,700kg of oxygen a year and transpires up to 378 litres daily.
- Trees lower land surface and air temperatures by providing shade.
- Shaded surfaces can be 11-25°C cooler than peak temperatures of unshaded surfaces - making it one of the cheapest forms of air-conditioning!

Request a street tree before 30 November 2023 for the 2024 planting season for a chance to win a 30m retractable hose reel!  
\*Terms and conditions apply

To request a free street tree, scan the QR code or contact the Park Design team.  
Email: [parkdesign@armadale.wa.gov.au](mailto:parkdesign@armadale.wa.gov.au)

**REQUEST A FREE STREET TREE**

For your chance to win\*  
For more information visit  
[armadale.wa.gov.au/verge-free-request](https://armadale.wa.gov.au/verge-free-request)

POSTAGE PAID AUSTRALIA

To the Resident  
<<Address\_Line1>>  
<<Locality>> <<State>>  
<<Postcode>>

This approach did not have a successful outcome with minimum take up of the program from the mail out.

### Resident Request Incentive

An added incentive for residents was also introduced this season. The incentive consisted of a chance to win a 30m retractable hose to help care for the street tree. The prize is valued at \$200, which is comparable to the cost to the city watering and maintaining a Street tree for three years. The winner was drawn using a 'random selection app' on the 15 December 2023 and the excited winner was thrilled to claim her prize and is looking forward to her tree being planted in the 2024 planting season.

City officers will investigate, through a cost-benefit analysis, if increasing promotions such as this would be of value.



Request a street tree before 30 November 2023 for the 2024 planting season for a chance to win a 30m retractable hose reel \*Terms and conditions apply

**REQUEST A FREE STREET TREE**  
*For your chance to win!\**

The City of Armadale will supply and plant a street tree free of charge to any property owner without a verge tree. All you have to do is water the tree during the first three years until it is established.

To request a free street tree, scan the QR code or contact the Park Design team.  
Email: [parkdesign@armadale.wa.gov.au](mailto:parkdesign@armadale.wa.gov.au)

armadale.wa.gov.au  
(08) 9394 5000 | [info@armadale.wa.gov.au](mailto:info@armadale.wa.gov.au)

CITY OF ARMADALE



Overall, the promotion and engagement efforts have been successful, as the Tree Requests for 2024 have increased by 82% on the previous season, noting that a number of tree requests could not be progressed due to site issues e.g. proximity to infrastructure.

## Events and Displays 2023-24

### *Library Display*

Displays were created in local libraries promoting the benefits of trees and directing residents to the Residents Street Tree Request program. Displays highlighted the benefits of trees amongst library resources about trees and gardening. The displays were aimed to coincide with school holidays to specifically target a younger audience and take advantage of the increased foot traffic.

### *Kelmscott Show 2023*

The opportunity to engage a captive audience via the Kelmscott Show was identified during the previous planting season. The City, in collaboration with the Kelmscott Agricultural Show, presented the idea of greening with the 2023 theme being “Gardens 4 Life” promoting benefits of greening and educating residents about the benefits.

The City was well represented at the show with a combined tent housing Urban Forest, AGLG and the Habitat Links, who all contribute to the greening efforts of the City. During the show, a tree promotion competition was undertaken to promote the conversation on the benefits of trees and the Residents Street Tree Request Program. The winning entrant won one of the trees on display.

Within the stall an interactive display was set up, demonstrating how different landscape surfaces retain heat. Once the participant grasped an understanding of the heat retention using a handheld infrared thermometer, the display helped highlight how a tree's shade can reduce the heat retained. The display demonstrated how heat islands are created and how trees, vegetation and natural surfaces can help mitigate the problem.

The display also highlighted to attendees the wide-range of benefits from increasing tree canopy:

- Reducing heat-island effect
- Maximising carbon sequestration
- Reducing cooling costs
- Reducing greenhouse gas emissions
- Social and wellbeing benefits

The final element for the Urban Forest display was the attendance of the Garden Gurus to film a segment during the Kelmscott show, promoting the Residents Street Tree Requests program and the importance of tree planting in urban areas. The Garden Gurus interview was aired on 12 November 2023 and copy of the segment will be uploaded onto the City's website as an ongoing resource maximising value for spend.



#### ***Looking Ahead - Engagement & Promotion Promotions 2024-25***

As noted, the engagement and promotional elements were diversified within the 2023 season. Continuing on from last year's success, a strong media campaign is being developed.

The following items are being planned for the 2024-25 engagement program:

- A robust and targeted social media campaign is being refined to promote and educate about the program;
- Mature transplants will be considered in select locations for their immediate impact and will be utilised as an engagement and education tool; and
- The introduction of a Tree Giveaway for residents to plant on private land is currently under investigation with the aim of rolling out in 2024-25. The loss or lack of vegetation on private land is identified as an area of concern and therefore it is essential to strengthen canopy cover on private land as it covers a substantial proportion of available space for vegetation.



## DATA COLLECTION PROGRAM

Tree Data Collection tender was advertised and closed in December 2023. Two Contractors have been added to a panel and works are underway. At the date of this report, data had been collected from 992 of the City's street trees out of a project total of 36,000 street trees to be assessed. The below image is a snap shot of the progress to date, the green dot is the indicator that a tree has been audited and data collected, the red circle indicate a problem with the tree (i.e. canker, cavity, root damage etc) and yellow cross indicates where works are required to improve the tree health (watering, mulch, crown thinning etc).



Once the data is integrated into the City's operating system it will act as a tool to gauge progress on canopy growth, identify areas for succession planting, monitor diversity, tree health, and better predict future budget requirements for planting and maintenance programs – with the ultimate aim to benefit the City's tree canopy. It is expected that the data collection will be complete by December 2024 and this will inform the revised Urban Forest Strategy, which will kick off in 2024-25.

### **CONCLUSION**

This progress report provides Council and the community with transparency over the works undertaken to date and works prepared for the upcoming 2024 season.

### **ATTACHMENTS**

There are no attachments for this report.

### **RECOMMEND**

T2/4/24

#### **That Council:**

- 1. Note the contents of this report detailing the implementation of the Urban Forest Programs**

**Moved Cr C Wielinga**  
**MOTION CARRIED**

**(7/0)**

## **2.2 - IMPROVING INCLUSIVE PLAY WITHIN ARMADALE**

WARD : ALL  
FILE No. : M/131/24  
DATE : 11 March 2024  
REF : JA/DH  
RESPONSIBLE : Executive Director  
MANAGER : Technical Services

### **In Brief:**

- The City has received feedback from the community, supported by the Access and Inclusion Committee requesting a liberty swing in a public open space.
- The City agreed to explore inclusive play spaces in Perth and provide a report detailing the swing's viability and if necessary, alternative options, and improvements for accessibility and inclusivity in City of Armadale play spaces.
- This report recommends that Council note contents of this report and the recommendation contained therein.

### **Tabled Items**

Nil

### **Decision Type**

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

### **Officer Interest Declaration**

Nil

### **Strategic Implications**

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

- 1.1 Foster and strengthen community spirit.
- 1.2 Improve Community Wellbeing.
- 1.4 An inclusive and engaged community.
  - 1.4.2 Encourage the provision of inclusive and accessible facilities, services and programs within the community.
- 2.2 Attractive, inclusive and functional public places.
- 2.3 Functional, inclusive and sustainable infrastructure.

### **Legal Implications**

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

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

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

- Disability and Access Inclusion Plan

### **Budget/Financial Implications**

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

### **Consultation**

- Intra Directorate

## **BACKGROUND**

The City recently received feedback from members of the community requesting a liberty swing within one of the City's all abilities playgrounds. Officers met with the residents to further understand their concerns and it was noted that the existing all abilities playgrounds do not provide a liberty swing or a reasonable alternative. The inference was that a wheelchair bound child was not afforded the opportunity to enjoy the City's parks.

### **Liberty Swing**

A Liberty Swing is a play swing that allows children in wheelchairs to experience the joy of this play-type, whilst remaining insitu in the wheelchair. The Liberty Swing is the only swing of its kind that allows a maximum swing height for children in wheelchairs rather than the notion of rocking back and forth. The nearest installed swing is in City Park, Rockingham or Tom Bateman Reserve, Canning Vale.

The swing must be enclosed in a fenced area with a gate and requires a key (Master Locksmith Access Key) (MLAK) to operate the swing. The MLAK developed by Master Locksmiths and Spinal Cord Injuries Australia enables people with disability to gain access to a range of public facilities, changing places and other Liberty Swings which are locked. The fencing is required due to the weight of the swing and safety concerns around children moving through the space during use.

Image 1: Liberty Swing



It is for this reason a liberty swing is not generally considered an inclusive piece of equipment and has not been installed within the City to date. However, it is clear that for some children this piece of equipment is one of a few available that provides play opportunity. Therefore, Officers have explored inclusive playgrounds and investigated further options for enhancing existing playgrounds with units that meet this particular need.

### **What is inclusive play?**

An inclusive play space is defined as *a space that allows children of all ages and genders, both with and without disabilities, to access the playground and play together, and allows families to engage in play with their children* (National Institute of Health).

Inclusive playgrounds may include the following:




- Accessible pathways.
- Inclusive Play Pieces such as inclusive slides, swings and ground level activities.
- Fencing.
- Sensory play - play that engages senses – touch, smell, sight, sound, and taste.
- Zones of play and ‘chill out’ areas - to assist with sensory processing.
- Imaginative play.
- Wayfinders and instructions - aids exploration and how to use equipment.
- Communication Tools /Boards - to assist non-verbal children to communicate.
- Cooperative play - play that focuses on children working together.
- Facilities and Amenities - accessible bathroom facilities, BBQs, drink fountains, picnic areas and park furniture.



### **Example Inclusive Playgrounds & Equipment**

Officers conducted site visits to known inclusive playgrounds:

- Mills Park, Gosnells
- Tomato Park, Kewdale
- Kwinana Adventure Park, Calista
- Shipwreck Park, Hilbert



Play space	Features	Inclusive play pieces	Photo
<b>Mills Park</b>	<ul style="list-style-type: none"> <li>▪ All Abilities - fully enclosed and double gated</li> <li>▪ Covered by shade sail</li> <li>▪ Swing set has accessible seat and parent/baby combo swing</li> <li>▪ Inclusive carousel</li> <li>▪ Accessible jeep rocker</li> <li>▪ Arm wrestle table</li> <li>▪ Musical elements</li> <li>▪ Toilets and change facilities located in Community Centre</li> </ul>	<ul style="list-style-type: none"> <li>▪ Inclusive carousel</li> <li>▪ Accessible jeep rocker</li> </ul>	
<b>Tomato Lake</b>	<ul style="list-style-type: none"> <li>▪ Multiple play structure</li> <li>▪ Climbing rope structure</li> <li>▪ Small flying fox</li> <li>▪ Multiple rockers</li> <li>▪ Interactive play panels</li> <li>▪ Seesaw</li> <li>▪ Toilets</li> <li>▪ Picnic areas</li> </ul>	<ul style="list-style-type: none"> <li>▪ Inclusive Seesaw</li> <li>▪ Accessible seat in combo swing set</li> <li>▪ Interactive play on ground level of structure</li> <li>▪ Multiple play panels including brail alphabet</li> </ul>	
<b>Kwinana Adventure Park</b>	<ul style="list-style-type: none"> <li>▪ Treetop aerial walk</li> <li>▪ Splash pad</li> <li>▪ Sand play - diggers, buckets, belts and pulleys</li> <li>▪ Junior area – spinner, creek, swings, musical and cubby play</li> <li>▪ Action play – nest swings, double flying fox and climbing net.</li> <li>▪ 3 x accessible toilet/change room facilities with change table and hoist</li> </ul>	<ul style="list-style-type: none"> <li>▪ Accessible slides with transition platforms.</li> <li>▪ Double flying fox with accessible seat</li> <li>▪ All abilities carousel</li> <li>▪ Accessible sand play tables</li> </ul>	
<b>Sir James</b>	<ul style="list-style-type: none"> <li>▪ Play unit</li> </ul>	<ul style="list-style-type: none"> <li>▪ Liberty swing</li> </ul>	

<p><b>Mitchell Park</b></p>	<ul style="list-style-type: none"> <li>All abilities swing</li> </ul>		
<p><b>Shipwreck</b></p>	<ul style="list-style-type: none"> <li>Shipwreck themed play structure with multiple deck levels, climbing ropes, sea containers and slides</li> <li>Climbing wall</li> <li>Sandpit and water play</li> <li>Double Cable flying fox</li> <li>Basketball court and fitness zone</li> <li>Flying fox</li> <li>Talking Tubes</li> </ul>	<ul style="list-style-type: none"> <li>Flying fox has an accessible chair with seatbelt</li> <li>Wheelchair access to top of ship structure</li> <li>Wheelchair access to under ship structure</li> </ul>	

Overall on review, there are a number of viable options that provide opportunity for wheelchair bound children to engage in active play. In particular, there a few pieces identified that could be considered in an all-abilities playground, including:

- An inclusive seesaw
- An inclusive carousel
- Liberty swing
- Wheelchair trampoline



### **Suggested improvements**

Shipwreck Park is the City's most notable inclusive play space and now features newly installed changing place. It would be beneficial for the City to further develop this playground to enhance accessibility – making it a standout not only within the City boundary but also within the Perth metro area. The playground does feature key elements of a good inclusive playground and have a flying fox with an accessible chair and wheelchair access through the playground. However, improvements could be made with the suggestions as noted below:

1. Install a feature piece such as an inclusive seesaw, carousel, liberty swing or wheelchair trampoline to provide active play. It is expected that this feature piece would cost approximately \$40,000 to install including rubber soft-fall.
2. Undertake small improvements such as adding in inclusive play options around the top and underneath of the shipwreck (i.e. add in steering wheels, play panels, telescopes, sensory panels, and tread chimes) It is expected that these smaller interventions would cost around \$7,000 to install.
3. Improve accessibility to the water play/sand play table, which is situated at correct height but located within sand and rocks. It is expected that these smaller interventions would cost around \$4,000 to install.

### **Options**

The following options are presented for consideration:

1. Develop a concept plan to enhance Shipwreck Park in line with the suggestion noted above. The concept plan will refine the proposed improvements and provide clearer cost estimates to be considered in future budget considerations. This work would be undertaken in house initially with input from access specialist consultancy, estimated at \$5,000.
2. Undertake Citywide audit of inclusive playgrounds and receive a future report outlining proposed improvements to a number of playgrounds. This would require consultancy funding to help support the assessment, estimated at \$30,000.
3. Decide not to undertake additional works at this stage and consider improvements at time of renewal of Shipwreck playground.

It is the Officer's recommendation that Option 1 is supported.

## **CONCLUSION**

The City received feedback from the community, requesting a liberty swing. Officers explored inclusive play spaces and suitable units and recommend that improvements could be made to Shipwreck Park. This investment would improve the City's all abilities playground to enable it to be utilised by all of the community. It is therefore recommended that Council note the outcomes of the investigation and that the Officer's recommendation is that Option 1 is supported.

## **ATTACHMENTS**

There are no attachments for this report.

## **RECOMMEND**

**T3/4/24**

### **That Council:**

- 1. Note the contents of this report; and**
- 2. Endorse Option 1 for further consideration in the Long Term Financial Plan and budget deliberations.**

**Moved Cr C Wielinga**  
**MOTION CARRIED**

**(7/0)**

***COUNCILLORS' ITEMS***

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Nil

***EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT***

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Nil

**MEETING DECLARED CLOSED AT 7.33pm**

<b>TECHNICAL SERVICES COMMITTEE</b>		
<b>SUMMARY OF ATTACHMENTS</b>		
8 APRIL 2024		
<b>ATT NO.</b>	<b>SUBJECT</b>	
<b>1.1 ENG21 - STRATEGIC ENVIRONMENTAL COMMITMENT</b>		
1.1.1	Draft Strategic Environmental Commitment Policy	

*The above attachments can be accessed from the Minutes of the Technical Services Committee meeting of 8 April 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, 9  
APRIL 2024 AT 7:00PM.

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**PRESENT:** Cr M Silver (Chair)  
Cr P A Hetherington (Deputy Chair)  
Cr K Busby  
Cr K Kamdar  
Cr J Keogh  
Cr S Stoneham  
Cr C M Wielinga

**APOLOGIES:**

**OBSERVERS:** Mayor R Butterfield  
Cr J Joy  
Cr S J Mosey (*via Teams*)  
Cr L Sargeson  
Cr G J Smith

**IN ATTENDANCE:** Ms J Abbiss Chief Executive Officer  
Mrs S van Aswegen Executive Director Community Services  
Mr P Sanders Executive Director Development Services  
Mr M Andrews Executive Director Technical Services (*via Teams*)  
Mr G Dixon Manager Libraries and Heritage  
Mr C Halpin Manager Recreation Services  
Ms M Kite Major Events & Arts Lead  
Mr L Annese Community Facilities & Recreation Coordinator  
Ms D Koelen Community Facilities Planning Coordinator  
Ms J Cranston Executive Assistant Community Services

**PUBLIC:** 12

*“For details of Councillor Membership on this Committee, please refer to the City’s website – [www.armadale.wa.gov.au/your\\_council/councillors](http://www.armadale.wa.gov.au/your_council/councillors).”*

## **DISCLAIMER**

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As there were members of the public present, the Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was read.

## **DECLARATION OF MEMBERS' INTERESTS**

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Nil

## **QUESTION TIME**

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*Public question time was opened at 7:01pm*

### **1. Mr Phil Davey - 12 Lenore Street, Roleystone WA 6111**

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Q. Mr Davey thanked City Officers, Nick Peyton and Lucas Annese for attending the meeting at the Community Garden and for the detailed report on the co-sharing of the community groups at the garden facility at Cross Park. All three groups are keen to get a workable community hub solution outcome which as detailed and recommended in the report.

As per recommended Option 4, and the indication of 40m<sup>2</sup> of fencing adjacent to the Cross Park Shed for Roleybushcare. As per the original garden request and referral of early 2023 for the garden to be fenced, and as discussed with City Officers at our previous meeting, would it not now be considered viable to fence the garden area with the inclusion of the needed Bushcare space for property security and plantings.

R. The Chair advised that this can be discussed at tonight's meeting.

*Public question time was declared closed at 7:03pm*

## **DEPUTATION**

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Nil

## **CONFIRMATION OF MINUTES**

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### **RECOMMEND**

**Minutes of the Community Services Committee Meeting held on 5 March 2024 be confirmed.**

**Moved Cr P A Hetherington**

**MOTION CARRIED**

**(7/0)**

## **ITEMS REFERRED FROM INFORMATION BULLETIN**

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Report on Outstanding Matters – Community Services Committee

Items referred from the Information Bulletin – Issue 4 – March 2024

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



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## COMMUNITY SERVICES COMMITTEE

**9 APRIL 2024**

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### **1.1 - REVIEW OF THE FUTURE OF THE CHRISTMAS PARADE**

WARD : ALL  
FILE No. : M/161/24  
DATE : 18 March 2024  
REF : RM  
RESPONSIBLE : Executive Director  
MANAGER : Community Services

**In Brief:**

- This report proposes that the Christmas Parade is discontinued and the funds are reallocated to the Carols by Candlelight event to add value to the event and to retain one of the objectives of the Parade being to promote community groups.
- Recommend that Council:  
Endorse the proposal to discontinue the Christmas Parade and to reallocate the funds and resources to add value to the Carols by Candlelight event.

#### **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**

##### **Strategic Community Plan**

##### ***Community***

##### **1.1 Foster and strengthen community spirit**

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

**Legal Implications**

Nil

**Council Policy/Local Law Implications**

Nil

**Budget/Financial Implications**

The cash component to deliver the Christmas Parade is \$7000. Significant staff resourcing of approximately 25% of the Carols by Candlelight event, both on the day and in the lead-up, is dedicated to the Parade alone.

**Consultation**

Nil

**BACKGROUND**

The City's Carols by Candlelight event has been delivered on an annual basis since 1995. It is held in early December in Memorial Park and attracts approximately 4000 people. This event is consistently well received by the community and has strong support by participating schools and community groups, including the local working group which has overseen the event since 2014. The event has received commendation from the Department of Communities for its accessibility for people with disability due to the inclusion of an Accessible Viewing Area, additional ACROD parking, service dog area, songbooks in Braille, an AUSLAN interpreter, audio description and Bluetooth assistive listening.

Since 2013, a Christmas Parade has been held prior to the Carols by Candlelight event. The Parade has commenced at the Commerce Road end of Jull Street Mall, proceeded through the Mall and concluded at the Memorial Park. The Parade comprises a range of community groups, paid performers, City of Armadale Councillors and staff. The inclusion of Santa and Ms. Claus on a motorised sleigh has also been well received by the community.

The Christmas Parade provides an opportunity for community group involvement and promotion, however in recent years the number of patrons appears to have decreased. Due to scheduling arrangements with the three Primary School choirs participating in the Carols by Candlelight event, the 2023 date competed with Christmas Parades held at the City of Perth and the Shire of Serpentine-Jarrahdale. At this stage it will be the same situation in 2024, for the same scheduling reasons. The competing dates can impact the numbers of both spectators and participants.

*Community Feedback and Community Group Participation*

A sample of the feedback from patrons specifically regarding the Christmas Parades held in 2022 and 2023 comprise the following:

2022

- Hope more schools and industry participate in the parade to make it more interesting.
- I love the Armadale carols and pageant each year, but I'm very disappointed with this years. The pageant was terrible it lacked everything fun and exciting.
- Add more to the parade with shorter gaps between each group.

- The carols were great but the parade, I'm sorry was a real disappointment. Why not get more of the community involved and not have it on the same night as the city parade. I am sure there would be marching bands, other groups that would participate. Maybe look at doing some kind of incentive for groups to participate.
- More people in the pageant, like some fun Christmas floats would be cool. And more food trucks and entertainment while waiting for the carols.
- It's an excellent local community event rather than travelling into the city. Children of all ages enjoyed the parade and groups handing out lollies.

2023

- Far less gaps in the parade. There were some big wait times between groups. More excitement in the parade. More groups. Floats?
- It was so joyous. Not anything to change, just more parades would be great, I know it comes down to the community groups though.
- Yes. It is good to have a community event, especially with the train lines down making it harder to access the city pageant. (2023 feedback)

The following table indicates the number of community groups who have participated in the Parade from 2019 to 2023. Please note that City staff or paid entertainers have not been included.

<b>Year</b>	<b>Number of community groups</b>
2019	17
2020	Cancelled
2021	Cancelled
2022	13
2023	16

#### *Improvements to the Christmas Parade*

The following possible improvements to the Parade have been considered with the allocation of additional funding and resources:

- Include floats/vehicles in the Parade.
- Allow local businesses to participate who provide a quality entertainment aspect.
- Incorporate more paid entertainment.
- Consider incentives for City staff to participate.

#### **DETAILS OF PROPOSAL**

It is proposed that the Christmas Parade is discontinued, and the funds reallocated to enhance the activities offered at the Carols by Candlelight event to increase its value to community members. Along with the scope to engage more paid performers, these activities will provide opportunities for community groups to interact with attendees, thus helping to achieve the groups' promotional objectives at the Carols event originally sought via the Parade.

Examples of the activities comprise:

- Increased free family activities at the Carols event (such as the popular "Letters to Santa" workshop in 2023)

- Opportunities for community group involvement, for example:
  - Christmas tree decorating
  - Contribute ornaments to a communal Christmas tree
  - Contribute decorations to the general event
- Increased paid entertainment and performers – for example have a “meet Santa” opportunity and more roving performers
- Large props and spaces conducive to photo opportunities
- Christmas story time sessions nearby in the lead-up to the event for families with young children

## **ANALYSIS**

The Christmas Parade has been a preceding component of the Carols by Candlelight event since 2013 and is an opportunity for community groups to promote their work. However, patron attendance has decreased in recent years, not helped by competing dates with other Christmas Parade events. With the allocation of additional funds, there is scope to improve the Christmas Parade with floats, increasing the number of paid performers and inviting local businesses to participate. This will also require increased staff resources, as currently the Parade comprises 25% of the staff’s workload allocated to the Carols by Candlelight event.

The Carols by Candlelight event is a long-standing major City event. It is well attended and well received by the community and considered a highly accessible event for people with disability. Reallocating the funds and resources dedicated to the preceding Christmas Parade is expected to add significant value to patrons attending the event, and providing further opportunities for community groups to offer information and interactive activities will achieve the groups’ promotional objectives sought via the Parade. Due to the significant proportion of staff time allocated to the Parade, consolidating the workload to the one event will also maximise staff resources.

## **OPTIONS**

Council has the following options:

1. Endorse the proposal to discontinue the Christmas Parade and to reallocate the funds and resources to add value the Carols by Candlelight event.
2. Do not endorse the proposal to discontinue the Christmas Parade. Retain the Christmas Parade with the current level of funds and resources.
3. Do not endorse the proposal to discontinue the Christmas Parade. Expand the Christmas Parade with an additional allocation of funds and resources.

Option 1 is recommended.

## **CONCLUSION**

The Christmas Parade is a component of the long-standing and popular Carols by Candlelight event. The Parade provides an opportunity for community groups to promote their work to residents. However, it is asserted that this objective can be achieved by reallocating the funds and resources for the Parade to include a range of interactive activities to add value to the Carols by Candlelight event. This approach also has the benefit of maximising staff resources.

## **ATTACHMENTS**

There are no attachments for this report.

### Officer Recommendation

That Council endorse the proposal to discontinue the Christmas Parade and to reallocate the funds and resources to add value to the Carols by Candlelight event.

### Committee Discussion

*Committee discussed the report and an alternate recommendation was moved.*

## **RECOMMEND**

C6/4/24

### **That Council:**

- 1. Do not endorse the proposal to discontinue the Christmas Parade.**
- 2. Expand the Christmas Parade with consideration of additional funding and resources as part of the draft 24/25 budget deliberations.**

**Moved Cr K Busby**

**MOTION CARRIED**

**(7/0)**

***2.1 - CO-SHARING OF THE CROSS PARK SHED BY ROLEYSTONE COMMUNITY GARDEN AND ROLEYBUSHCARE***

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WARD : HILLS  
FILE No. : M/70/24  
DATE : 14 February 2024  
REF : NP  
RESPONSIBLE MANAGER : Executive Director  
Community Services

**In Brief:**

- Following Council Decision C34/12/23, this report outlines the details of consultation with the Roleystone Community Garden Inc and Roleybushcare for a joint occupancy arrangement at the Cross Park Shed, Roleystone.

**Tabled Items**

Nil

**Decision Type**

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

**Officer Interest Declaration**

Nil

**Strategic Implications**

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

**Legal Implications**

Nil

**Council Policy/Local Law Implications**

Council Policy - Lease & Licence.



### **Budget/Financial Implications**

There may be costs related to alternative storage solutions suggested from Roleystone Community Garden. Further investigation including feasibility and costings would be required if recommended by Council.

Should Council recommend the addition of a storage container for additional equipment storage at Cross Park, the cost of a storage container is estimated to be between \$3,080 + GST and \$4,830 + GST, not including any external treatment to match existing developments.

### **Consultation**

1. Roleystone Community Garden
2. Roleybushcare
3. Roleystone Markets
4. Roleystone Gymnastics Club
5. Roleystone Neighbourhood Family Centre
6. Roleystone Sporting Club
7. Roleystone Tennis Club
8. Roleystone/Karragullen Cricket Club
9. Roleystone Guides
10. Roleystone/Karragullen Senior Citizens Club
11. City Departments
  - a. Recreation Services
  - b. Community Planning

### **BACKGROUND**

On 26 June 2017 Council endorsed the following recommendation (D24/6/17) regarding the construction of the Cross Park Shed.

*That Council:*

- A) *Approves the Application for Planning Approval for a storage shed on Lot 1 Jarrah Road, Roleystone (Cross Park) in accordance with the attached plans and subject to the following conditions:*
1. *Plans being submitted to the City's Planning Services that:*
    - a. *Maintain the size of the storage shed to a maximum floor area of 60sqm, maximum pitched roof height of 3.7m and maximum wall height of 3.1m;*
    - b. *Locate the storage shed 2m west of the location currently shown on the site plan.**to the satisfaction of the Executive Director Development Services.*

The Council recommendation referenced above set the dimensions of the current storage shed and on 26 September 2017 Council endorsed the execution of a lease agreement with Roleystone Community Garden Inc. to occupy the shed (CS65/9/17).

The sizing and siting of the previous shed was based on minimising tree loss due to construction and bushfire separation requirements.

On 18 December 2023, Council endorsed the following recommendation (C34/12/23) in regard to the Cross Park Shed currently occupied by the Roleystone Community Garden:

*That Council:*

- 1. Request that Officers commence discussions in January 2024 for the future occupancy of the premises (currently known as the Cross Park Community Garden Shed and Gardens).*
- 2. Direct that discussions are to occur with the Roleystone Community Garden Inc. and Roleybushcare Inc. for joint occupancy of the premises.*
- 3. Request that Officers explore options within existing buildings at the Cross Park precinct for the storage of materials associated with the Roleystone Markets currently at the premises.*
- 4. Provide a report on the progress of joint occupancy discussions and storage options to Council in March 2024, or earlier if either of the parties is not willing to participate in discussions.*

### **Roleystone Community Garden Inc.**

Roleystone Community Garden Inc. have occupied the Cross Park Shed under an exclusive use lease agreement since 26 February 2018 (CS65/9/17). The group were responsible for the cost of capital works through a Lotterywest grant, service connections and all outgoings under the terms of their lease agreement.

Roleystone Community Garden Inc. have advised that they have a membership of approximately 15 members, noting that the group have experienced a reduction in membership numbers in recent years.

The lease agreement with the Roleystone Community Garden Inc. expired on 26 February 2023 and the group have been occupying the space via a holding over clause of the lease, which allows the agreement to continue on a month-by-month basis at the discretion of the City as Lessor. The City reviewed the Lease & Licence Policy in April 2021 (C9/4/21) and negotiations were scheduled to commence with Roleystone Community Garden Inc. in July 2024.

### **Roleybushcare**

Roleybushcare are a local conservation group who have been in operation for thirty years, with approximately 50 members. Their focus is on maintaining and protecting bushland around the Roleystone and Karragullen areas. Since 1999, the City has supported and facilitated the Bushcare and Environmental Working Group (BEWG), providing a forum for environment focused community groups to share ideas and collaborate with each other, and the City's Environment team and Council representatives. Through BEWG, the City offers annual grants to environmental groups, with Roleybushcare receiving funding to support their volunteer contribution to environmental protection and enhancement in Armadale. Roleybushcare initially contacted the City in November 2022 to request consideration of storing their equipment in any available facilities in the Roleystone or Karragullen area. City Officers investigated potential storage options at existing buildings, however, there were no suitable options at the time.

### **Roleystone Markets**

The Roleystone Markets have been utilising a portion of the garden shed for storage of equipment since 2018. The group hold a market each quarter at Cross Park to display local vendors with over 100 stalls, ranging from home grown and hand made food and products, with visitors from the local community and wider Perth region attending.

For joint occupancy to be arranged with Roleystone Community Garden Inc and Roleybushcare in the current garden shed with current equipment requirements, the Roleystone Markets equipment may need to be relocated to an alternative location at Cross Park. Further information is included in this report.

### **ROLEYSTONE COMMUNITY GARDEN PROPOSAL**

Following consultation meetings with City Officers in February 2024, Roleystone Community Garden Inc, Roleystone Markets and Roleybushcare advised that they are all willing to co-share the space in the Cross Park Shed, however, the amount of equipment required by each group exceeds the amount of space available in the shed.

The Roleystone Markets advised that a solution of an offsite storage container would not be suitable for storage as their equipment is stored on a trailer and volunteers need to be able to safely access this trailer, as well as being able to wheel the trailer in and out of the storage shed without the need to unload heavy equipment.

Roleystone Community Garden Inc proposed that extending the length of the current shed by approximately 10 metres in length could allow for all three community groups to co-share the garden shed. Roleybushcare have also indicated that they would be in support of this proposal.

If Council were to support investigation of this proposal, it will involve further consultation with internal departments to confirm the feasibility, works required, financial implications and assessment of the surrounding grounds including impact on vegetation due to bushfire requirements. Further information is provided in this report.

### **COMMENT**

In liaising with Roleystone Community Garden Inc, Roleybushcare and Roleystone Markets, the amount of equipment required by each group to operate seems to exceed the amount of space available in the shed.

All groups have indicated that they are willing to work together out of the same space and the overall reception from each group was positive. However, it has been identified that the equipment requirements cannot be reduced without impacting each group's ability to operate.

It should be noted that Roleybushcare have requested an external fence as a condition of moving to this space, as they require a fence to protect their equipment and plants that will need to remain outside of the shed.

The proposal raised by the Roleystone Community Garden Inc. to extend the garden shed is included as an option for Council to authorise City Officers to investigate further. Roleybushcare have also indicated that they would be in support of an extension to the Cross Park Shed.

## ANALYSIS

### Cross Park Shed

The Cross Park Shed is approximately 60m<sup>2</sup> internally. The right side of the shed (approximately 30m<sup>2</sup>) is filled with gardening tools and equipment belonging to Roleystone Community Garden Inc. The left side of the shed (approximately 30m<sup>2</sup>) is filled with equipment belonging to Roleystone Markets which includes a shelving unit and a trailer filled with equipment, as well as a small kitchenette area at the entrance.

Roleybushcare have indicated that they would require 35m<sup>2</sup> of internal space as a minimum requirement.

Currently, the storage requirements of all groups exceeds the space available in the shed.

### Roleybushcare

City Officers met with Roleybushcare on 6 February 2024 to discuss their storage and usage requirements.

Roleybushcare advised that they were willing to collaborate and share the garden shed if all groups involved were in support.

Roleybushcare provided the following requirement for floor space as being essential:

Internal floor space (shed):	35m <sup>2</sup>
External floor space (outdoor area):	40m <sup>2</sup>

The 40m<sup>2</sup> requirement does not take into consideration any future growth or plans to expand. Roleybushcare believe they may require an additional 20m<sup>2</sup> if they further expand in the future.

With the current shed being 60m<sup>2</sup>, the amount of equipment required by Roleybushcare will occupy over half of the shed space.

Roleybushcare also advised that the outdoor area would need to be fenced, to protect both their equipment and plants that need to remain outside.

In regards to the equipment requiring storage, Roleybushcare provided the following details:

- Internal:
  - Set of Shelving
  - Two Wheelbarrows
  - Shovels and other tools
  - 8 x 60 Litre Bins (Propagation mix)
  - 2 x 60 Litre Crates
  - 6 x 40 Litre Crates

- Work Bench - 3.5m x 1.8m
  - Plant protectors / seeding guards / plastic mesh covers
  - 6x Crates 37cm x 29cm x 20cm – stacked one on top of the other
- External:
- Two Trailers (4.5m x 2m)
  - Roleybushcare can reduce to one trailer if required, storing equipment from second trailer in the shed.
  - Display Tables
  - 3 Tables – 3m x 0.6m
  - 4 Tables – 1.55m x 0.86m
  - 1 table – 2.44m x 0.75m
  - 6 Chairs
  - 8 x 60 Litre Bins (Propagation mix)

Roleybushcare do not require partitioning or separation of equipment, although they may seek to label equipment and potentially store certain chemicals in lockable cupboards to avoid cross-contamination, with the intention being to manage this between the relevant groups.

Roleybushcare advised that they have already reduced their equipment within the last 12 months and the above items are now considered to be essential to their operations.

Roleybushcare confirmed their usage requirements are as follows:

Every Monday, 9:00am – 12:00pm

Every fourth Friday, Saturday and Sunday 9:00am – 12:00pm

The primary work will occur on the Sunday, with Friday and Saturday being used to set up equipment.

Roleybushcare don't foresee any issues with Roleystone Community Garden Inc. members being on site at the same time whilst they are utilising the shed.

### **Roleystone Community Garden Inc.**

City Officers met with the Roleystone Community Garden Inc. on 7 February 2024 to discuss the possibility of co-sharing the space with Roleybushcare.

Roleystone Community Garden Inc. advised that they are willing to collaborate and share the Cross Park Shed with Roleybushcare. However, the group stated that the current shed is not large enough for a co-location arrangement and have proposed an extension to the current shed as a solution. The Roleystone Community Garden Inc. advised that the current equipment is the minimum amount of equipment required to be able to operate. The group noted that they would be able to tidy and reorganise the space, however, the equipment could not be reduced any further. The group noted that the installation of shelving or storage cabinets may tidy the area but would also further reduce the available floor space.

Roleystone Community Garden Inc's current equipment stored covers approximately half of the shed. The remaining space is utilised by Roleystone Markets equipment, including a trailer. Photos are attached to this report of the equipment stored in the garden shed. A photo of the current garden space is also included within the attachment for reference.

Roleystone Community Garden Inc. advised that in any potential co-location arrangement, they would be willing and able to operate out of the space at the same time as Roleybushcare as there would not be any times where the groups could not operate alongside one another. Although, it was re-emphasised that the current shed does not provide sufficient space to do so.

Roleystone Community Garden Inc also noted their previous request for a fence to surround the external areas of the Cross Park Shed. While a review of the Community Garden Policy is underway, Roleybushcare have also indicated that they will require an external fence to protect their plants and equipment that will need to remain in the outdoor area, should they relocate to the Cross Park Shed.

### **Roleystone Markets**

The Roleystone Markets confirmed that they are a sub-committee of the Community Garden Inc and advised the current amount of equipment is the minimum required. The Roleystone Markets have a trailer of equipment stored as well as equipment stored on shelving. The Roleystone Markets advised that it is not possible to reduce or better organise the current equipment in the shed. The group advised that the trailer is required to be able to safely set up and operate the Markets noting the capacity of their volunteers.

The group advised that a storage container would not be suitable solution as their equipment is best placed on a trailer which would be challenging to fit inside a storage container. There would also be significant challenges with wheeling the trailer in and out of the container safely and also holds heavy equipment that cannot otherwise be safely unloaded or moved by volunteers.

The Roleystone Markets advised their intention is to purchase a larger trailer in the future to better store their current equipment. The group stated that there was a large amount of equipment already being stored off site, at the homes of members due to the limited space available in the shed. This equipment includes signage, speakers, musical equipment and some children's games.

### **Roleystone Markets (Relocation)**

As per the recommendation in C34/12/23, City Officers have investigated the possibility of relocating equipment for the Roleystone Markets to alternative venues, as well as the possibility of purchasing a storage container.

*C34/12/23:*

- 3. Request that Officers explore options within existing buildings at the Cross Park precinct for the storage of materials associated with the Roleystone Markets currently at the premises.*

City Officers have contacted all occupants of the facilities located within the Cross Park precinct to discuss the possibility of storing equipment belonging to the Roleystone Markets. The following feedback was provided by the occupants at Cross Park:

- Roleystone Gymnastics Club (Roleystone Hall):
  - The Roleystone Gymnastics Club are using the facility to its maximum capacity and are unable to store any additional equipment.
- Roleystone Family Centre:
  - The Roleystone Family Centre advised that they do not have any storage space available within the facility.
- Roleystone Sporting Club (Cross Park Football Pavilion):
  - The Roleystone Sporting Club have confirmed that they are currently using the facility to its maximum capacity.
  - The club currently have a sea container stored onsite next to the Cross Park Football Pavilion, however, as the container is not air-tight, it has resulted in the club losing both equipment and documents due to mould issues.
  - As such, the club intend to remove this sea container, however, they have indicated they would be open to working with the City of Armadale for a long-term storage unit, or any other long-term solutions to potentially benefit both the Roleystone Sporting Club, the Roleystone Markets and the wider community.
- Roleystone Tennis Club (Eli Cook Pavilion):
  - The Roleystone Tennis Club confirmed they have no additional storage space at the club.
  - The club are currently utilising both the inside of the facility and a small external storeroom to its capacity. This includes tennis equipment, coaches equipment, and some gardening equipment (blowers for outer area).
- Roleystone/Karragullen Cricket Club:
  - The Roleystone/Karragullen Cricket Club have confirmed that they do not have any storage space available in the Cricket & Netball Pavilion.
  - The Cricket Club suggested the installation of a sea container at Cross Park.
- Roleystone Guides (Roleystone Guide Hall):
  - The Roleystone Girl Guides have confirmed that they do not have any availability in the facility and have been considering a new storage shed in the future to assist with their current storage restrictions.
- Roleystone/Karragullen Seniors Club (Thomson House):
  - The Roleystone/Karragullen Senior Citizens Club confirmed they are currently utilising the entire facility and are unable to store any additional equipment.

Overall, the current community groups operating out of the Cross Park precinct have no storage space available and appear to be open to any additional storage arrangements for the site.

### **Storage Container**

An alternative solution considered was to relocate all equipment belonging to the Roleystone Markets into a new long-term storage container on site at Cross Park.



In meeting with the Roleystone Markets, the Markets advised that a storage container would not be suitable for their equipment, as they store a majority of the equipment on their trailer and would not be able to safely wheel the trailer in and out of the container. The group raised concerns about the space available within a sea container to safely maneuver the trailer, as well as having sufficient surrounding space to safely unload heavy equipment.

The equipment is required to remain on the trailer due to the weight of the equipment, with concerns about the safety of volunteer members if they were unable to wheel equipment on the trailer. The current storage shed has two roller doors and a flat surface area outside allowing members to safely wheel the trailer in and out of the shed as required, without the need to unload all equipment.

The Roleystone Markets have advised that a storage container would not be suitable however, the costs involved in obtaining a storage container and the dimensions are included below for noting.

Container Grade - New or Near New

Price: \$4,450 + GST  
Delivery: \$380 + GST  
Size of Trailer: 20ft  
Dimensions: 6.05m long, 2.43m wide and 2.59m tall

B Grade Container

Price: \$2,700 + GST  
Delivery: \$380 + GST  
Size of Trailer: 20ft  
Dimensions: 6.05m long, 2.43m wide and 2.59 tall

In comparison to the dimensions of the sea container as outlined above, the Cross Park Shed has two roller doors on one side of the shed (please refer to Image 5 in Attachment 1). Each door is approximately 2.54m wide, being only slightly wider than the width of a sea container.

The minimal difference in the size of the roller door and the sea container may result in a container still being a suitable option for storage, noting an entrance ramp would need to be installed to assist volunteers in safely wheeling the trailer in and out of the container or alternatively the sea container being set down slightly into the surrounding ground.

The City of Armadale has the following Policy in place, which discourages the use of sea containers due to the visual impact they may have on an area.

*PLN 5.3 Sea Containers, Railway Carriages and Other Decommissioned Transport Conveyances*

PLN 5.3 states:

*The use of sea containers, railway carriages or other decommissioned transport conveyances, primarily for storage purposes, may be an acceptable development option in association with rural and industrial uses in certain parts of the City, however their use is discouraged.*



*Despite the possible advantages of using sea containers, railway carriages or other decommissioned transport conveyances, their 'industrial' appearance and relatively large size raises concern about the impact they may have on the visual amenity of an area.*

Part of section 4.1 of PLN 5.3 states:

Sea containers, railway carriages and other decommissioned transport conveyances are not acceptable in the Residential, Special Residential, Mixed Business/Residential, Special Rural, Rural Living & Urban Development zones.

Cross Park is zoned Parks and Recreation.

PLN 5.3 states in 4.3 Assessment Criteria that modifying the structure so it integrates with existing development may be a way of addressing the objectives of the policy.

Should a sea container be arranged as a storage option at Cross Park, further work may need to be undertaken to improve the aesthetic of the container visually and to match with existing developments.

#### **Proposal from Roleystone Community Garden Inc. – Extension of Shed**

Due to the amount of equipment required by all groups, the Roleystone Community Garden have requested consideration of an extension of the current shed, to create sufficient space to allow all groups to work collaboratively from the same area.

The suggestion was made to extend the shed by approximately 10 metres, with the extension being attached to the current structure.

The extension will be located in the driveway space immediately outside of the roller doors, as per the indication in the red outlined area in the image below.



At this stage, further investigative work into this option has not yet been conducted. However, Option 1 of this report provides for Council to authorise City Officers to investigate the shed extension further, as this will include collating information on the cost of works, as well as an investigation into the feasibility, including but not limited to, aesthetics and use of cladding materials, location of utility services, legal compliance matters, tree preservation, asset management and other social and environmental considerations not yet identified.

Roleybushcare have indicated to City Officers that they would be in support of an extension to the Cross Park Shed currently occupied by Roleystone Community Garden Inc.

## **OPTIONS**

From the consultation conducted to date, it is possible that Roleystone Community Garden and Roleybushcare could jointly occupy the shed with Roleybushcare requiring an additional 40m<sup>2</sup> of fenced outside area. However, there is insufficient space in the current shed to house the Roleystone Community Garden, Roleybushcare and Roleystone Markets.

The below options are available regarding the Cross Park Shed currently occupied by Roleystone Community Garden Inc.

- Option 1: Authorise City Officers to investigate the flexibility and costs of extending the Cross Park Shed to accommodate Roleystone Community Garden, Roleybushcare and Roleystone Markets and to provide a further report to Council on the findings.
- Option 2: Do not authorise City Officers to investigate the flexibility and costs of extending the Cross Park Shed.
- Option 3: Authorise City Officers to investigate the possibility of a 20ft storage container at Cross Park to be occupied by the Roleystone Markets.
- Option 4: Authorise City Officers to investigate the cost and siting of 40m<sup>2</sup> of fenced external area for Roleybushcare adjacent to the Cross Park shed.
- Option 5: Authorise the Chief Executive Officer and Mayor to sign and execute a joint licence arrangement for Roleystone Community Garden and Roleybushcare only.

Licensee(1)	Roleybushcare
Licensee(2)	Roleystone Community Garden
Licenced Area	Portion of Cross Park, Roleystone
Term	Five (5) years with a 5 year renewal option
Commencement	Upon signing by both parties
Rent:	Peppercorn Rent in line with the Schedule of Fees & Charges (2023/24 - \$100 per annum).
Insurance	Licensee to be responsible for Public Liability Insurance to the value of \$20 Million.
Licensee responsibilities	<ul style="list-style-type: none"> <li>• Cost of all claims resulting from the group's activities that fall within the City excess on building insurance (currently \$5,000 per incident);</li> <li>• Insurance for any property or equipment owned by the occupier.</li> </ul>
Outgoings	Licensee to be responsible for normal outgoings for occupied premises.
Maintenance	Occupant maintenance responsibilities as outlined in the licence agreement.

Option 6: Authorise the Chief Executive Officer and Mayor to sign and execute a new lease agreement with the Roleystone Community Garden (with Roleystone Markets occupying a portion of the shed as sub-committee of Roleystone Community Garden), under the following basic terms and conditions, consistent with the City's Lease & Licence Policy:

Occupier	Roleystone Community Garden
Leased Area	Portion of Cross Park, Roleystone
Term	Five (5) years with a 5 year renewal option
Commencement	Upon signing by both parties
Rent:	Peppercorn Rent in line with the Schedule of Fees & Charges (2023/24 - \$100 per annum).
Insurance	Lessee to be responsible for Public Liability Insurance to the value of \$20 Million.
Lessee responsibilities	<ul style="list-style-type: none"> <li>• Cost of all claims resulting from the group's activities that fall within the City excess on building insurance (currently \$5,000 per incident);</li> <li>• Insurance for any property or equipment owned by the occupier.</li> </ul>
Outgoings	Lessee to be responsible for normal outgoings for occupied premises.
Maintenance	Occupant maintenance responsibilities as outlined in the lease agreement.

Option 7: Do not endorse any occupant at this time of the Cross Park shed and to authorise the Chief Executive Officer to advertise the Cross Park Shed via the Registration of Interest process to determine the most suitable occupant.

Option 1 and Option 4 are recommended.

## **CONCLUSION**

Following discussions with the Roleystone Community Garden Inc, Roleybushcare and Roleystone Markets, City Officers have been advised that all groups are willing to work together and operate out of the same space. However, the current storage limitations within the Cross Park Shed and the surrounding community facilities at Cross Park makes the possibility of sharing the current space unfeasible.

Other facilities at Cross Park were investigated to store Roleystone Market equipment, however, all tenants advised that there is inadequate space available. Use of a storage container requires further investigation to determine the feasibility of works and suitability for use by the Roleystone Markets.

An extension to the existing shed may be a suitable solution to be able to accommodate the storage requirements of all groups. It should be noted that at this stage, the feasibility and costs of a shed extension have not yet been investigated.

## **ATTACHMENTS**

1. [↓](#) Attachment 1 - Images of Roleystone Community Garden

### Officer Recommendation

That Council:

- (i) Authorise City Officers to investigate the feasibility and costs of extending the Cross Park Shed in accordance with Option 1 of this report and to provide a further report to Council on the findings.
- (ii) Authorise City Officers to investigate the costs and siting of 40m<sup>2</sup> of fenced external area for Roleybushcare in accordance with Option 4 of this report and to provide a further report to Council on the findings.

*The Committee discussed the report and an alternate recommendation was moved.*

**RECOMMEND**

C7/4/24

**That Council:**

1. Authorise the Chief Executive Officer and Mayor to sign and execute a joint licence arrangement for Roleystone Community Garden Inc and Roleybushcare Inc only.

<b>Licensee(1)</b>	<b>Roleybushcare Inc.</b>
<b>Licensee (1) Permitted Use</b>	<b>Activities related to maintaining and protecting bushland around the Roleystone and Karragullen areas.</b>
<b>Licensee(2)</b>	<b>Roleystone Community Garden Inc.</b>
<b>Licensee (2) Permitted Use</b>	<b>Activities related and limited to the maintenance and upkeep of the Roleystone Community Garden Inc. (which excludes storing any property to be used for any other purpose or for the benefit of any other group or entity and this includes any property or materials used for the Roleystone Markets).</b>
<b>Licensed Area</b>	<b>Portion of Cross Park, Roleystone</b>
<b>Term</b>	<b>Two (2) years with a 2 year renewal option at the sole discretion of the City</b>
<b>Licensed Area</b>	<b>Roleybushcare Inc approximately 35m2 of the enclosed portion of the shed. Roleystone Community Garden Inc., approximately 25m2 of the enclosed portion of the shed. The portion of the enclosed shed space allocated to each licensee includes space to allow for joint use of the kitchenette. Each licensee will have joint use of the undercover area. Areas external to the enclosed shed and undercover area will be determined to support the activities of each party.</b>
<b>Commencement</b>	<b>Upon signing by both parties</b>
<b>Rent:</b>	<b>Peppercorn Rent in line with the Schedule of Fees &amp; Charges (2023/24 - \$100 per annum).</b>
<b>Insurance</b>	<b>Each licensee to be responsible for Public Liability Insurance to the value of \$20 Million.</b>
<b>Licensee responsibilities</b>	<ul style="list-style-type: none"> <li>• <b>Cost of all claims resulting from the group's activities that fall within the City excess on building insurance (currently \$5,000 per incident);</b></li> <li>• <b>Insurance for any property or equipment owned by the occupier.</b></li> </ul>
<b>Outgoings</b>	<b>Each licensee to be responsible for normal outgoings for occupied premises.</b>
<b>Maintenance</b>	<b>Occupant maintenance responsibilities as outlined in the licence agreement.</b>

- 2. Authorise City Officers to work with the Roleystone Markets to find alternate storage locations not on Cross Park.**

**Moved Cr C M Wielinga, Seconded Cr K Busby**

**Opposed Cr J Keogh**

**MOTION CARRIED**

**(5/2)**

### **3.1 - USE OF COMMUNITY FACILITIES (REFERRAL MATTER)**

At the Council meeting held on 12 February 2024, Cr Kamdar referred the following matter to the Community Services Committee.

*That the matter of a review of the terms and conditions for the use of community facilities for birthday parties between the ages of 16 and 21 be referred to the Community Services Committee.*

#### **Comment from Cr Kamdar**

Can Council review the Policy as it is not fair that a resident is not able to use facilities due to red tape policies.

*Cr Kamdar's further comments have been forwarded under separate cover.*

#### **Officer Comment**

The City of Armadale (the City) does not have a specific policy which guides assessment of high risk functions or birthday bookings. However, the City's Terms and Conditions for hire does contain clauses regarding high risk functions which is demonstrated below:

#### **18. HIGH RISK BOOKINGS**

18.1 The City may deem a hire booking to be a high risk booking, such as 16th-25th birthday functions, hens and bucks functions, other functions as determined and may require that additional conditions apply to the hire, including but not limited to:

- (a) restricting some Facilities from being used for such hire;
- (b) the hirer to have licensed security providers on site at all times. The Hirer will need to provide proof of security arrangements to the City;
- (c) the hirer to provide information to the satisfaction of the City as to how people will be moved on from the Facility or Reserve on completion of the Hire Period.

Officers do not determine high risk functions based on the amount of noise that a booking is likely to produce, rather it is assessed on the type of activity. All hirers must ensure that their noise activities comply with the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*.

The current arrangements that are in place have been working well. Restrictions are made to certain facilities because of the damage that can be caused to parts of the facility eg wooden floors. It is not about whether the event has alcohol or is alcohol free, but about the type of activity that attracts large gatherings and the damage that may be caused because of this.

The decision to restrict the venues that can be utilised for high risk bookings arose from frequent damage caused by these types of events in the past. Damage that is caused to well utilised and high profile facilities is more likely to impact a large number of existing bookings whilst repair is organised. When damage occurs to City facilities, especially frequently booked spaces, it leads to cancellations or requirement for relocation, often at a loss of income to the City.

High risk bookings are accepted at some of the City's facilities which includes Bob Blackburn Pavilion, Evelyn Gribble Community Centre, Forrestdale Hall and Harold King Community Centre. John Dunn Hall will also be included as an appropriate venue for high risk bookings once the redevelopment of John Dunn Pavilion has been completed. Although it is understood that not all 16<sup>th</sup> - 25<sup>th</sup> birthdays, hens and bucks' functions will necessarily lead to damage of a facility, the terms and conditions for hire have been developed to ensure that there is consistency in decision making across the community.

#### **ATTACHMENTS**

There are no attachments for this report.

#### **RECOMMEND**

C8/4/24

#### **That Council:**

- 1. Review the Policy and Terms and Conditions.**
- 2. Look at the Policies and Terms and Conditions in neighbouring local governments with similar events for high risk bookings.**

**Moved Cr K Kamdar, Seconded Cr M Silver**

**Opposed Cr P A Hetherington**

**MOTION CARRIED**

**(4/3)**



### **3.2 - HOMELESSNESS IN THE CITY (REFERRAL MATTER)**

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At the Council meeting held on 26 February 2024, Cr Joy referred the following matter to the Community Services Committee.

*That the matter of homelessness in the City be referred to the Community Services Committee.*

#### **Comment from Cr Joy**

I would like to see the City of Armadale arrange a safe shelter to give the homeless a place to stay overnight.

*Cr Joy's further comments have been forwarded under separate cover.*

#### **Officer Comment**

##### *Councillor Workshop and Research*

In September 2020, a Councillor workshop was held on the topic of *Sleeping Rough: Primary Homelessness in the City of Armadale*.

Feedback at the workshop from Councillors resulted in a Homelessness Policy that was endorsed by Council in February 2021. One of the questions at the workshop pertinent to this referral matter comprised:

*Can the idea of using undercover shopping centre carparks (and community facilities) for shelter for people sleeping rough be investigated?*

In response, Officers researched an organisation based in Brisbane called 'Beddown' whose primary aim is described as follows:

*'The objective of Beddown is to take spaces that are commonly used and busy during the day but at night are left vacant or empty. Beddown activates and repurposes these(sic) spaces at night into pop-up accommodation to ensure the homeless, in particular those who are sleeping rough are able to access a safe, secure shelter to get a great night's sleep and have access to a range of services that restore dignity, respect, self-esteem and confidence'.*

In October 2019, Beddown conducted a two-week pilot program using a car park in Brisbane. Staff and volunteers repurposed the car park into an accommodation space, with a range of onsite services available for guests including:

- Medical staff
- Social Workers
- Catering
- Laundry
- Hairdressers
- New clothing
- Legal staff

- Recruitment services
- Options for longer term accommodation

According to Beddown, a ‘typical activation’ of a car park (or similar space) comprises the following steps:

1. Identify venue type eg: car park, shopping centre etc.
2. Venue Landlord approval
3. Regulatory Approvals
  - Planning Approval through the local Council
  - Building Code & Compliance to include:
    - Architectural Drawings
    - Fire Engineering and local fire service approval
    - Ventilation Engineering
4. Identify local service and charitable organisations to partner and collaborate with for guest services
5. Identify onsite service provisions for:
  - Security
  - Cleaning of facilities
  - Laundry of Beddown bed linen
  - Build volunteer base

When speaking with the Founder of Beddown, the Officers discovered the main challenges for the organisation included navigating regulatory ‘red tape’ and accessing funding.

In 2021, the City of Perth considered a trial of this approach in partnership with Beddown. However due to none of its sites complying with National Construction Code requirements the trial did not proceed.

To note, Shelter WA and the Western Australian Alliance to End Homelessness expressed concern regarding a trial with Beddown in the City of Perth’s carparks as the focus of these organisations is to “develop safe interim housing options that provide a pathway to permanent homes and service support” (Shelter WA, 2021).

#### *Current data on homelessness*

- The 2021 ABS Census estimated that there were around 9700 people in WA experiencing homelessness of which 2315 were sleeping rough - an 8% increase since 2016.
- In Armadale, 255 people were classified as being homeless:
  - 39 were sleeping rough
  - 26 were in supported accommodation
  - 70 were temporarily staying with other people
  - 27 living in boarding houses
  - 93 in severely overcrowded dwellings

#### *The people experiencing homelessness*

- Aboriginal and Torres Strait Islander people
  - 35% of the homeless population in WA are Aboriginal despite being 3.3% of the population

- Young people and children
  - 19.8% of the homeless population in WA are young people
  - 20.5% of the homeless population in WA are children under 18
- Older Persons 55+
  - 19.1% of the homeless population in WA are older people
- Disability
  - 5% of all people experiencing homelessness need assistance with core activities

*Causes and triggers of homelessness*

- Family and domestic violence
- Poverty
- Unemployment
- Sexual assault
- Young people exiting out-of-home care
- Shortage of affordable housing
- Gambling
- Addiction
- Social isolation

*Response from the WA Government*

- All Paths Lead to a Home: Western Australia’s 10-Year Strategy on Homelessness 2020–2030. Achievements to date:
  - Homelessness Reforms (\$24.2M) – see below
  - Boorloo Bidee Mia (Perth pathway to housing) – supported accommodation in the Perth CBD
  - Acquisition of the Murray Hotel in West Perth (\$5.5M)
  - Common Ground – two facilities in East Perth and Mandurah (\$73.5M)
- Homelessness Reforms initiatives:
  - 100 social homes between Peel, Perth and Bunbury
  - Short and medium accommodation through St Barts
  - Outreach support
  - Better data management

*The City’s approach to homelessness*

According to the City’s Homelessness Policy:

“The City of Armadale will take a compassionate approach to the issue of primary homelessness by its support and when possible, coordination of the relevant departments, sector organisations and service agencies involved in this area. City staff and its contractors who interact with people experiencing primary homelessness will do so with an attitude of empathy and a disposition to assist.”

A copy of the City’s Homelessness Policy is attached.

The City produces a Hardship Resource Directory that is provided to service providers and those experiencing homelessness. Ranger and Emergency Services staff specialise in engaging with people sleeping rough, and these Officers work alongside the Department of Communities to source alternative accommodation.

The Manager of Ranger and Emergency Services and the Manager Community Development have provided information sessions to teams across the City to educate staff on homelessness; these presentations have included various scenarios as to what individual staff may do if they encounter a person sleeping rough.

Some community members experiencing homelessness access services at the Champion Centre and other community centres.

#### **ATTACHMENTS**

1. [↓](#) Policy - Homelessness

#### **RECOMMEND**

**C9/4/24**

**That Council note the report.**

**Moved Cr J Keogh  
MOTION CARRIED**

**(7/0)**

***COUNCILLORS' ITEMS***

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**1. Let's Connect Armadale Expo (Cr Paul Hetherington)**

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Cr Hetherington advised that he had attended the Let's Connect Armadale Export on Friday 5 April as a vendor with the Fathering Project and it was a very well put together event that was well attended.

*This refers to any brief updates from Councillors from their attendance at Working Group or Advisory Group meetings on which they represent Council.*

***EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT***

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**1. District Leadership Group Meeting (DLG)**

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The Executive Director Community Services advised that at the last District Leadership Group (DLG) meeting she discussed with Mark Longman (District Superintendent - WA Police) the possibility of attending the AGM as there was had been a question from the gallery on this. Mark advised that he would be willing to attend. Mark also advised that he would welcome the opportunity to attend a Committee or Council meeting to share some statistics and have a round table discussion on any concerns.

**MEETING DECLARED CLOSED AT 8:21PM**

<b>COMMUNITY SERVICES COMMITTEE</b>		
<b>SUMMARY OF ATTACHMENTS</b>		
9 APRIL 2024		
ATT NO.	SUBJECT	
<b>2.1 CO-SHARING OF THE CROSS PARK SHED BY ROLEYSTONE COMMUNITY GARDEN AND ROLEYBUSHCARE</b>		
2.1.1	Attachment 1 - Images of Roleystone Community Garden	
<b>3.2 HOMELESSNESS IN THE CITY (REFERRAL MATTER)</b>		
3.2.1	Policy - Homelessness	

*The above attachments can be accessed from the Minutes of the Community Services Committee meeting of 9 April available on the City's website*

# CITY OF ARMADALE

## MINUTES

OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 15 APRIL 2024 AT 7.00PM.

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**PRESENT:**

Cr C M Wielinga (Chair)  
Mayor R Butterfield  
Cr J Joy (Deputy to Cr J Keogh)  
Cr L Sargeson  
Cr G J Smith  
Cr S Stoneham

**APOLOGIES:**

Cr J Keogh  
Cr S Peter JP  
Cr M Silver (Deputy Chair)

**OBSERVERS:**

Nil

**IN ATTENDANCE:**

Ms J Abbiss Chief Executive Officer  
Mr P Sanders Executive Director Development Services  
Ms R Batten Executive Assistant Development Services

**PUBLIC:**

Nil

*“For details of Councillor Membership on this Committee, please refer to the City’s website – [www.armadale.wa.gov.au/your council/councillors](http://www.armadale.wa.gov.au/your_council/councillors).”*



## **DISCLAIMER**

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

## **DECLARATION OF MEMBERS' INTERESTS**

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Nil

## **QUESTION TIME**

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Nil

## **DEPUTATION**

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Nil

## **CONFIRMATION OF MINUTES**

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## **RECOMMEND**

**Minutes of the Development Services Committee Meeting held on 18 March 2024 be confirmed.**

**Moved Mayor R Butterfield**

**MOTION CARRIED**

**(6/0)**

## **ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 3 - MARCH 2024**

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Cr Wielinga advised via email on 3 April 2024 that she has withdrawn her referral item for Tree Preservation Orders raised at Council's meeting on 11 March 2024. In accordance with Part 9 of the Management Practice for the City's Policy - Councillor Referrals to Standing Committees EM 15, this matter is included in the Information Bulletin.

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

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## DEVELOPMENT SERVICES COMMITTEE

15 APRIL 2024

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**\*\*1.1 - PROPOSED MINOR AMENDMENT TO LOCAL PLANNING POLICY PLN 3.13  
- DESIGN REVIEW PANEL**

WARD : ALL  
FILE No. : M/181/24  
DATE : 26 March 2024  
REF : GW  
RESPONSIBLE : Executive Director  
MANAGER : Development Services

**In Brief:**

- A review of Local Planning Policy PLN 3.13 – Design Review Panel has highlighted a need to clarify the process to appoint Design Review Panel (DRP) members, expand membership and increase term limits.
- Recommend that Council adopt minor amendments to Local Planning Policy PLN 3.13.

**Tabled Items**

Nil.

**Decision Type**

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

**Officer Interest Declaration**

Nil.

**Strategic Implications**

- 2.5.1 Ensure the City's planning framework is modern, flexible, responsive and aligned to achieving the outcomes of the Strategic Community Plan and Corporate Business Plan.
- 2.5.6.1 Implement the City's Design Review Panel.

**Legal Implications**

*Planning and Development Act 2005*  
*Planning and Development (Local Planning Schemes) Regulations 2015*  
*Town Planning Scheme No.4*

**Council Policy/Local Law Implications**

Minor amendment to PLN 3.13 proposed.

### **Budget/Financial Implications**

An adequate budget is set aside in the 2023/2024 and 2024/2025 financial year and the four (4) year budget for the operation of a Design Review Panel.

### **Consultation**

City Legal.

### **BACKGROUND**

Local Planning Policy PLN 3.13 – Design Review Panel (PLN 3.13) outlines the administrative and operational requirements of the City’s Design Review Panel (DRP).

The City’s DRP has been operating well since inception in 2020 and is comprised of up to eight (8) suitably qualified professionals made up of four categories:

- Category A - Built Form Architecture (2 members)
- Category B - Town Planning & Urban Design (2 members)
- Category C - Landscape Architecture (2 members)
- Category D - Heritage Architecture (2 members)

Members of the panel are currently appointed by Council for a maximum term limit of 2 years under *Clause 4.2.3.6 (Terms of Office)* of PLN 3.13, which reads as follows:

- a) *The term of appointment for any new member of the Panel shall be up to two (2) years.*
- b) *A member may be nominated for re-appointment upon the expiry of their term.*
- c) *Should a vacancy occur during the term of office, the process to fill the casual vacancy will follow the normal process of appointment.*

The current members/panel is due to expire on 27 June 2024.

As the process of appointment is not clearly defined in PLN 3.13, the City should advertise and reconvene a new panel every 2 years by way of Registration of Interest (ROI). Submissions from the ROI are evaluated by officers in accordance with qualitative criteria outlined in PLN 3.13 then referred to Council for final appointment of DRP members. Each DRP member is engaged in accordance with the Terms of Reference under PLN 3.13 and the City’s *General Conditions for Goods and Services*.

Members are paid an hourly sitting fee for attendance at a Design Review Panel (minimum of one hour to a maximum of three hours per sitting). The current sitting fee is a maximum of \$250.00 per hour, which was established 4 years ago based on the duration of the meeting and review of the documents in accordance with PLN 3.13 Design Review Panel. Based on a review of the fees set by other Local Governments, the number of years the sitting fee has remained the same and that the City needs the Design Review Panel to remain competitive, the sitting fee should increase to a maximum of \$275 per hour.

A review of PLN 3.13 has identified a need to clarify the process, which also provides an opportunity to streamline the appointment of members under delegated authority.

## **DETAILS OF PROPOSAL**

This report proposes minor amendments to Local Planning Policy PLN 3.13 by:

1. Increasing the maximum number of members from eight (8) to twelve (12) (from 2 to 3 DRP members for each category) under Clause 4.2.3.3(Membership), sub clause (a) to enable a larger pool of experts for the City to drawn upon as necessary and accommodate periods of leave availability of members;
2. Clarifying the process by which DRP members are to be appointed upon expiration of term limits under *Clause 4.2.3.3 (Membership), sub clauses (d) and (e)* by way of ROI and expressly authorise the Executive Director Development Services to appoint members;
3. Expanding the maximum term limits of DRP members from 2 to 3 years under *Clause 4.2.3.6 (Terms of Office), sub Clause (a)*.

In order to streamline and expedite the appointment of DRP members upon expiration of term limits, it is proposed that Council delegate this function to the Executive Director Development Services. DRP have become part of the City's normal operations for Planning Services.

## **COMMENT**

### *Appointment Process*

Clause 4.2.3.4 of PLN 3.13 provides the Chair of the DRP (*Executive Director Development Services or nominated Manager from Planning Services*) with the authority to 'select' Panel members to undertake a review of a development or structure plan proposal from the established DRP. However, the Policy is silent on the appointment process which is a function of the Local Government (Council) under *Schedule A (Supplemental Provisions to the Deemed Provision), Clause 60(a) of Town Planning Scheme No. 4*, which reads as follows:

*Clause 60(a) The Local Government may appoint a Design Review Panel for the purposes of considering and advising the Local Government with respect to applications and/or planning documents.*

The City's Legal Services recommended that PLN 3.13 be updated to clearly set out the appointment process and reference the authority to appoint accordingly. City's Legal Services advised that PLN 3.13 could be amended to allow the Executive Director Development Services to appoint members to the DRP, if expressly authorised by Council.

Given the administrative nature of appointments and noting that officers currently evaluate prospective members in accordance with the qualitative criteria outlined in PLN 3.13, it is considered appropriate for the Executive Director Development Services to undertake this function as reflected by the proposed amendments. It is noted that the total costs of the DRP are within Budget allocations and tender thresholds for delegation. This proposal will ensure the timely appointment of members upon expiration of term limits and enable the continued smooth operation of the DRP panel in accordance with PLN 3.13.

### *Maximum number of members*

Clause 4.2.3.3 (Membership), sub clause (a) of PLN 3.13 currently restricts the total maximum number of members to eight (8), which compromises 2 members for each of the 4 categories of expertise. In order to provide a larger pool of experts to draw from in times of absence and to diversify membership, given the wide range of types of development applications the city receives, it is recommended that the maximum number be increased from eight (8) to twelve (12) members. This will provide for up to 3 members per category, as necessary.

### *Term Limits*

Clause 4.2.3.6 (Terms of Office), sub Clause (a) currently limits the appointment of DRP members to a maximum of two (2) years. To provide greater certainty and reduce the administrative burden of dissolving the DRP every 2 years, it is considered reasonable to extend the maximum term from 2 to 3 years. Typically, and for comparison purposes, it is generally common practice to appoint such positions for 2 years with an option to extend for an additional year under normal contract arrangements.

## **ANALYSIS**

### *Procedure for Amending a Local Planning Policy*

*Schedule 2 (Deemed Provisions), Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015* outlines the procedure for amending local planning policies. This procedure states that the local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment. The remaining procedure requires Council's adoption of the policy amendment and publishing a notice in a newspaper circulating in the district.

The proposed amendments clarify the administrative process for appointment of DRP members and expands the terms limits by 1 year (maximum 3 years). Such amendments are considered minor given the administrative nature of the proposed changes that do not materially alter the policy, and therefore public advertising is not required.

## **OPTIONS**

1. Council could resolve to adopt minor amendments to the policy referred to above and publish a notice in the newspaper as required by the procedure for amending a Local Planning Policy.
2. Council could choose not to adopt minor amendments to the policy.

## **CONCLUSION**

The proposed minor amendments to PLN 3.13 will provide additional clarity and streamline the appointment process of DRP members upon expiration of term limits.

It is recommended that Council resolve to adopt the Local Planning Policy amendment in accordance with Option 1 above.

## **OFFICER RECOMMENDATION**

That Council:

1. Adopt a minor amendment to Local Planning Policy PLN 13.3 with modifications as shown in the Attachments.
2. Publish a notice in a newspaper circulating in the district stating the Local Planning Policy PLN 3.13 amendment has been adopted.
3. Authorise\* the Executive Director Development Service to appoint DRP members pursuant to Schedule A, Clause 60(a) of Town Planning Scheme No.4 and Policy PLN 3.13.

## **ATTACHMENTS**

1. [DRAFT PLN 3.13 Design Review Panel \(with amendments\)](#)

The following alternative recommendations were put to vote:

**RECOMMEND:**

**D5/4/24**

**That Council:**

1. **Adopt a minor amendment to Local Planning Policy PLN 13.3 with modifications as shown in the Attachments.**
2. **Publish a notice in a newspaper circulating in the district stating the Local Planning Policy PLN 3.13 amendment has been adopted.**

**Moved Mayor R Butterfield  
MOTION CARRIED**

**(6/0)**



**\*\*1.2 - PROPOSED INFRASTRUCTURE HANDOVER FROM DENNY AVENUE  
LEVEL CROSSING REMOVAL PROJECT**

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WARD : RIVER  
FILE No. : M/305/22  
DATE : 3 April 2024  
REF : RB  
RESPONSIBLE : Executive Director  
MANAGER : Development Services

**In Brief:**

- The Kelmscott Denny Avenue Level Crossing Removal Project is in its final stages and the State Government is proposing the handover of some infrastructure delivered by the project.
- Council resolved at its meeting on 16 October 2023 to enter into a Licence Agreement with the Public Transport Authority (PTA) for the Kelmscott Station Plaza and accept a funding arrangement for maintenance and additional landscaping in Kelmscott.
- PTA has advised that their standard Licence Agreement can't be modified to suit the Kelmscott Station Plaza maintenance arrangements and have therefore suggested that the arrangements be included in a Memorandum of Understanding (MOU).
- Recommend that the Council authorise the CEO to enter into a MOU with PTA for the maintenance of the Kelmscott Station Plaza

**Tabled Items**

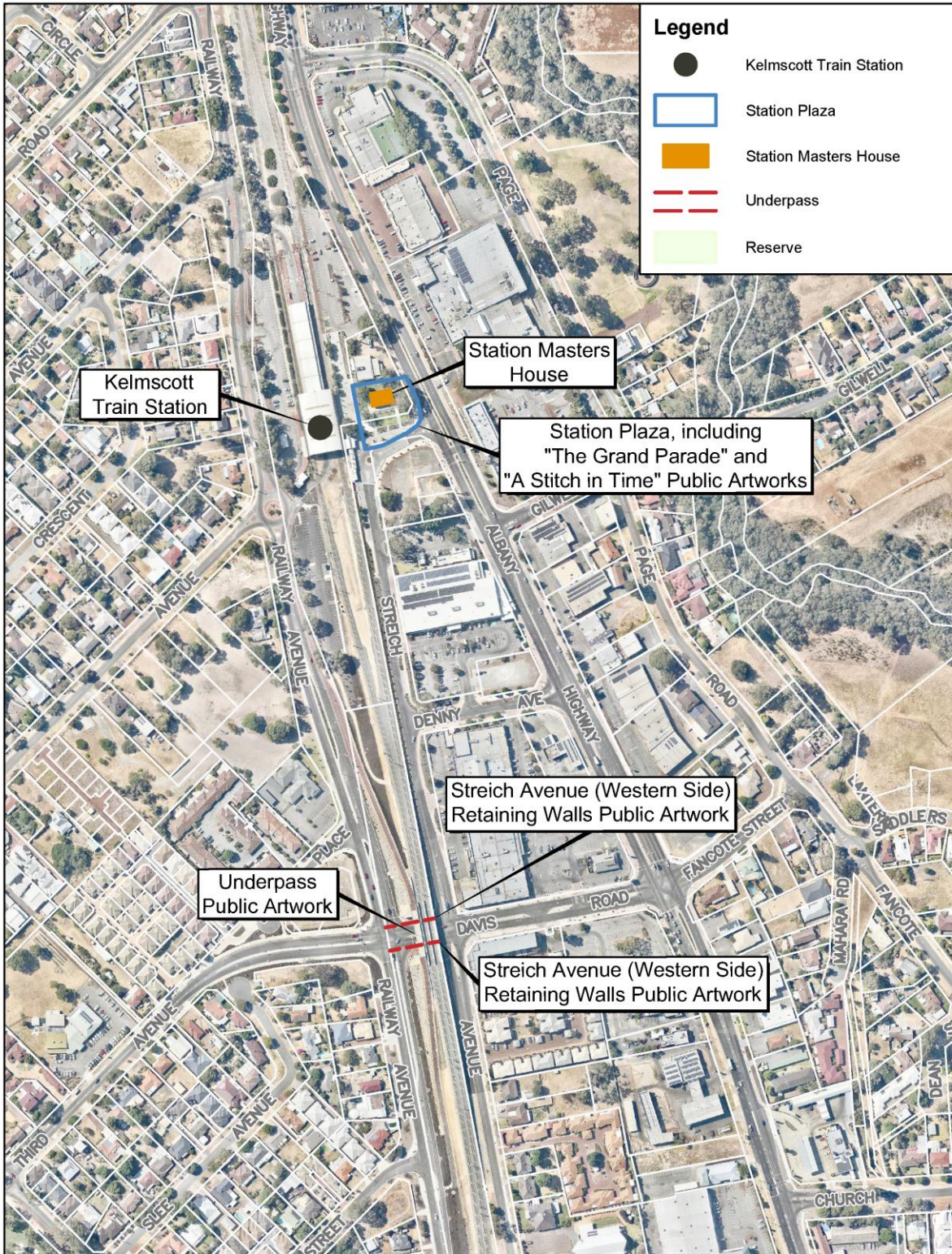
Nil

**Decision Type**

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

**Officer Interest Declaration**

Nil



**AERIAL PLAN**  
Denny Avenue Level Crossing Removal



DATE 22 August 2023 - REVISION 2301  
p:\autocad\agenda\_drawings\2023\9 september\denny\_ave\_sw\denny\_ave\_sw.dwg

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



### **Strategic Implications**

- 1.1.1.3 Implement the City's Public Art Strategy.
- 2.2.2.4 Consider the development of a landscape/streetscape plan for Kelmscott Activity Centre post the Denny Avenue works.
- 2.2.2.5 Improve the amenity of streetscapes through the use of public art.
- 3.1.1.3 Support the completion of the Denny Avenue project and associated landscaping.

### **Legal Implications**

*Local Government Act 1995*

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

City of Armadale Public Art Policy

### **Consultation**

Public Transport Authority (PTA)  
City's relevant Directorates

## **DETAILS OF THE PROPOSAL**

Council previously considered a report on the 16 October 2023 relating to the MetroNet's Denny Avenue Level Crossing Project in Kelmscott delivered by the Public Transport Authority (PTA) including:

- Management of the Station Plaza;
- Management arrangements for public art;
- A funding proposal for landscaping maintenance;
- Funding proposal for gaps in the landscaping provision; and
- A proposed Licence Agreement in regard to the Plaza.

This report proposes to authorize the CEO to enter into a MOU with PTA.

## **BACKGROUND**

Council resolved at its meeting on 16 October 2023 to:

1. Agree to the funding proposal and maintenance responsibility for the relevant infrastructure as follows:

2 Years Public Art Maintenance	\$7,380
2 Years Bins Maintenance	\$7,490
1 Year Landscaping Maintenance, including Station Plaza	\$246,673.50
Additional Landscaping Works	\$74,055
Total	\$335,598.50

2. Authorise the CEO to negotiate the relevant provisions and enter into a Licence Agreement with PTA for the City to maintain Station Plaza.
3. Pursuant to section 6.11(i) of the *Local Government Act 1995*, a reserve account be established for ‘Kelmscott – Landscaping, Public Art and Bin Maintenance Contributions’ for the purpose of facilitating the transfer of PTA’s maintenance funds for the portion of the maintenance period in 2024/25 for Landscaping, Public Art and Bins for Kelmscott District Centre.
4. Pursuant to Section 6.8 of the *Local Government Act 1995*, amend\* the 2023/24 budget as follows:

Increase in Revenue - Operational Works Contributions 5510-410073-42060-5062

Public Art Maintenance Account by \$3,380

Kelmscott Landscaping Additional Works Account by \$74,055

Kelmscott Landscaping Maintenance Account by \$154,673.50

Bins Maintenance Account by \$3,490

Increase in Transfer to Reserve

Landscaping, Public Art and Bins for Kelmscott District Centre Reserve \$100,000 for allocation in 2024/25.

5. List the following for consideration as part of the Long Term Financial Plan per annum:
  - Public Art Maintenance - \$3,700;
  - Bin Maintenance - \$4,000;
  - Plaza Maintenance - \$40,000;

## ANALYSIS

The City understands that PTA do not wish to amend their standard Licence Agreement to accommodate the maintenance requirements for the Kelmscott Station Plaza. PTA’s standard draft Licence Agreement contains a number of irrelevant and unacceptable provisions that are not applicable for the maintenance arrangements. Following negotiations, it has been proposed that a Memorandum of Understanding would provide more flexibility to accommodate the maintenance arrangements between PTA and the City. A MOU will serve the City’s requirements for the Kelmscott Station Plaza, as the City is largely only undertaking maintenance of the permanent infrastructure and maintaining and managing the landscaping. The infrastructure in the Kelmscott Station Plaza will remain the property of PTA.

The finalisation of the MOU will enable PTA to release the maintenance and additional landscaping funding specified in the previous report to Council, thereby enabling the City to access the additional landscaping funding to undertake works in the Kelmscott Townsite.

## **OPTIONS**

1. Authorise the CEO to negotiate the relevant provisions and enter into a Memorandum of Understanding with PTA for the City to maintain Kelmscott Station Plaza.
2. Advise PTA that the City will require a Licence Agreement or other document to accept the maintenance responsibility for the Kelmscott Station Plaza.
3. Advise PTA that the City is not willing to accept the maintenance responsibility for some of the relevant infrastructure.

## **CONCLUSION**

Council resolved at its meeting on 16 October 2023, amongst other matters, to authorise the CEO to enter into a Licence Agreement with PTA for the City to maintain the Kelmscott Station Plaza. PTA have recently advised that their standard Licence Agreement can't be modified to suit the Kelmscott Station Plaza maintenance arrangements and have therefore suggested that the arrangements be included in a Memorandum of Understanding (MOU). A MOU will serve the City's requirements for the Kelmscott Station Plaza as the City is largely only undertaking maintenance of the permanent infrastructure and maintaining and managing the landscaping.

## **ATTACHMENTS**

1. [Land Lease Boundary Plan - Denny Avenue](#)

## **RECOMMEND**

**D6/4/24**

### **That Council:**

1. **Authorise the CEO to negotiate the relevant provisions and enter into a Memorandum of Understanding with PTA for the City to maintain the Kelmscott Station Plaza.**

## **ABSOLUTE MAJORITY RESOLUTION REQUIRED**

**Moved Cr J Joy  
MOTION CARRIED**

**(6/0)**

***COUNCILLORS' ITEMS***

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Nil

### ***3.1 - DEVELOPMENT STATISTICS 2022/2023***

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The City has forwarded its statistics to WALGA for inclusion into its 2022/2023 report for the *Local Government Performance Monitoring Project (Planning and Building)*. The Growth Alliance Perth and Peel (GAPP) Local Governments initiated this project with WALGA to develop a suite of performance indicators to measure how well Local Government is managing its planning, building and development functions.

The 2022/20223 report is the seventh (7<sup>th</sup>) year of the project and the report has been published. The City is a foundation member of the original group of Local Governments initialising this Project with WALGA. The number of Local Governments participating in the Project has increased from the original 11 in the first year of the project to 43 this year. WALGA's 2022/2023 report for the Local Government Performance Monitoring Project (Planning and Building) benchmarks the City's statistics against those of other Local Governments and will be included on the City's website similar to previous years. Results from previous years have been reported to Council and included on the City's website.

A few of the City's key statistics which the Monitoring Project will benchmark against the other Local Governments in the survey are:

- A total of 2375 development and building applications were received in 2022/23;
- The City determined 97% of those applications within statutory timeframes (Local Government survey average is 91.9%);
- 1841 Building Applications were received and the City determined 99.9% of those applications within statutory timeframes (Local Government survey average is 89.1%);
- 479 development applications were received and 90.2% of those applications were determined within statutory timeframes (Local Government survey average is 86.6%);
- Of those 479 development applications, 93 required advertising for comment and 386 did not require advertising;
- The City received 55 subdivision application referrals from the WAPC and 78% of those referrals were responded to within statutory timeframes (Local Government survey average is 77.6%);
- The City has a total of 8 strategies that form part of its strategic planning framework (Local Government survey average is 6); and
- The City finalised 7 Town Planning Scheme Amendments during that year, which was above the Local Government survey average of 2.3.

Participation in this survey indicates the City's continued commitment to providing excellent customer service to the community and industry in the areas of Planning and Building services. The City will work to maintain and improve its performance.

<b>DEVELOPMENT SERVICES COMMITTEE</b>		
<b>SUMMARY OF ATTACHMENTS</b>		
15 APRIL 2024		
ATT NO.	SUBJECT	
<b>1.1 PROPOSED MINOR AMENDMENT TO LOCAL PLANNING POLICY PLN 3.13 - DESIGN REVIEW PANEL</b>		
1.1.1	DRAFT PLN 3.13 Design Review Panel (with amendments)	
<b>1.2 PROPOSED INFRASTRUCTURE HANDOVER FROM DENNY AVENUE LEVEL CROSSING REMOVAL PROJECT</b>		
1.2.1	Land Lease Boundary Plan - Denny Avenue	

*The above attachments can be accessed from the Minutes of the Development Services Committee meeting of 15 April available on the City's website*



# CITY OF ARMADALE

## MINUTES

OF CORPORATE SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,  
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY,  
16 APRIL 2024 AT 7.00PM.

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**PRESENT:**

Cr S J Mosey (Chair)  
Cr S Peter JP (Deputy Chair)  
Cr M J Hancock  
Cr J Joy  
Cr L Sargeson  
Cr G J Smith  
Cr S S Virk

**APOLOGIES:**

Cr K Busby (Leave of Absence)

**OBSERVERS:**

Cr S Stoneham  
Cr P Hetherington  
Cr J Keogh(Teams)

**IN ATTENDANCE:**

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services (Teams)
Mr M Andrews	Executive Director Technical Services (Teams)
Ms S van Aswegen	Executive Director Community Services (Teams)
Mr M Hnatojko	Executive Manager Corporate Services
Mr B Bell	Manager ICT Services
Ms N Duke	ICT Project Manager
Mrs A Owen-Brown	Executive Assistant Corporate Services

**PUBLIC:**

Nil.

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

## **DISCLAIMER**

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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**

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Nil.

## **QUESTION TIME**

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Nil.

## **DEPUTATION**

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Nil.

## **CONFIRMATION OF MINUTES**

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### **RECOMMEND**

**Minutes of the Corporate Services Committee Meeting held on 19 March 2024 be confirmed.**

**Moved Cr L Sargeson  
MOTION CARRIED**

**(7/0)**

## **ITEMS REFERRED FROM INFORMATION BULLETIN**

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### **Items in Issue No. 3**

#### **Progress Report**

Progress Report on Contingency, Operational & Strategic Projects

#### **Outstanding Matters & Information Items**

Report on Outstanding Matters – Corporate Services Committee

#### **Economic Development**

Tourism & Visitor Centre Report

#### **Report of the Common Seal**

*No items were raised for further investigation or report.*

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## CORPORATE SERVICES COMMITTEE

16 APRIL 2024

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### **1.1 - LIST OF ACCOUNTS PAID - FEBRUARY 2024**

WARD : ALL  
FILE No. : M/151/24  
DATE : November 2023  
REF : MH  
RESPONSIBLE : Executive Director  
MANAGER : Corporate Services

**In Brief:**

- The report presents, pursuant to Regulation 13(1), (2) and (3) and 13A (1) and (2) of the *Local Government (Financial Management) Regulations 1996*, the List of Accounts paid for the period 1 February to 29 February 2024 as well as the credit card and fuel card statements for the month of February 2024.

#### **Tabled Items**

Nil.

#### **Decision Type**

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

#### **Officer Interest Declaration**

Nil.

#### **Strategic Implications**

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

## **Legal Implications**

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

### **6.10 Financial management regulations**

*Regulations may provide for —*

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

Regulation 13(1), (2) & (3) and 13A (1) and (2) of the *Local Government (Financial Management) Regulations 1996* refers, ie.

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
- (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing -*
- (a) *for each account which requires council authorization in that month —*
    - (i) *the payee's name; and*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction;*
  - and*
  - (b) *the date of the meeting of the Council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be —*
- (a) *presented to the Council at the next ordinary meeting of the Council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

13A *Payments by employees via purchasing cards*<sup>1</sup>

- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared -*
- (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the payment*
- (2) *A list prepared under subregulation (1) is to be —*

---

<sup>1</sup> [Regulation 13A inserted: SL 2023/106 r. 6.]

- (a) presented to the Council at the next ordinary meeting of the Council after the list is prepared; and  
(b) recorded in the minutes of that meeting.

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

Nil.

### **Budget/Financial Implications**

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

### **Consultation**

Nil.

## **BACKGROUND**

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

## **COMMENT**

The List of Accounts paid for the period 1 February to 29 February 2024 is presented as an attachment to this report as well as the credit card statements for February 2024 and the monthly fuel card statements for the period ended 15 February 2024.

## **ATTACHMENTS**

1. [Monthly Cheque and Credit Card Report - February 2024](#)
2. [Monthly Fuel Card Transactions - Period Ending 15 February 2024](#)

## **RECOMMEND**

CS19/4/24

**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 \$13,911,464.85 on cheque numbers 322 to 333, transactions 16887 to 17666 and Payrolls dated 4 February and 18 February 2024.**

### **Credit Cards**

**Accounts paid totalling \$9,375.83 for the period ended 29 February 2024.**

### **Fuel Cards**

**Accounts paid totalling \$4,154.98 for the month ended 15 February 2024.**

**Moved Cr L Sargeson**

**MOTION CARRIED**

**(7/0)**

**\*\*1.2 - STATEMENT OF FINANCIAL ACTIVITY - FEBRUARY 2024**

WARD : ALL  
FILE No. : M/152/24  
DATE : 4 October 2023  
REF : MH  
RESPONSIBLE : Executive Director  
MANAGER : Corporate Services

**In Brief:**

- This report presents the City's Monthly Financial Report for the eighth (8) month period ended 29 February 2024.
- This report recommends accepting the Financial Report for the eighth (8) month period ended 29 February 2024, noting there are reportable actual to budget material variances for the period.

**Tabled Items**

Nil.

**Decision Type**

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

**Officer Interest Declaration**

Nil.

**Strategic Implications**

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

**Legal Implications**

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

*Local Government Act 1995 – s.6.11 Reserve accounts*

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

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

**Council Policy/Local Law Implications**

Nil.

**Budget/Financial Implications**

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

**Consultation**

Nil.

**BACKGROUND**

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



**COMMENTS**

Presented as an attachment this month, is the eighth monthly financial statement (presented in nature and type format) prepared from information posted in the OneCouncil system.

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

**Revenue**

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

**Expense**

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

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

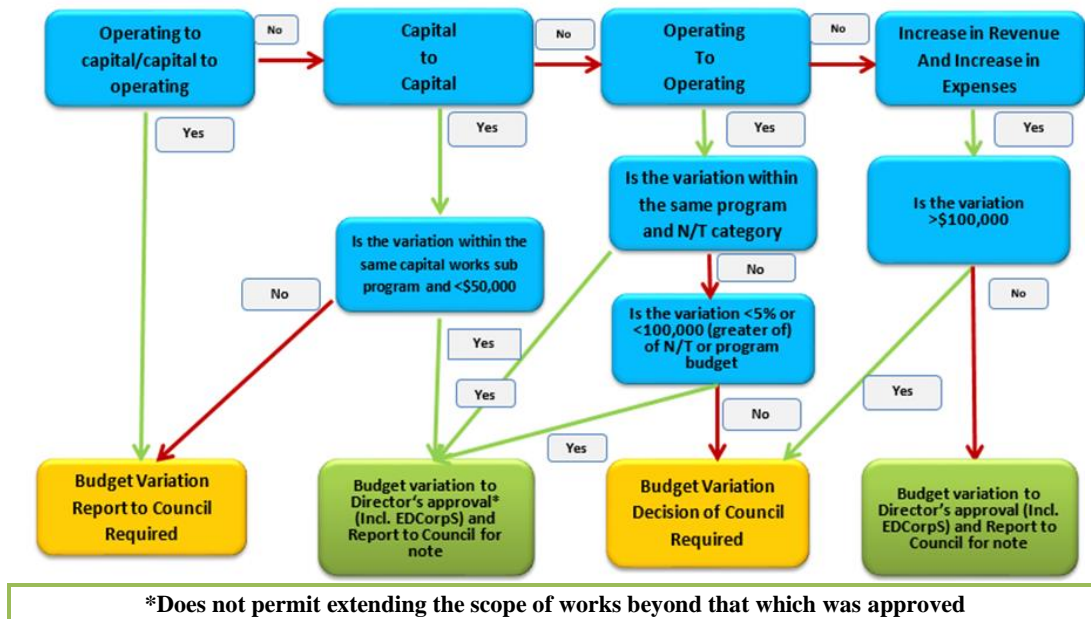
1. **Period Variation**  
Relates specifically to the value of the Variance between the Budget and Actual figures for the period of the report.
2. **Primary Reason**  
Explains the primary reasons for the period Variance. As the report is aimed at a higher level analysis, minor contributing factors are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

At the 26 June 2023 Ordinary Meeting, Council adopted the Budget Variations Process Map which increased the Capital variation from \$40,000 to \$50,000 and the Operating to Operating from \$80,000 to \$100,000 to align with the adopted material variation threshold. Budget variations are presented to Council for authorisation by 'Absolute Majority' in circumstances where a forecast variation requires a movement from:

- Operating to Capital.
- Capital to Capital over \$50,000.
- Capital to Operating.
- Operating to Operating for amounts greater than 5% or \$100,000 (whichever is greater).



**Budget Variation Process Map**



The June 2023 decision of Council also permitted the Chief Executive Officer to amend a grant-funded capital works budget, if there was a corresponding increase in the grant funding.

*The Chief Executive Officer is authorised to approve amendments to capital budgets that are fully funded by external sources and that require an increase cost, commensurate with an increase in funding, but do not necessarily change scope. This caters for circumstances where Developer Contribution Works (which are pre-approved by Council) can be varied in terms of timing of delivery, if required*

**DETAILS**

Presented as an attachment is the Monthly Statement of Financial Activity for the eighth (8) month period ended 29 February 2024. The Monthly Statements are based on the model statements provided to the sector, which have been developed by Moore Australia, in conjunction with the Department of Local Government, Sport and Cultural Industries

Capital Carry Forward Program Update

Included in the monthly report as an attachment is the list of the capital carry forward program as at the end of February 2024. A status update is provided.

Notable Variations

The attachment to this report outlines Year to Date (YTD) performance against budget. Variations over the Council’s material threshold are reported on page 6 of the financials attachment. Council adopted the annual budget review as at February 2024 on March 25 and a number of the variations noted in this report have been amended as a result of that review. These amendments will appear in the March financials.

Rates Debtors

Outstanding rate debtors over one year, greater than \$250 outstanding and without any form of payment arrangement is summarised below.

Feb-24		Non Pensioner						TOTAL	
		One Year		Two Years		Three + Years			
		#	\$	#	\$	#	\$	#	\$
ALL	Year One	481	659,235	183	400,887	286	648,322	950	1,708,444
ALL	Year Two				235,142		606,788		841,930
ALL	Year Three						1,003,456		1,003,456
<b>TOTAL</b>		<b>481</b>	<b>659,235</b>	<b>183</b>	<b>636,029</b>	<b>286</b>	<b>2,258,566</b>	<b>950</b>	<b>3,553,830</b>

**Change from last month**      -39    -\$42,330      -6    -\$18,207      -9    -\$97,454      -54    -\$157,991

**YTD Change**                      -1,189    -\$1,620,810      -99    -\$356,583      -60    -\$400,834      -1,348    -\$2,378,227

Collections are continuing focusing on the 286 properties in the 3 plus years category. During this year to the end of February 60 properties have either been collected in full or are now on payment arrangements. There remains a special focus on the 97 properties which are the oldest and above \$10k owed to the City.

Sundry Debtors

Sundry debtors have remained at a total of \$2.0m at the end of February. However, the 120+days category has reduced from \$0.99M to \$0.88M due to a waste debtor collection and some planning debtors.

The total of Sundry Debtors 120+days is \$0.88M of which:

- \$683k is with Fines Enforcement Registry for collection
- \$36k relate to Waste commercial customers
- A further \$47k relate to Planning and Building debtors, which is also likely to be collected
- A number of community organisations make up the balance.

**ATTACHMENTS**

1. [Monthly Financial Report - February 2024](#)
2. [Carry Forward Balances for the Monthly Financial Statements - February 2024](#)

**RECOMMEND**

CS20/4/24

**That Council:**

1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* accept the Statement of Financial Activity for the eighth (8) month period ended 29 February 2024.
2. Note that there are reportable actual to budget material variances for the year-to-date period ending 29 February 2024.

**ABSOLUTE MAJORITY RESOLUTION REQUIRED**

Moved Cr S Peter

**MOTION CARRIED**

(7/0)

**1.3 - NOTICE OF INTENTION TO IMPOSE DIFFERENTIAL RATES 2024**

WARD : ALL  
FILE No. : M/153/24  
DATE : 18 March 2024  
REF : MH  
RESPONSIBLE MANAGER : Executive Director  
Corporate Services

**In Brief:**

- The report presents the draft Statement of Rating Objects and Reasons, including the proposed General, Differential and Specified Area Rates.
- The proposed rates were originally formulated on the LTFP adopted by Council in February, and more recently after a review of the latest Local Government Cost Index (released March 2024)
- A Councillor workshop held in April informed Councillors of the current Rating Strategy and matters for consideration.
- The Report recommendation is to give local public notice (21 days) of Council's intention to impose differential rates in the gross rental value area of the district, based on a 3.9% increase and balanced budget, seeking comments on the information contained in the Statement of Rating Objects and Reasons.

**Tabled Items**

Nil.

**Decision Type**

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

**Officer Interest Declaration**

Nil.

## **Strategic Implications**

This Report is informed by:

- The Long Term Financial Plan (LTFP) adopted in February 2024;
- The Strategic Community Plan 2020-2030 and the FY23 to FY26 Corporate Business Plan.

## **Legal Implications**

### **6.32. Rates and service charges**

- (1) *When adopting the annual budget, a local government —*
  - (a) *in order to make up the budget deficiency, is to impose\* a general rate on rateable land within its district, which rate may be imposed either —*
    - (i) *uniformly; or*
    - (ii) *differentially;*
  - (b) *may impose\* on rateable land within its district —*
    - (i) *a minimum payment;*

*\* Absolute majority required.*
- (2) *Where a local government resolves to impose a rate it is required to —*
  - (a) *set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and*
  - (b) *set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.*

### **6.33. Differential general rates**

- (1) *A local government may impose differential general rates according to any, or a combination, of the following characteristics —*
  - (a) *the purpose for which the land is zoned, whether or not under a local planning scheme in force under the Planning and Development Act 2005;*
  - (b) *a purpose for which the land is held or used as determined by the local government;*
  - (c) *whether or not the land is vacant land; or*
  - (d) *any other characteristic or combination of characteristics prescribed.*
- (3) *In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.*

### **6.35. Minimum payment**

- (1) *Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.*
- (2) *A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.*
- (3) *In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —*
  - (a) *50% of the total number of separately rated properties in the district; or*

- (b) *50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.*
- (4) *A minimum payment is not to be imposed on more than the prescribed percentage of—*
  - (a) *the number of separately rated properties in the district; or*
  - (b) *the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.*
- (5) *If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.*
- (6) *For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories—*
  - (a) *to land rated on gross rental value;*
  - (b) *to land rated on unimproved value; and*
  - (c) *to each differential rating category where a differential general rate is imposed.*

### **6.36. Local government to give notice of certain rates**

- (1) *Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.*
- (3) *A notice referred to in subsection (1) —*
  - (a) *may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;*
  - (b) *is to contain —*
    - (i) *details of each rate or minimum payment the local government intends to impose;*
    - (ii) *an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and*
    - (iii) *any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;*
  - and*
  - (c) *is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.*
- (4) *The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.*

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

Nil.



### **Budget/Financial Implications**

In this report, rate revenue is indexed by 3.9%, based on the projected Local Government Cost Index (LGCI) for FY24.

The total rate revenue for general rates is projected to be \$87.2M, plus \$1.1M in interim rates, a total of \$88.3M in general rate revenue.

Coupled with grants, contributions, fees and charges, the rate revenue contributes to the City's total budget, enabling the delivery of City services, the provision of community facilities, the undertaking of capital works projects, the repayment of debt and transfers to cash reserves for future asset renewal and new projects.

The proposed differential rates, the subject of this report have been prepared following the rates workshop which looked at the impact of indexing. The calculation of the projected rate revenue on which the differential rates are based:

1. factors in an estimate of +700 new rateable properties in the developing areas of the City; and
2. applies an index of 3.9%, reflecting the FY24 forecast of the Local Government Cost Index (LGCI) issued by the West Australian Local Government Association in March 2024. The LGCI, including the components is discussed later in this report.

Consistent with the LGCI, the components of this index have been applied to the same components in the latest version of the LTFP to inform, the draft FY25 budget. Of note, fees & charges, materials & contracts and insurance, are expected to rise by 3.9%; 4.5%; and 11.6% respectively.

Higher-than-expected Gross Rental Value (GRV) in new commercial and industrial developments have yielded a further \$1M in growth revenue than that which is provided in the LTFP. The Council's Financial and Rating Strategies guide the allocation of growth funds to growing services and facilities in developing areas. This year, it may provide a source of funds for project contingencies for new projects, which are impacted by cost escalations.

### **Consultation**

- Councillors and Officers
- This report proposes that public submissions be sought on the proposed rates set out in the Statement of Rating Objects and Reasons.

### **BACKGROUND**

Rate revenue constitutes around 64% of the City's total operating revenue of \$136M. Forecast to be \$88.3M in FY25, rate revenue enables the City to provide a range of services and facilities to the Community.

Last year, Council determined a rate increase of 4.5% based on the forecast LGCI. The actual LGCI finished the year at 4.4%.

### Rating Strategy

The rating strategy adopted by Council takes into account a number of factors including equity, efficiency, capacity to pay and the benefit derived. These factors are articulated in the City's LTFP as guiding principles for deciding on the provision of services, the level of fees and charges, the extent of borrowings and cash reserves and the level of rates.

Key elements of the City's current rating strategy are:

- 1) **Differential Rating** – apply differential rating to reflect the cost/benefit of services provided to rating groups. For example, a high rate is charged to commercial properties, reflecting a higher level of amenity services in the metropolitan and district centres. (Beneficiary Principle)
- 2) **Specified Area Rates** – a specified rate is applied to fund a higher level of service in certain areas. (Beneficiary Principle)
- 3) **Diversified non-residential land use** – Facilitating economic development for land uses that are commercial, or industrial in nature, or otherwise generates economic activity, and contributes direct or indirectly towards rates. This lessens the burden on residential ratepayers to fund City services and infrastructure, which is utilised by residents, commercial, industrial entities and visitors. (Beneficiary and Affordability Principle)
- 4) **Rates growth** – Rates growth (new rateable properties in developing areas) is separately identified to ensure the rate growth revenue derived is applied to the increase in cost of providing City services and facilities to growing communities in the developing areas (Beneficiary, Reasonableness, Fairness principles)
- 5) **Level of Rates** – Council is provided with comparative information on the level of rates between suburbs and also in comparison with other Local Governments to assess the reasonableness of the rating effort. (Affordability, Reasonableness and Fairness principles)
- 6) **Level of Service** – The nature and level of service is considered in strategy, planning and budget documentation (Reasonableness)
- 7) **Fees and Charges** – Fees and charges are reviewed with respect to the Beneficiary and Affordability principle. (Beneficiary and Affordability principles)
- 8) **Other funding sources** – certain services are provided through grants and contributions, with the City allocating only a set portion of rates. (Reasonableness, Uniqueness, Efficiency, Affordability and Fairness principles)



- 9) **Rates as a portion of total operating revenue** – Council is provided with an indicator of the reliance on rates to fund services contrasted with other funding sources including grants, fees and charges. This portion is benchmarked with other local governments and ensures there is not an over-reliance on rates and conversely and under-reliance on the other funding sources. (Affordability, Beneficiary and Fairness principles)
- 10) **Cost indexing** – Council has generally adopted the approach of increasing rates in accordance with the Local Government Cost Index, or reviewing services to reduce service costs and level of rates, where a lower-than-LGCI approach is taken. (Reasonableness and Fairness principles)
- 11) **Cash Reserves** – a portion of rates raised are set aside in future works reserves to reflect consumption of the asset/facilities now and ensure the City has sufficient funds to renew the asset when required (Beneficiary and Fairness/Intergeneration Equity principles).

#### Rating Effort and the Level of Rates

The “rating effort”, described as the level of rates required to provide a Local Government’s range of services after deducting all other revenue streams, is a function of both the characteristics of a Local Government district and the level and range of services a Local Government provides.

In the first instance, the range of services provided, the level of service and the user pays polices will generate a funding requirement, to be supplemented by rates. However, rates are also affected by the Local Government area itself – its urban density and the proportion of residential properties to commercial and industrial properties. Put simply, if a district has a higher density or a greater proportion of commercial or industrial development, then the average residential rates will be lower.

In Armadale’s case, certain areas of the district are still developing, and the City does not have the benefit of the urban density and commercial/industrial development that are a feature in other Metropolitan Local Government districts, which assist to keep the residential rate lower. Cognisant of this fact, Council has been informed, through benchmarking against other medium to large Local Government districts of the comparative level of rates, which helps Council to form a view on the reasonableness of the required rate revenue.

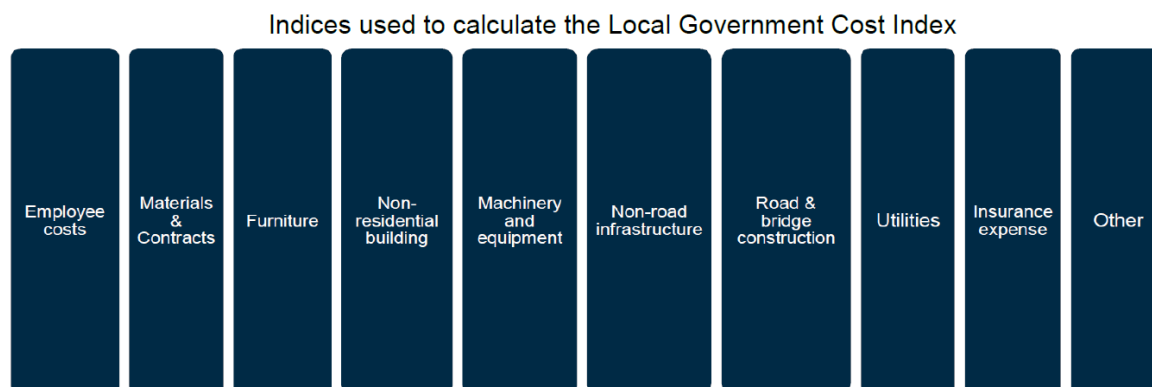
As development progresses, and in particular future commercial and industrial developments, it is likely that Council will have the ability to reduce the level of residential rates.

### **DETAILS OF PROPOSAL**

#### Local Government Cost Index

The Local Government Cost Index (LGCI) is the City's "CPI" indicator. Provided by WALGA, it provides an indication of those changes in the WA economy that relate more closely to the functions of Local Government, and has been used as a guide to inform Council decisions on rate and cost increases.

The LGCI is calculated on the weighted average of a number of component indices, published by the Australian Bureau of Statistics and forecast by State Treasury.



In its Economic Briefing, WALGA provides:

- a) The Actual LGCI (previous year)
- b) The Projected<sup>2</sup> LGCI (current year)
- c) The Forecast LGCI (future year).

**Local Government Cost Index Table (issued March 2024)**

Component	Weighting	2022-23 (a)	2023-24 (f)	2024-25 (f)	2025-26 (f)	2026-27 (f)
Employee costs	35%	4.2	4.3	3.8	3.5	3.3
Materials and contracts	28%	4.3	4.5	3.1	2.8	2.8
Furniture	1%	5.8	1.8	1.4	1.4	1.4
Non-residential building	5%	1.0	3.5	2.6	1.0	1.1
Machinery and Equipment	5%	11.5	3.4	2.8	2.5	2.5
Non-road infrastructure	9%	3.3	2.8	2.2	1.8	2.2
Road and bridge construction	10%	3.8	2.0	1.8	2.2	2.7
Utilities	3%	2.5	2.5	2.5	2.5	2.5
Insurance	1%	12.4	11.6	8.5	5.0	3.0
Other	3%	6.2	4.0	3.0	2.8	2.5
<b>LGCI</b>	<b>100%</b>	<b>4.4</b>	<b>3.9</b>	<b>3.1</b>	<b>2.8</b>	<b>2.8</b>

Council has generally taken into account the projected LGCI for the current year (i.e. FY24), mindful of the forecast (future years) LGCI, when deciding on rate increases. This is projected to be **3.9%** at the end of FY24.

In the past, the variability between WALGAs projected and forecast has been relatively small. More recently, in 2022 and 2023, and due to the economic circumstances, there has been significant variations and revisions to the original forecast and actual LGCI, as time has progressed.

<sup>2</sup> Projected LGCI is differentiated from Forecast LGCI as it is calculated in part on actual economic data issued by the ABS each quarter, whilst forecast LGCI is based entirely on economic predictions. WALGA uses the term forecast for both “projected” and “forecast”.

The speed and extent of change in economic conditions created a gap between (rising) cost of services and the main funding sources of those services - rates, fees and charges. Between 2019 and 2023, the City increased rates by a total of 8.55%, an average of 1.71% per annum, to meet increasing cost. Over that same period, the LGCI actually rose by 15.8%, an average of 3.16% per annum. **The gap between the LGCI and rate increases over that period was 7.25% or in dollar terms, \$33.7M cumulatively over the five years.**

Mindful of that fact, Council adopted a 4.5% increase for FY24 based on WALGAs projections at the time. The actual LGCI for FY23 finished the year at 4.4%<sup>3</sup>.

#### The Long Term Financial Plan

The Long Term Financial Plan, prepared in 2023 and adopted in February 2024 set the basis for the preparation of the draft FY25 Annual Budget (FY25 Budget). The FY25 budget continued City services at the same levels of service, and funded capital investment in asset renewal and new facilities utilizing borrowings, cash reserves and a fixed amount of Municipal funds. The LTFP also factored in growth in new rateable properties of 700, equating to \$1.4M, allocating those funds to growing services in developing areas and setting aside funds for future asset renewal of 'gifted assets' from new development.

Guided by the Budget Principles and Financial Strategies, Council was satisfied that the provision of services, the level of capital investment, and the extent of borrowings and cash reserves in the LTFP was both reasonable and sustainable.

The LTFP, which was prepared in 2023, used the LGCI FY24 forecast of 2.4% (based on WALGA's March 23 estimate) for the indexing of rates, fees & charges, materials & contracts and insurance. The application of the indexing ensured that the City was keeping pace with cost increases forecast at the time, and maintaining a balanced, sustainable budget.

The March 2024 quarter has revised the overall expected increase to be 3.9% with materials and contracts at 4.5% and insurance at 11.6%.

<b>WALGA Economic Briefing: LGCI Forecasts for the Year ending 30 June 2024 (FY24)</b>	<b>Issued March 2023</b>	<b>Issued March 2024</b>	<b>Revision</b>
	<b>%</b>	<b>%</b>	<b>%</b>
Employee Costs	3.5%	4.3%	0.8%
Materials and Contracts	1.7%	4.5%	2.8%
Furniture	1.3%	1.8%	0.5%
Non-residential building	1.3%	3.5%	2.2%
Machinery and Equipment	1.9%	3.4%	1.5%
Non-road Infrastructure	1.8%	2.8%	1.0%
Road and Bridge Construction	2.2%	2.0%	-0.2%
Utilities	2.5%	2.5%	0.0%
Insurance	2.8%	11.6%	8.8%
Other Costs	2.5%	4.0%	1.5%
<b>LGCI</b>	<b>2.4%</b>	<b>3.9%</b>	<b>1.5%</b>

<sup>3</sup> Confirmed in October 2023 with the release of economic data for the end of June 2023.

### Revised cost indexing

Consistent with the Council's Financial and Rating Strategies, the proposed differential rates and rate increases, which is set out in the report recommendation and the Statement of Rating Objects and Reasons, has been prepared on a **3.9%** increase. This is to keep pace with cost increases. After flowing through the indices to Fees & Charges, Materials and Contracts, and Insurance, additional funds of approximately \$300k are available from the \$162M draft FY25 Budget. Consistent with the approach taken in the previous two budget years, these funds could be allocated to project contingencies for cost escalations, due to the prevailing economic conditions, particularly given the current state of the labour and construction markets. This forms part of the report recommendation.

### Strategic Considerations

Council has set out a number of key objectives in the Strategic Community Plan and Corporate Business Plan that will deliver significant benefits to the community. The Long-Term Financial Plan has built capacity to deliver on these objectives, in a sustainable and balanced approach.

Noting that not all key projects were able to be catered for in the medium term, Council has decided on the priorities for the next four years. There remains a number of projects related to the City's strategic objectives, which are yet to be funded. These include but are not limited to:

- Signage
- Civic Precinct Projects
- The Armadale Regional Recreation Reserve Stages 2 onwards, which includes development of ovals and playing fields.
- The Armadale and Kelmscott Public Realm projects.
- Viaduct Projects outside of the Central Park project.
- Operating cost from taking over viaduct
- Other City Centre Investment Framework projects
- Armadale Bowling and Tennis Club redevelopment
- Kelmscott Agricultural Society Multipurpose Building
- Workforce Plan update

If the Council is to maintain the financial capacity to deliver on strategic objectives and community outcomes, then it will be important to consider the impacts of Council's strategic financial decisions over the medium to long term. The financial strategies and indicators set out in the Long Term Financial Plan provide Council with this insight, and the ability to maintain the strategic direction. The Rating Strategy ensures that the funding from rates is fair and reasonable. Decisions on the levels of rates for example should be discussed in conjunction with the Long-Term Financial Plan, and with strategic objectives and risk in mind.

Risk title	Risk Description
Operational impacts	The operating impacts of the Capital Investment requires a greater portion of Municipal funds to operate the service, maintain and renew the assets
Opportunity costs	Limited financial resources are invested in current projects, restricting available funds over the medium term for other projects in development. Investment is not optimised. A lower community value is returned on the investment.
Capacity to deliver	The timing and scheduling of the program is beyond the organisation's capacity to deliver. Projects are delayed, grant funding is jeopardised, costs escalate through project overruns.
Reputational risks (community/grant funding bodies)	Expectations of Grant Funding bodies and/or the community are not met due to delays in delivery of the program.
Economic risks	Cost escalations jeopardise service and project delivery; market supply issues delay project delivery, adding to costs.
Political risks	The City does not maximise the potential to secure grant funding from other tiers of government. Grant funding opportunities are foregone.

A final point for Council to consider is that historically, Armadale has general increased rates on or around the LGCI. It has, through prudent financial planning and budget management, avoided the 'rate shock' that has occurred in other Local Government's where rates have not necessarily kept pace with changing community expectations, inflationary costs and a higher provision of services, facilities and assets.

#### Alternate Rate Increase

Should Council not be of the mind to keep pace with the LGCI and, as recommended in this report, to set aside funds for project contingencies, then to balance the budget in FY25, a general increase of **3.4%** is required across all differential categories. This lesser amount (than the LGCI) is because the LTFP had already factored in increases in employee costs, which is set out in the *City of Armadale Industrial Agreement 2024*.

#### Blended Rate Increase

Following on from the preceding paragraph, it is also open for the Council to consider a blended approach to the rate increase, to achieve a 3.4%. For example, applying a 3.9% to commercial/industrial properties and vacant land, and a 3.2% increase to the residential rate will achieve the same result as a general increase of 3.4% across all differential categories.

Alternatively, Council may decide to factor that into the next iteration of the LTFP (as opposed to applying it to the FY25 budget). This would enable Council to review the impact in a strategic sense and would set the basis for the preparation of the FY26 budget.

Growth

At the beginning of FY24 (i.e. 1 July 2023), the City had 39,820 GRV rateable properties. During the year to mid March 2024, a total of 718 (+1.8%) new rateable properties were added, through the creation of new lots.

Growth in the total GRV across the City over the period has been \$26.6M, or 3.2%. Note that this is the total number of properties as at 15 March 2024, and interim rates will continue to be processed for the next two months. Therefore an additional provision of 100 properties has been included which increases the total to 818 for the financial year.

Of interest is the increase in the GRV and thus rates attributed to the growth properties. At an average of \$1,972 for residential and \$21,841 for commercial/industrial, it is significantly higher than the assumed average rate for growth properties in the LTFP. This has resulted in an additional \$1M for the commencement of FY25. A cautionary note however that this result is above the usual trend and reflects a number of large commercial/industrial developments being completed during the year. Consistent with the Financial and Rating Strategies, it is recommended that these funds be allocated to growing City Services and Facilities as a result of urban development. This year, it is recommended that the funds be allocated to project contingency for new facilities.

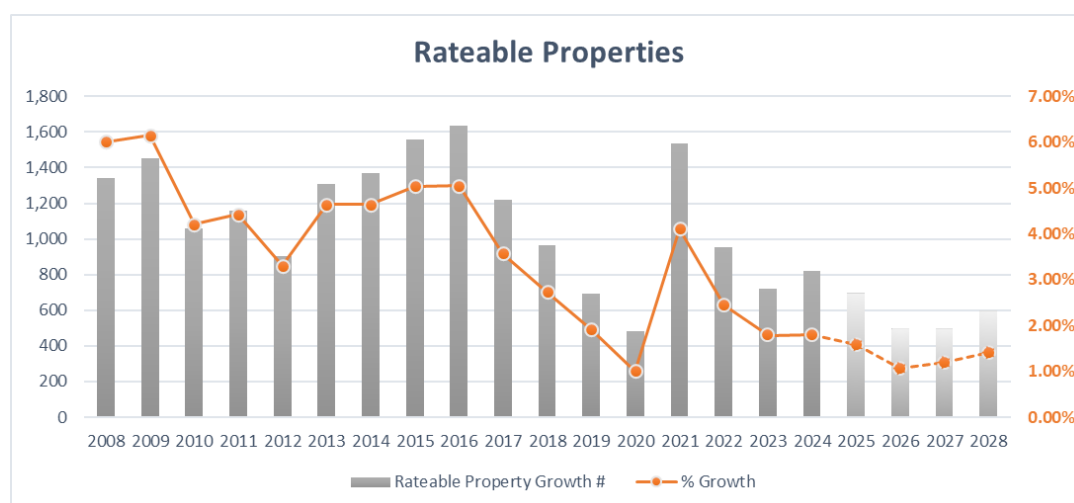
Rateable Property Growth (GRV)	# Rateable Properties	Gross Rental Valuation \$'000	Rate Annualised \$'000	Yield Per Prop \$
Beginning of Year	39,820	818,117	80,707	2,027
Additions during the Year *	718	26,486	2,388	3,326
End of Year	40,538	844,603	83,095	2,050

**\* Additions**

Vacant & Residential	674	16,703	1,427	2,117
Business Improved	44	9,783	961	21,843
<b>Net effect all properties</b>	<b>718</b>	<b>26,486</b>	<b>2,388</b>	<b>3,326</b>

*A further 100 new rateable properties are provisioned before 30 June*

The chart below illustrates property growth within the City.



**COMMENT**

This report proposes that Council invite submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters in accordance with s6.36 of the *Local Government Act 1995* (the Act), for properties rated on a Gross Rental Valuation (GRV) basis.

These properties are differentiated on:

- Whether or not the land is vacant land (section 6.33(1)(c) of the Act refers), and
- The purpose for which land is zoned under the planning schemes in use within the district (section 6.33(1)(a) of the Act refers).

It is proposed that the three (3) differential rate categories that applied in the 2023/24 year be applied in the 2024/25 year, ie.

- **Category 1 – Vacant Land:** all vacant land
- **Category 2 – Residential Improved:** all improved land that is NOT zoned for business purposes (i.e. primarily residential land);
- **Category 3 – Business Improved:** all improved land that is zoned (pursuant to the City's Town Planning Scheme No.4, the Armadale Redevelopment Scheme 2004 and the Wungong Urban Water Redevelopment Scheme 2007) for business purposes.

The *Draft 2024/25 Statement of Rating Objects and Reasons*, the subject of this report is presented as an attachment. The document explains the Council's rating strategy and approach and proposes differential rates be imposed as follows based on a **3.9% increase**:

Differential Rate Category	Rate in the \$ (cents)	Minimum Rate
1. Vacant Land	15.1463c	\$1,221
2. Residential Improved	9.7708c	\$1,409
3. Business Improved	10.1961c	\$1,639

Note that growth in rateable properties (in FY24) accounts for +\$2.4M, and the 3.9% index (in FY25) accounts for around +\$3.2M.

2023/2024 Financial Year Actual	
1 <sup>st</sup> July 2023	\$82.5M
Plus YTD growth in rateable properties of 718 (annualised) <sup>4</sup>	\$2.4M
Plus Provision for 100 additional growth in rateable properties by year end (annualised)	\$0.2M
<b>30<sup>th</sup> June 2024 End of Year Forecast</b>	<b>\$85.1M<sup>5</sup></b>
2024/2025 Financial Year Budget	
1 <sup>st</sup> July 2024 (before increase)	\$85.1M
Plus Rates Increase for LGCI of 3.9%	\$3.2M
1 <sup>st</sup> July 2024 (after increase)	\$88.3M
<b>TOTAL Rate Revenue</b>	<b>\$88.3M<sup>6</sup></b>

**Specified Area Rates**

<sup>4</sup> The LTFP anticipated \$1.4M growth in rate revenue from new rateable properties

<sup>5</sup> Includes the interim rate budget, provisioned each year at \$1.1M

<sup>6</sup> Includes the interim rate budget, provisioned each year at \$1.1M



Specified Area Rates enable the enhancement of the general amenity of an area by way of increased service levels in ways like litter control, verge and streetscape maintenance, verge mowing etc.

The authority to impose specified area rates is set out in section 6.37 of the *Local Government Act 1995*. This section requires that the money raised from a SAR be used for the purpose for which the rate was imposed, with any residual amount remaining being placed in a reserve for that same purpose. If an amount is not used, a refund or credit must be made.

The City has two categories of SARs – Townscape and Residential. Within those categories fall the following SARs localities:

The Townscape Amenity Service business/commercial areas:

- Specified Area A – Armadale Town Centre
- Specified Area B – Kelmscott Town Centre
- Specified Area C – Kelmscott Industrial Area
- Specified Area D - South Armadale Industrial Area.

The Residential Amenity Service:

- Specified Area F – North Forrestdale (Harrisdale and Piara Waters)
- Specified Area G – Champion Lakes.

For FY25, SARs costs have been indexed by 3.9% representing the estimated general increase in Local Government costs over the course of 2023/24.

### Vacant Land Minimum Rates

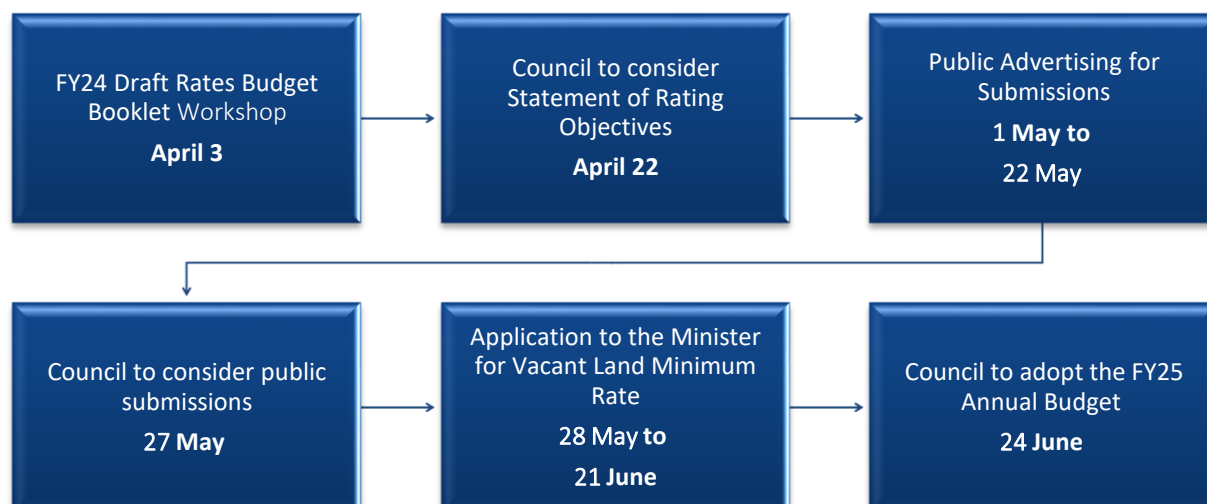
Due to continuing residential growth, the number of small to medium vacant lots on minimum rates has increased to 1,903. This represents 71% of the total vacant lot properties, which means the Minister’s approval will be required for imposing the Vacant Land differential rate.

### Process

Establishing the required rate revenue for FY25 has been undertaken through a review of the Corporate Business Plan, City services and the LTFP scenarios and indexing, culminating in the production of the draft Rates Budget.

The imposition of differential rates follows a statutory process that involves the opportunity for the public to make submissions on the proposed rates, and in the case of the Vacant Land minimum rate, the approval of the Minister for Local Government.

A decision of Council in April will enable the Statement of Rating Objects and Reasons to be publicly advertised, concluding around late May. Council will consider submissions (if any) in May, before lodging an application to the Minister to impose the Vacant Land differential rate. The process concludes late June with the adoption of the annual budget.



### Further Matters

Other matters pertaining to the proposed differential rates process to note include:

- Giving local public notice of the proposed differential rates does not prevent Council from subsequently imposing rates that differ from those advertised, however should that occur, there is understandably a legislative requirement upon Council to explain in the annual budget document and the rating information accompanying the rates notice, the reasons for the change;
- Local public notice of the proposed differential rates is planned to appear in the West Australian on Wednesday 1 May 2024 and the Examiner on Thursday 2 May 2024.
- Electors and ratepayers will have until 5pm on **Wednesday 22 May 2024** to make written submission on the proposed rates.

### **CONCLUSION**

Based upon the considerations and findings of the Councillor Workshop, the information presented in this Report and the attached *Statement of Rating Objects and Reasons*, it is recommended that Council invite public submissions on the following proposed differential rates which is an increase of 3.9% in order to match the expected LGCI general increase:

<b>Differential Rate Category</b>	<b>Rate in the \$ (cents)</b>	<b>Minimum Rate</b>
1. Vacant Land	15.1463c	\$1,221
2. Residential Improved	9.7708c	\$1,409
3. Business Improved	10.1961c	\$1,639

### **ATTACHMENTS**

1. [Table by Suburb and Rates Distribution Chart @3.9%](#)
2. [Draft Statement of Rating Objects and Reasons FY24-25](#)

Alternative Motion

*Cr Mosey proposed that the recommendation reflect a 4.4% increase (rather than 3.9%).*

*Moved Cr Mosey  
Seconded Cr Sargeson  
Opposed Cr Virk  
LOST 5/2*

**RECOMMEND**

CS21/4/24

**That Council:**

- 1. ENDORSE the rating strategy, objects and reasons for each differential rating category and each minimum payment contained in the attachment to this report.**
- 2. Pursuant to section 6.36 of the *Local Government Act 1995*, AGREE to provide local public notice of its intention to impose differential rates and minimum payments for the 2024/25 financial year (FY25) in accordance with the attached *Statement of Rating Objects and Reasons*, and as outlined below:**

<b>Differential Rate Category</b>	<b>Rate in the \$ (cents)</b>	<b>Minimum Rate</b>
1. Vacant Land	15.1463c	\$1,221
2. Residential Improved	9.7708c	\$1,409
3. Business Improved	10.1961c	\$1,639

- 3. Prepare the draft FY25 budget with the revised cost indices outlined in this report, and an increase the project contingencies budget to balance the draft FY25 budget set out in the Statement of Financial Activity, and for further consideration by Council.**

**Moved Cr S S Virk  
Seconded Cr L Sargeson  
Opposed Cr S J Mosey  
MOTION CARRIED**

**(5/2)**

**2.1 - 2023 ANNUAL GENERAL MEETING OF ELECTORS - 27 MARCH 2024**

WARD : ALL  
FILE No. : M/192/24  
DATE : 3 April 2024  
REF : AO/BG  
RESPONSIBLE MANAGER : Chief Executive Officer

**In Brief:**

This Report:

- Presents the minutes of the AGM of Electors held on 27 March 2024 for confirmation by Council.
- Two (2) motions were submitted by the community at the meeting, both of which were carried.
- This report provides comment on the motions and presents recommendations for consideration by Council.

**Tabled Items**

Nil.

**Decision Type**

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

**Officer Interest Declaration**

Nil.

**Strategic Implications**

4 – Leadership & Innovation

4.4 - Effective community engagement and communications

4.4.1 – Strive to achieve best practice community engagement

### **Legal Implications**

Section 5.27 of the *Local Government Act 1995* requires that:

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meeting are to be those prescribed."*

The *Local Government (Administration) Regulations 1996 – Regulation 15 Matters to be discussed at general meeting*, prescribes that:

*"For the purposes of section 5.27(3), the matters to be discussed at a general electors meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business."*

Subdivision 4, Section 5.33 of the *Local Government Act 1995* states:

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*
  - (a) *at the first ordinary council meeting after that meeting; or*
  - (b) *at a special meeting called for that purpose,**whichever happens first.*
- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

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

Nil.

### **Budget/Financial Implications**

Nil.

### **Consultation**

Nil.

### **BACKGROUND**

Council at its meeting on 12 February 2024 accepted the Annual Report for the year ending 30 June 2023 and resolved to hold its Annual General Meeting of Electors on Wednesday, 27 March 2024.

## COMMENT

The City of Armadale Annual General Meeting of Electors was held on Wednesday 27 March 2024 for the community to receive the 2022/2023 Annual Report and discuss any items of general business.

Minutes of the Annual General Meeting (AGM) of Electors held on 27 March 2024 are attached to this report for Council to receive, consider and determine as appropriate.

Two (2) motions were submitted to the meeting, both of which were carried.

These motions are now presented for Council to consider as follows:

### **Motion-1**

That the City of Armadale enable all motions by Councillors to require a seconder to further enable full and proper discussion within Council for that motion; and a recorded final vote for or against the said motion. In the absence of a seconder, the presiding member is compelled to second the motion.

### **Officer's Comments/Reasons for Recommendation**

The proposed motion raised at the AGM would require an amendment to the Standing Orders through amending the Standing Orders local law.

Standing Order 10.4 requires that every item of business that is opposed by at least one council member must be seconded by another council member for the motion to be considered. Standing Order 10.4(2) states that should a motion not receive a seconder, the presiding member is to declare the motion lapsed.

The proposed motion would require the removal of Standing Order 10.4(2) and the drafting of a new provision requiring a Council member to be a "seconder".

The proposed motion is legally and procedurally conflicted because:

- It requires a council member to second a motion in a way that they would not otherwise have done so. If the Chair is forced to second the motion, this would deny them the opportunity to speak against the motion.
- As it currently stands any Councillor is free to introduce and speak to their own motion and this will not change.
- Opposed motions that receive no seconder can be assumed to have no support from the rest of the Council or Committee and further debate is therefore futile.

It is expected that the Joint Standing Committee (JSC) for Delegated Legislation would take issue with such a provision for these reasons, and recommend to Parliament the local law is disallowed.

Furthermore the State Government, as part of the ongoing Local Government reform process, has advised that it will be implementing uniform Standing Orders across local government in Western Australia. Individual local governments will likely have little to no discretion on the content of the uniform Standing Orders, making any changes redundant following the imposition of uniform Standing Orders. Given the time taken to progress an amendment to a local law, it's also unlikely that an amendment could be progressed to gazettal (if allowed by the JSC) before the uniform Standing Orders are put in place.

**Motion-1**

**Officer's Recommendation**

That the Motion not be implemented.

**Motion-2**

That the Council adopt livestreaming by the end of this financial year, 30 June 2024.

**Officer's Comments/Reasons for Recommendation**

In October 2023 the Local Government Amendment Act 2023 Pt. 2 was proclaimed which had the effect of mandating a commencement date for all Band 1 local governments to commence live streaming on 1 January 2025.

The *Local Government (Administration) Regulations 1996* were also amended at this time to set out the technical requirements for livestreaming of Council Meetings.

A proposed livestreaming policy was considered by SOHAG in March 2024 and will be considered by Council in due course.

The necessary equipment to undertake livestreaming of Council Meetings has been installed in the Council Chambers. Testing of this equipment has been commenced.

Livestreaming is also being reviewed in conjunction with the proposed model Standing Orders.

Before livestreaming can commence, procedural aspects of livestreaming will need to be settled.

The City is on track to be fully compliant with livestreaming requirements by the time for required compliance, 1 January 2025.

**Officer's Recommendation**

That the motion not be adopted, noting that the City is on track to comply with the legislative requirements for live streaming by the due date of 1 January 2025.

**ATTACHMENTS**

1. [↓](#) Minutes - Annual General Meeting of Electors - 27 March 2024



Alternative Motion

Cr Mosey proposed the alternative Motion to Motion 2:

*That testing of livestreaming commence no later than 30 June 2024, with implementation no later than 30 September 2024.*

**RECOMMEND**

CS22/4/24

**That Council:**

1. **Receives the Minutes of the Annual General Meeting of Electors held on 27 March 2024 as presented in the attachment to this report.**
2. **Pursuant to the requirements of Section 5.33 of the *Local Government Act 1995*, adopt the following actions and supporting reasons made in response to the decisions made at the Annual General Meeting of Electors held on 27 March 2024.**

Decisions Made at the AGM of Electors	Council's decision in response to the decision made at the AGM of Electors
<p><b><u>Motion-1</u></b> That the City of Armadale enable all motions by Councillors to require a seconder to further enable full and proper discussion within Council for that motion; and a recorded final vote for or against the said motion. In the absence of a seconder, the presiding member is compelled to second the motion.</p>	<p>That the advice on the City's implementation to enable all motions by Councillors to require a seconder be noted; and that this position be communicated to the Electors attending the Electors Meeting and noted in the Minutes of the Annual Electors Meeting – March 2024.</p>
<p><b><u>Motion-2</u></b> That the Council adopt livestreaming by the end of this financial year, 30 June 2024.</p>	<p><del>That the advice on the City's adoption of livestreaming be noted; and that this position be communicated to the Electors attending the Electors Meeting and noted in the Minutes of the Annual Electors Meeting – March 2024.</del></p> <p><b>That testing of livestreaming commence no later than 30 June 2024, with implementation no later than 30 September 2024;</b> and that this position be communicated to the Electors attending the Electors Meeting and noted in the Minutes of the Annual Electors Meeting – March 2024.</p>

3. **Notes that officers will respond to the questions taken on notice at the Annual General Meeting of Electors within two (2) weeks of the Minutes of the meeting being received by Council.**

Moved Cr S J Mosey  
Seconded Cr J Joy  
Opposed Cr S Peter  
**MOTION CARRIED**

(5/2)

***COUNCILLORS' ITEMS***

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Nil.

*This refers to any brief updates from Councillors from their attendance at Working Group or Advisory Group meetings on which they represent Council.*

***CHIEF EXECUTIVE OFFICER'S REPORT***

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Nil.

***EXECUTIVE DIRECTOR'S REPORT***

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Nil.

**MEETING DECLARED CLOSED AT 7.48PM**

<b>CORPORATE SERVICES COMMITTEE</b>		
<b>SUMMARY OF ATTACHMENTS</b>		
16 APRIL 2024		
<b>ATT NO.</b>	<b>SUBJECT</b>	
<b>1.1 LIST OF ACCOUNTS PAID - FEBRUARY 2024</b>		
1.1.1	Monthly Cheque and Credit Card Report - February 2024	
1.1.2	Monthly Fuel Card Transactions - Period Ending 15 February 2024	
<b>1.2 STATEMENT OF FINANCIAL ACTIVITY - FEBRUARY 2024</b>		
1.2.1	Monthly Financial Report - February 2024	
1.2.2	Carry Forward Balances for the Monthly Financial Statements - February 2024	
<b>1.3 NOTICE OF INTENTION TO IMPOSE DIFFERENTIAL RATES 2024</b>		
1.3.1	Table by Suburb and Rates Distribution Chart @3.9%	
1.3.2	Draft Statement of Rating Objects and Reasons FY24-25	
<b>2.1 2023 ANNUAL GENERAL MEETING OF ELECTORS - 27 MARCH 2024</b>		
2.1.1	Minutes - Annual General Meeting of Electors - 27 March 2024	

*The above attachments can be accessed from the Minutes of the Corporate Services Committee meeting of 16 April available on the City's website*

# CHIEF EXECUTIVE OFFICER’S REPORT

22 APRIL 2024

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- 1.3 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT: 2-5 JULY 2024 (CANBERRA) .....127
- 1.4 COUNCILLORS INFORMATION BULLETIN - ISSUE NO 5/2024 .....130

**ATTACHMENTS ..... 132**

***1.1 - STANDARDISED MEETING PROCEDURES - DLGSC DISCUSSION PAPER***

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WARD : ALL  
FILE No. : M/212/24  
DATE : 10 April 2024  
REF : DB  
RESPONSIBLE : Manager City  
MANAGER : Governance

**In Brief:**

- The DLGSC released a discussion paper proposing standardized meeting procedures on 28 February 2024.
- Local governments have been requested to provide responses to the concepts in the discussion paper by 29 May 2024.
- WALGA has also requested submissions by 29 April 2024.
- Recommend that Council adopt the suggested responses contained in the attachment.

**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**

Nil. It is not anticipated the reform will have any impact on the City's Strategic Community Plan objectives.

### **Legal Implications**

The proposal put forward by the DLGSC, if approved, will result in changes to the *Local Government Act 1995 (Act)*, the *Local Government (Administration) Regulations 1996*, and will likely result in a new regulation.

The DLGSC intends to use section 3.17 of the Act to repeal local laws across the sector for meeting procedures.

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

The regulatory instrument that is brought into effect will repeal the City's Standing Orders Local Law.

### **Budget/Financial Implications**

Nil.

### **Consultation**

1. Executive Leadership Team (ELT)
2. Standing Orders and House Advisory Group (SOHAG)

## **BACKGROUND**

The May 2020 Local Government Review Panel Final Report foreshadowed the prospect of a uniform meeting procedure framework (Recommendation 55). Since then, members would be aware that the Department of Local Government, Sport and Cultural Industries (DLGSC) has been progressing changes to the Act and Regulations through the implementation of the State Government's Tranche 1 amendment package to the Act.

## **DETAILS OF PROPOSAL**

The DLGSC stated previously that any initiatives to standardise Council meeting procedures would be brought as part of the Tranche 2 packages of amendments to the Act.

On 28 February 2024, the DLGSC released the attached discussion paper for this purpose. Consultation closes on 29 May 2024. In total there are 35 questions in which the DLGSC requests responses in relation to the overall proposal to introduce a uniform "system" for Council and committee meetings.

Officers have considered the proposals contained in the discussion paper and have provided the suggested preliminary responses to SOHAG for review. Any organisational response is to be provided via a web portal DLGSC has established for the purpose.

The results of the SOHAG review are in the draft responses attached to this report.

WALGA has also issued a request for comment in respect of the DLGSC discussion paper. WALGA's document is attached to this report. WALGA's remarks generally mirror those that have been put forward by City officers and SOHAG, however WALGA raises a number of additional questions as a consequence of the discussion paper proposals that the DLGSC discussion paper is silent on. WALGA requests industry responses to be provided by 29 April 2024.

It is suggested that, should Council agree, the City's responses to the DLGSC discussion paper be provided to WALGA per its request.

## ANALYSIS

It is known that the intent of the State Government is to introduce a universal meeting procedure system for local governments. This system, the DLGSC claims, is necessary to –

*“...Establish[ing] a consistent approach to all local government council and committee meetings will make it easier and simpler for people to participate in and observe council meetings, wherever they are held.*

*Establishing one standard is expected to simplify and improve training for council members and local government staff. It can also strengthen the enforcement of breaches of meeting procedures (for instance, if a person repeatedly and unreasonably disrupts a meeting).”*

The *Local Government Amendment Act 2023* introduced s.5.33A to the Act, which provides a head of power to make a standardised meeting procedure for local governments. The discussion paper further states that it is the intention of the DLGSC to use s. 5.33A to make regulations for this purpose, and that the DLGSC will concurrently use s. 3.17 of the Act to repeal all local laws made by local governments that are in effect for governing Council and committee meeting procedures.

The DLGSC further states that the subject matter of the existing Parts 2 and 3 of the *Local Government (Administration) Regulations 1996* (specifically procedural matters for Council and committee meetings; Electors’ meetings) will be incorporated into the new regulations. This means that the new instrument will be a stand-alone regulation and not part of one of the existing regulations, however the final makeup of that is not known and it is not known if the actual procedural elements of the new system will be contained in a ‘model’ the local government will be required to adopt, or if there will be any discretion in the new system for local governments to adapt it to their own local circumstances.

## OPTIONS

Council can choose to provide alternative responses to those suggested.

It is also open to Council to decline to respond to the discussion paper. This would deprive Council of a voice in the matter and is not recommended.

## CONCLUSION

The Council’s submission regarding the DLGSC discussion paper represents the best opportunity for the City to influence the content of the future meeting procedure framework to ensure the City and by extension, the sector is provided with an instrument that is both workable and reasonable.



## **ATTACHMENTS**

1. [DLGSC meeting procedures discussion paper - City of Armadale Responses](#)
2. [DLGSC Standardised-Meeting-Procedures-Consultation Paper](#)
3. [Standardised Meeting Procedures - WALGA Discussion Paper - March 2024](#)

## **RECOMMEND**

CEO1/4/24

### **That Council:**

1. **Note the recommended responses provided to the questions put forward in the DLGSC meeting procedures discussion paper;**
2. **Adopt the recommended responses as the basis for a submission to WALGA's request for comments on the discussion paper, to be provided no later than 29 April 2024;**
3. **Adopt the recommended responses as Council's submission in response to the DLGSC discussion paper, to be provided no later than 29 May 2024; and**
4. **Authorise the Chief Executive Officer to give effect to 2 and 3 above.**

**\*\*1.2 - AMENDMENT OF DELEGATION - 1.1.17 TENDERS FOR GOODS AND SERVICES**

WARD : ALL  
FILE No. : M/218/24  
DATE : 12 April 2024  
REF : DB/MBL  
RESPONSIBLE : Manager City  
MANAGER : Governance

**In Brief:**

- A business need has been identified to make a minor amendment to delegation “1.1.17 Tenders for goods and services” to remove any ambiguity to allow a tender process to be discontinued.
- Recommend that Council make the revised delegation of authority “1.1.17 Tenders for goods and services”, as amended.

**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**

Strategic Community Plan 2020-2030

Outcome 4.1: Strategic Leadership and Effective Management

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

**Legal Implications**

*Local Government Act 1995:*

s. 5.42(1) (Delegation of some powers and duties to CEO)

s. 3.57 Tenders for providing goods and services

*Local Government (Functions and General) Regulations 1996*

r. 18 Rejecting and accepting tenders

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

Policy – Procurement of Goods and Services

### **Budget/Financial Implications**

Nil.

### **Consultation**

Internal consultation with business units

## **BACKGROUND**

At the OCM of 26 June 2023, Council adopted new delegations of authority (CS20/6/23) for a range of *Local Government Act 1995* (Act) functions, primarily relating to functions and powers exercised by the Corporate Services Directorate. These delegations came into effect the following day.

Council's decision represented the culmination of Tranche 1 of the overall reform of the City's delegations.

## **DETAILS OF PROPOSAL**

The delegations have been in effect for almost 12 months and have been working well for the organisation. However a potential gap has been identified in delegation "1.1.17 Tenders for goods and services" where the ability to decline to accept any tender in accordance with regulation 18(5) of the *Local Government (Functions and General) Regulations 1996* (Regulations) has not been specifically listed in the function section of the delegation.

The current delegation – attached to this report – references regulation 18 in terms of *powers or duties delegated*, however r. 18(5) is not expressly listed in the delegated *function* section. In order to remove any ambiguity, it is requested the delegation is amended to detail the function expressly. This will provide absolute clarity for the organisation to deal with circumstances where all tenders submitted to the City may not be satisfactory and a tender process needs to be recommenced.

## **OPTIONS**

Council can decline to amend the delegation.

## **CONCLUSION**

The City's delegations of authority are being constantly reviewed for effectiveness, and minor amendments and corrections such as the one presented will likely continue to occur going forward as opportunities for improvement are identified.

It is preferable for corrections or amendments to existing adopted Tranche 1 delegations to be made promptly. Work recently commenced on Tranche 2 of the reform of the City's delegations, the results of which will start being presented to Council towards the end of this financial year.

**ATTACHMENTS**

1. [1117 Tenders for goods and services \[DRAFT\]](#)

**RECOMMEND**

CEO2/4/24

**That Council in accordance with section 5.42(1) of the *Local Government Act 1995*, delegate to the CEO the exercise of the powers and duties prescribed in the amended instrument of delegation “1.1.17 Tenders for goods and services”**

**ABSOLUTE MAJORITY RESOLUTION REQUIRED**

)

***1.3 - NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT: 2-5 JULY 2024  
(CANBERRA)***

WARD : ALL  
FILE No. : M/228/24  
DATE : 16 April 2024  
REF : SD  
RESPONSIBLE MANAGER : Chief Executive Officer

**In Brief:**

- National General Assembly (NGA) for Local Government 2024 is to be held at the National Convention Centre in Canberra from 2-5 July 2024.
- The theme for this year is *Building Community Trust*.
- It is recommended that Council nominate the Mayor and CEO for attendance at the 2024 National General Assembly.

**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**

- 3.1 Increased Economic Growth, Job Creation and Retention, as well as Educational Opportunities
- 3.1.6 Advocate for Federal and State government commitment and investment in the City's industrial precincts and cultivate the strategic partnerships necessary for their successful development

**Legal Implications**

Nil.

**Council Policy/Local Law Implications**

Elected Member and Chief Executive Officer Professional Development Policy.

### **Budget/Financial Implications**

Conference Costs (including registration, travel and accommodation) is estimated at \$4,000 per delegate. Funds are available in the Elected Member Development Budget and CEO Budget for attendance.

### **Consultation**

Mayor.

### **COMMENT**

The National General Assembly (NGA) of Local Government is to be held at the National Convention Centre in Canberra from Tuesday 2 July to Friday 5 July 2024. The Regional Forum is held on Tuesday 2 July.

The National General Assembly is the pre-eminent assembly of local government associations throughout Australia.

The Conference is held in Canberra to enable engagement with Federal Members of Parliament and Senior Federal Government officers.

The Federal Government has again offered to host Mayors at the Australian Council of Local Government (ACLG). The ACLG will be a valuable opportunity for all Australian Councils to hear from the Prime Minister and speak directly to Federal Ministers about the key issues and opportunities for communities. The ACLG will be held immediately after the NGA and this will ensure that the meeting is informed by discussions during the week.

Provisional Program:

<b>Tuesday 2 July 2024</b>	Regional Cooperation and Development Forum
<b>Wednesday 3 July 2024</b>	NGA Opening –ALGA Presidential Address, Keynote Address, Panel, Plenary Sessions, Debate on Motions and closes with NGA Dinner.
<b>Thursday 4 July 2024</b>	Panel, Keynote Address, Panel, Breakout Sessions and Debate on Motions – ACLG Gala Dinner at Australian Parliament House
<b>Friday 5 July 2024</b>	Australian Council of Local Government, National Convention Centre

Details of the program and speakers are available via this link <https://conferenceco.eventsair.com/nga24/program>

The City is usually represented by the Mayor and an Executive. The Mayor and CEO have both nominated to attend the 2024 NGA and use the opportunity to meet with Federal Members of Parliament.

The City is also a member of the National Growth Areas Alliance (NGAA) which usually holds a national meeting in conjunction with the NGA.

**ATTACHMENTS**

There are no attachments for this report.

**RECOMMEND**

CEO3/4/24

**That Council nominate Mayor Butterfield and the CEO to attend as the Council's delegates at the 2024 National General Assembly of Local Government to be held in Canberra from 2 July to 5 July 2024.**

***1.4 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 5/2024***

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WARD : ALL  
FILE No. : M/7/24  
DATE : 2 January 2024  
REF : MC  
RESPONSIBLE : Chief Executive Officer  
MANAGER

**In Brief:**

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 5/2024 to be received by Council

**Strategic Implications**

The following general information and memorandums were circulated in Issue No 5/2024 on 18 April 2024.

**COMMENT**

**Correspondence & Papers**

**Information from Human Resources**

Employee Movements

**Information from Technical Services**

**Outstanding Matters and Information Items**

Various Items

**Monthly Departmental Reports**

Technical Services Works Program

**Information from Community Services**

**Outstanding Matters & Information Items**

Report on Outstanding Matters

Upcoming Events

Library Upcoming Events

Community Planning

Community Development

Recreation Services

Library and Heritage Services

**Information from Corporate Services**

**Progress Report**

Progress Report on Contingency, Operational & Strategic Project

**Outstanding Matters & Information Items**

Report on Outstanding Matters – Corporate Services Committee

**Economic Development**



Tourism & Visitor Centre Report

**Accounting Reports**

Nil

**Report of the Common Seal**

**Information from Development Services**

**Outstanding Matters & Information Items**

Report on Outstanding Matters - Development Services Committee

Review before the State Administrative Tribunal (SAT)

Design Review Panel Meetings – March 2024

**Health**

Health Services Manager's Report - March 2024

**Planning**

Planning Applications Report - March 2024

Schedule of current Town Planning Scheme No.4 Amendments

Subdivision Applications - WAPC Approvals/Refusals - March 2024

Compliance Officer's Report - March 2024

**Building**

Building Services Manager's Report - March 2024

Building Health/Compliance Officer's Report - March 2024

**ATTACHMENTS**

There are no attachments for this report.

**RECOMMEND**

CEO4/4/24

**That Council acknowledge receipt of Issue 5/2024 of the Information Bulletin**

<b>CHIEF EXECUTIVE OFFICER'S REPORT</b>		
<b>ATTACHMENTS</b>		
22 APRIL 2024		
<b>ATT NO.</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>1.1 STANDARDISED MEETING PROCEDURES - DLGSC DISCUSSION PAPER</b>		
1.1.1	DLGSC meeting procedures discussion paper - City of Armadale Responses	133
1.1.2	DLGSC Standardised-Meeting-Procedures-Consultation Paper	152
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<b>1.2 AMENDMENT OF DELEGATION - 1.1.17 TENDERS FOR GOODS AND SERVICES</b>		
1.2.1	1117 Tenders for goods and services [DRAFT]	189

**DLGSC meeting procedures discussion paper**

**City of Armadale responses to proposals**

<b>1: Calling meetings</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• A minimum of 24 hours' notice to convene a special council meeting.</li> <li>• That notice to convene a special council meeting may be done with less than 24 hours' notice if an absolute majority of council members call the meeting.</li> <li>• That a meeting cannot commence any earlier than 8 am or later than 8 pm.</li> </ul>	<p><b>1. Is it suitable to allow for a special council meeting to be convened with less than 24 hours' notice if an absolute majority of council members call the meeting?</b> Yes / No</p> <p><b>2. Are there any circumstances where meetings must start earlier than 8 am or later than 8 pm?</b> Yes / No</p>	<p>1. Yes, however there are circumstances where the CEO may need to call a special council meeting in an emergency.</p> <p>2. Yes – if the local government convenes a special council meeting to follow a committee meeting, it is entirely foreseeable that the special council meeting will commence after 8pm.</p>
<b>2. Agendas and order of business</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• opening (local governments will still be able to continue their own practices for opening meetings, such as making acknowledgements, prayers, opening statements, etc.)</li> <li>• recording attendance</li> <li>• public question time (see section 6)</li> </ul>	<p><b>3. Is the proposed order of business suitable?</b> Yes / No</p>	<p>3. Yes generally, however the proposed order of business does not deal with –</p> <p>Leave of absences;</p> <p>Enbloc motions/reports.</p> <p>Will the proposed regulations also deal with the minutiae of meeting procedure, such as –</p>

<ul style="list-style-type: none"> <li>• public presentations and petitions (see sections 7 and 8)</li> <li>• members' question time (see section 12)</li> <li>• confirmation of previous minutes (see section 15)</li> <li>• reports from committees and the CEO</li> <li>• motions from members</li> <li>• urgent business</li> <li>• matters for which the meeting may be closed</li> <li>• closure.</li> </ul>		<p>Council members to be seated in their proper places.                  Interruptions and disruptions to proceedings.</p> <p>Revocation/recission procedures.</p> <p>The ability to suspend procedures as is currently possible by suspending standing orders.</p>
<b>3. Urgent business</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Regulations are proposed to allow the CEO to introduce an item without notice in cases of urgency if:</p> <ul style="list-style-type: none"> <li>• an absolute majority of the council resolve to hear the matter at the meeting, and</li> <li>• the item is clearly marked as urgent business.</li> </ul> <p>It is proposed that DLGSC must be notified each time this occurs, within 7 calendar days, to ensure this process is only used in exceptional circumstances.</p> <p>Urgent business may only be heard after public question time (see</p>	<p><b>4. Are the proposed requirements for urgent business suitable? Yes / No</b></p>	<p>4. No. Individual council members may wish to raise an item of urgent business for legitimate reasons.</p>

section 6).		
<b>4. Quorum</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>if no quorum is present within 30 minutes of the time set for the meeting, the meeting lapses</li> <li>where quorum is lost during a meeting:                             <ul style="list-style-type: none"> <li>the meeting proceeds to the next item of business if it is due to members leaving because of a financial or proximity interest</li> <li>the meeting is adjourned for 15 minutes for any other reason and if quorum cannot be reformed, the meeting is closed</li> </ul> </li> <li>where quorum is lost, the names of the members then present are to be recorded in the minutes.</li> </ul>	<p><b>5. Are the proposed requirements for when a quorum is not present or lost suitable? Yes / No</b></p>	<p>5. Yes.</p>
<b>5. Adjourning a meeting</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Regulations are proposed to provide that:</p> <ul style="list-style-type: none"> <li>council may decide to adjourn a meeting to another day, time and place to resume from the point it adjourned.</li> </ul>	<p><b>6. Is 11 pm an appropriate time for when a meeting must be adjourned? Yes / No</b></p>	<p>6. No. Council should retain the flexibility to extend the closing time/extend the meeting past 11pm if the circumstances warrant it, much like is currently done by some local governments. Making the cutoff or the adjournment mandatory removes Council's</p>

<ul style="list-style-type: none"><li>• a presiding member may adjourn a meeting for 15 minutes to regain order of a meeting that has been disrupted</li><li>• if a meeting is adjourned for a second time due to disruption, a presiding member must adjourn the meeting to another day, time or place (not on the same day), with notice being published on the local government's website.</li></ul> <p>It is also proposed that if a meeting is continuing and it reaches 10:45 pm:</p> <ul style="list-style-type: none"><li>• the council or committee may decide to either extend the meeting for a further 15 minutes to allow for any remaining business to be concluded or determine to adjourn the meeting</li><li>• if any business remains at 11 pm, the meeting must adjourn to a day and time which is at least 10 hours later to deal with any outstanding agenda items and a notice must be published on the local government's website listing when the meeting will resume.</li></ul>		<p>flexibility to deal with a pressing or extraordinary issue promptly.</p> <p>However the resolution to extend the meeting past 11pm should be unanimous to ensure that individual council members who may have arranged babysitters or elder care are not prevented from participating.</p>
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6. Public question time		
Proposals	Questions	Remarks
<p>New standardised requirements are proposed to expand the existing Regulations to require that:</p> <ul style="list-style-type: none"> <li>• a member of the public only needs to provide their name and suburb/locality (and not any other information) before asking a question</li> <li>• a person is not required to lodge a question in writing in advance of a meeting (although a person may choose to do so, for instance if they have a very specific or technical question)</li> <li>• a local government may still require a person, or their personal representative, to attend a meeting to ask a question lodged in writing in advance of the meeting for it to be addressed at that meeting</li> <li>• questions must not take more than 2 minutes to ask, including a relevant preamble, unless the presiding member grants an extension of time.</li> <li>• if other people are waiting to ask questions, the presiding member will seek to provide</li> </ul>	<p>7. <b>Is the existing minimum allocation of 15 minutes for public question time sufficient? Yes / No</b></p> <p>8. <b>Is 2 minutes enough time for a member of the public to ask a question? Yes / No</b></p> <p>9. <b>Should any other standard requirements for public question time be established? Yes / No</b></p> <p>10. <b>Should a personal representative be able to ask a question on behalf of another person? Yes / No</b></p>	<p>7. Yes, however the local government should have the flexibility to extend it by resolution of the meeting</p> <p>8. Yes</p> <p>9. Yes. The person presiding must retain the ability to determine whether a preamble is relevant and to interject in circumstances where a question and/or its preamble is inappropriate or is not actually asking a question.</p> <p>The new provisions should also contain measures around when a person wants to ask a question that contains sub-questions, these should be treated as questions in their own right and subject to the same limitations as an individual question.</p> <p>The new provisions should also ban council members from using public question time to ask questions.</p> <p>10) No. How is Council to determine if that person is a duly appointed personal representative? This has the potential to create additional red tape and the potential to be abused by people with improper intent</p> <p>Responses to questions to be included in the agenda of the next ordinary meeting – this is sometimes not achievable if the question(s)</p>

<p>equal opportunity for people to ask questions (for instance, by moving to the next person waiting after someone has asked 3 questions, and returning to the first person if time allows)</p> <ul style="list-style-type: none"><li>• any questions are to be answered by the presiding member, or a relevant member (nominated by the presiding member), the CEO, or an employee nominated by the CEO</li><li>• if a question, or a question of a similar nature, was asked and answered in the previous 6 months, the presiding member may direct the member of the public to the minutes of the meeting that contains the question and answer</li><li>• no debate of a question or answer is to take place</li><li>• questions may be taken on notice by the person who is answering the question</li><li>• when a question is taken on notice, a response is to be given to the member of the public in writing and a copy of the answer is to be included in the agenda of the next ordinary meeting</li></ul>		<p>require research or further work. Flexibility is needed in this respect</p>
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<ul style="list-style-type: none"> <li>the presiding member may reject questions that contain offensive language or reflect adversely on others but must provide opportunities for the question to be rephrased.</li> </ul>		
<b>7. Presentations at council</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Accordingly, it is proposed that a council may establish a policy that determines:</p> <ul style="list-style-type: none"> <li>the types of meetings at which presentations may be heard</li> <li>whether the responsibility for making decisions on presentation requests sits with either the presiding member or CEO</li> <li>any other matters to guide the presiding member or CEO's decision making towards requests.</li> </ul> <p>New Regulations are also proposed to:</p> <ul style="list-style-type: none"> <li>allow a person, or group of people, to lodge a request in accordance with the council's policy to provide a presentation at least 48 hours before the meeting</li> <li>require the presiding member or CEO to</li> </ul>	<p><b>11. Should the Regulations specify that a request to make a presentation must relate to an item on the agenda for the relevant meeting? Yes / No</b></p> <p><b>12. Is 48 hours of notice sufficient to administer an application from a member of the public to present to a meeting? Yes / No</b></p> <p><b>13. Should a standard time limit be set for public presentations? Yes / No</b></p> <p><b>14. Would 5 minutes be a suitable time limit for public presentations? Yes / No</b></p>	<p>11. Yes, otherwise it is foreseeable that people who want to present on anything can cause a meeting to run well over time. It is expected that a person wanting to make a presentation will be doing so because of an item on the agenda; there are other avenues that can be used for matters not on the meeting agenda</p> <p>12. Yes, provided the 48 hours/2 days are actual business days.</p> <p>13. Yes, with the ability to extend by resolution of the meeting.</p> <p>14. No, 10 minutes but also see answer 13.</p>

<p>decide and provide a response to the person requesting the presentation by 12 noon the day of the meeting</p> <ul style="list-style-type: none"> <li>• provide that if the presiding member or CEO refuses an application, they are to provide their reasons to the applicant and advise of the refusal at the meeting</li> <li>• limit presentations to 5 minutes (not including questions) unless there is a resolution to extend the time limit</li> <li>• allow council and committee members to ask questions of presenters</li> </ul>		
<b>8. Petitions</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Regulations are proposed to:</p> <ul style="list-style-type: none"> <li>• enable any person to petition a local government by lodging a petition to the council on any matter, including petitions which may be critical of actions or decisions of the local government</li> <li>• require the lead petitioner to provide their contact details</li> <li>• require any person signing a petition to state their</li> </ul>	<p><b>15. Do the proposed regulations provide an effective system for managing petitions?                  Yes/No</b></p>	<p>15. No. A person wishing to petition the local government should only be able to do so if the matter concerns <i>the local government's operations and affairs</i>. Otherwise, people being able to petition council "on any matter" will tie up the resources of the local government for things that are the domain of the Commonwealth or State government, or even a business or the affairs of an individual. This is an inappropriate use of the local government's resources and Council's time.</p>

<p>suburb/town, and declare whether they are residents and/or electors of the district</p> <ul style="list-style-type: none"> <li>• require the petitioner to tally the number of signatories</li> <li>• limit rejection of a petition to only when it is not in the prescribed form</li> <li>• require that the council is to consider each petition and must determine how it is to respond, such as by seeking a report from the CEO</li> <li>• allow local governments to establish an electronic petitioning system if they wish</li> <li>• require all petitions received and outcomes from petitions to be summarised in a report to the annual meeting of electors.</li> </ul>		<p>Changes to the <i>Privacy Act 1998</i> (Cwth) are relevant also, especially with electronic petitions – has DLGSC considered this impact on the requirement to record petitions?</p> <p>Petitions should be required to comprise a minimum number of signatories to be compliant</p> <p>Reporting on petitions and outcomes to the annual meeting of electors should be on the basis of the petition being accepted and actioned by the local government</p> <p>The local government should retain the discretion to reject a petition that is offensive or defamatory in nature, or is requesting the local government do something that is unlawful</p>
<p><b>9. Orderly conduct of meetings</b></p>		
<p><b>Proposals</b></p>	<p><b>Questions</b></p>	<p><b>Remarks</b></p>
<p>New Regulations are proposed to create a duty for all people present at a meeting to:</p> <ul style="list-style-type: none"> <li>• ensure that the business of the meeting is attended to efficiently and without delay</li> <li>• conduct themselves courteously at all times</li> <li>• allow opinions to be heard within the requirements of the meetings procedures.</li> </ul>	<p><b>16. Do these measures provide a suitable framework to maintain order in meetings?</b>  <b>Yes/No</b></p>	<p>16. No. Procedures for this would need to be detailed. For example under current standing orders, the presiding member has the ability to determine meeting procedure where the standing orders are silent.</p> <p>The third call to order/three strikes provision will need further consideration. It could potentially be more disruptive having a council member remain in the chamber, but silenced, than having that person leave the chamber.</p>

<p>It is also proposed that the Regulations:</p> <ul style="list-style-type: none"><li>• allow members to raise points of order to bring the presiding member's attention to a departure from procedure</li><li>• provide that it is a minor breach for a presiding member to preside in a manner which is unreasonable or contravenes the requirements of the Act or Regulations</li><li>• empower the presiding member to call a person to order and:<ul style="list-style-type: none"><li>○ should a member not comply with a third call to order, the presiding member may direct them to speak no further (but they may continue to cast their vote) for the remainder of the meeting, with failure to adhere to the direction being a minor breach</li><li>○ if any other person does not comply with one call to order, the presiding member may direct them to leave the meeting, with failure to do so being an offence.</li></ul></li></ul>		<p>Moreover, legal questions around freedom of speech arise with this proposed power of silence.</p> <p>If a council votes to rescind a ruling of the presiding member that a member not speak for the rest of a meeting, what sort of majority will this require?</p>
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<ul style="list-style-type: none"> <li>• provide that a council may vote to rescind a direction made by a presiding member for a member to not speak further during a meeting</li> <li>• provide that a member who has had a direction made against them to not speak further cannot move or second a motion that attempts to rescind the decision.</li> </ul>		
<b>10. Motions and amendments</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Regulations are proposed to require council members to provide written notice of motions at least 1 calendar week before the council meeting commences. This would generally allow those motions to be included in the meeting agenda, which must be published 72 hours before the commencement of the meeting.</p> <p>It is proposed that council members will still be able to move amendments and alternative motions during debate on agenda items without providing written notice in advance of the meeting. This provides for members to be able to consider all options and</p>	<p><b>17. Is a period of 1 calendar week an appropriate notice period for motions? Yes/No</b></p> <p><b>18. Are these proposals for motions suitable? Yes/No</b></p>	<p>17. No, “calendar week” is not a term used by the LGA and the <i>Interpretation Act 1984</i> refers to “clear days” or business days. The proposed regulations shouldn’t use a term that isn’t prescribed. 5 <i>business days</i> is a more appropriate term.</p> <p>18. No. There is a lack of criteria around what sort of motions and amendments are permissible. For example an amendment to a substantive motion should not –</p> <ul style="list-style-type: none"> <li>(a) be intended to defeat the substantive motion it seeks to amend;</li> <li>(b) negate or contradict the substantive motion or the intent of the substantive motion it seeks to amend;</li> <li>(c) be intended to prevent the meeting from dealing with</li> </ul>

<p>suggestions for an item included in the agenda of a meeting.</p>		<p>the matter the subject of the substantive motion;</p> <ul style="list-style-type: none"><li>(d) raise a point already dealt with at the meeting;</li><li>(e) be inconsistent with an amendment already agreed to when voted on</li></ul> <p>Failure to have suitable parameters in place will result in the motions process being abused. The recent examples of local government dysfunction all detail numerous instances of motions (be they with notice or without) being abused to disrupt proceedings or for political purposes.</p> <p>No detail has been provided as to who the proposed motion or alternative recommendation is to be provided to, nor criteria to exclude it. For example when a council member submits a written notice of motion in the manner suggested, is there the ability to exclude it if it –</p> <ul style="list-style-type: none"><li>(a) contains material that is offensive or likely to be defamatory;</li><li>(b) Is contrary to the law;</li><li>(c) would, if adopted, result in Council making an unlawful decision;</li><li>(d) is of a subject matter or intent to a motion that was defeated within 3 consecutive months prior; or</li></ul>
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		(e) is irrelevant to the officer report in question
<b>11. Debate on a motion</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Regulations are proposed to provide for the following rules for formal debate on a motion or amendment:</p> <ul style="list-style-type: none"> <li>any motion must be seconded before it may be debated (or carried without debate)</li> <li>a motion is carried without debate if no member is opposed to the motion</li> <li>if a member is opposed, the mover and seconder may speak and are followed by alternating speakers against and for the motion, with a final right of reply for the mover</li> <li>speeches must be relevant to the motion under debate and no member must speak twice — except for the mover's right of reply, or if the council decides to allow further debate</li> <li>no member can speak for longer than 5 minutes</li> </ul>	<p><b>19. Do you support these rules for formal debate on a motion or amendment? Yes/No</b></p> <p><b>20. Is 5 minutes a suitable maximum speaking time during debate? Yes/No</b></p> <p><b>21. Is a general principle against speaking twice on the same motion suitable? Yes/No</b></p>	<p>19. Yes, however there needs to be an equal number of speakers for and against to ensure a balanced debate</p> <p>20. Yes</p> <p>21. Yes</p>

without the approval of the meeting.		
<b>12. Questions by members</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Regulations are proposed to provide that:</p> <ul style="list-style-type: none"> <li>• council members can ask the CEO questions related to any item on an agenda by providing the question in writing by 12 noon the day before the meeting</li> <li>• council member questions are to be answered during the 'questions from council members' agenda item</li> <li>• council members must seek permission from the presiding member to ask the CEO clarifying questions during debate.</li> </ul>	<p><b>22. Should the new standardised provisions include a maximum time limit for the 'questions from council members' agenda item? Yes/No</b></p> <p><b>23. Is 1 day of notice for a question from a council member sufficient? Yes/No</b></p> <p><b>24. Is it appropriate for the presiding member to consider whether to allow a member to ask clarifying questions during debate? Yes/No</b></p>	<p>22. Yes, provided there is discretion for the presiding member to extend it</p> <p>23. Yes. However –</p> <p>Perhaps it would be better to state “a minimum of 24 hours” as the term “1 day” can be interpreted differently. A better way would be “a minimum notice period of 24 hours, not being all or part of a day that is not a business day”</p> <p>Some flexibility needs to be built in to allow responses to questions that require detailed research or time to provide a reasonable response.</p> <p>24. Yes, but controls will need to be in place to prevent this mechanism being used to disrupt the proceedings – for example, clarifying questions should not be permitted during or after the closing remarks</p>
<b>13. Procedural motions</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Regulations are proposed to provide for the following procedural motions to be put without debate:</p> <ul style="list-style-type: none"> <li>• a motion to vary the order of business (e.g. to move a</li> </ul>	<p><b>25. Should any of these procedural motions not be included? Yes/No</b></p> <p><b>26. Are any additional procedural motions needed? Yes/No</b></p>	<p>25. No</p> <p>26. No</p>



<p>report in the order of business so it is considered earlier)</p> <ul style="list-style-type: none"> <li>• a motion to adjourn debate to another time</li> <li>• a motion to adjourn the meeting</li> <li>• a motion to put the question (close debate)</li> <li>• a motion to extend a member's speaking time</li> <li>• a motion to extend public question time</li> <li>• a motion to extend the time for a public presentation</li> <li>• a motion to refer a motion to a committee or for the CEO to provide a new or updated report to a future meeting</li> <li>• a motion of dissent in the presiding member's ruling (for example, to overturn the presiding member's direction that a member does not speak further)</li> <li>• a motion to close a meeting to the public in accordance with the Act.</li> </ul>		
<b>14. Adverse reflection</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
Regulations are proposed to provide that:	<b>27. Are there any circumstances where a person</b>	27. No. The defamation provisions of s. 9.56 of the LGA will not extend to such a circumstance

<ul style="list-style-type: none"> <li>• a person, including a member, cannot reflect adversely on the character of members, employees or other persons — if they do so they must withdraw their remark</li> <li>• members cannot adversely reflect on the decisions of the council, except in making a motion to revoke or change a decision</li> <li>• failure to withdraw adverse reflection is to be dealt with as disorderly conduct (including as a potential minor breach)</li> <li>• a member who is concerned about a remark that may be an adverse reflection may raise a point of order with the presiding member.</li> </ul>	<p><b>should be able to adversely reflect on another council member, an employee or a decision of the local government? Yes/No</b></p>	<p>and will expose the local government to risk of litigation</p> <p>Historically, adverse reflection has been around statements. Should consideration be given to including hand or facial gestures that are offensive?</p> <p>“Disorderly conduct” is a criminal law term and shouldn’t be used in the LGA or a local government context. Adverse reflection is currently dealt with as a minor breach (Reg 34D Admin regs) and henceforth provides an adequate mechanism if it is carried over into the new regulations</p> <p>The only possible circumstance that arises where a council member could legitimately adversely reflect on another person is during Council’s determination of a Code of Conduct complaint pursuant to the <i>Local Government (Model Code of Conduct) Regulations 2021</i>, and even then this is only in respect of a fellow council member and would be behind closed doors</p>
<p><b>15. Meeting minutes and confirmation</b></p>		
<p><b>Proposals</b></p>	<p><b>Questions</b></p>	<p><b>Remarks</b></p>
<p>It is proposed to amend the Regulations to provide a clear process for correcting minutes by:</p> <ul style="list-style-type: none"> <li>• allowing a member who identifies errors with unconfirmed minutes to provide a CEO with any</li> </ul>	<p><b>28. Is 1 day sufficient notice for a proposed correction to the minutes? Yes/No</b></p>	<p>28. Yes, however see answer 23)</p>

<p>proposed corrections by 12 noon the day before a meeting at which the minutes are to be confirmed</p> <ul style="list-style-type: none"> <li>• requiring any proposed corrections to the minutes to be presented to council for a decision with a recommendation from the CEO</li> <li>• requiring DLGSC to be notified if a local government fails to adopt or defers confirmation of the minutes of a meeting.</li> </ul>		
<b>16. Electronic meetings and attendance</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>On 9 November 2022, the Local Government (Administration) Amendment Regulations 2022 took effect, meaning local governments could conduct council and committee meetings electronically outside of emergency situations and that council and committee members could attend in-person meetings using electronic means, such as videoconferencing.</p>	<p><b>29. Has the change to enable electronic meetings to occur outside of emergency situations been helpful? Yes/No/Unsure or unable to comment</b></p> <p><b>30. Has the ability for individual members to attend meetings electronically been beneficial? Yes/No/Unsure or unable to comment</b></p> <p><b>31. Do you think any changes to electronic meetings or electronic attendance are required? Yes/No/Unsure or unable to comment</b></p>	<p>29. Unsure. The City has not used it.</p> <p>30. See answer 29.</p> <p>31. Unsure. Currently the person presiding or the Council has discretion to allow (or not) electronic attendance by a council member. It is recommended that attendance electronically be a decision of the Council given some of the issues that have occurred in the sector in the past.</p>

<b>17. Council committees</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>Regulations are proposed to provide that:</p> <ul style="list-style-type: none"> <li>• a committee meeting is to be called when requested by the presiding member of the committee, the mayor or president, or a third of the committee's members</li> <li>• certain meeting procedures such as the order of debate, speaking twice and time limits do not apply to a committee</li> <li>• a committee is answerable to the council and must provide at least 1 report to council on its activities each year.</li> </ul>	<p><b>32. Are any other modifications needed for committee meetings? Yes/No</b></p>	<p>32. There are circumstances where a CEO may need to call a committee meeting.</p> <p>In addition, the same meeting procedures for committees should apply as they do Council meetings. The ability currently exists for the person presiding to suspend part of the Standing Orders; this can be done to limit onerous procedural requirements for committee meetings and should be a function available in the new regulations if the Council so desires.</p> <p>Providing an annual report to Council on committee activities seems unnecessary given that committees all report to Council in any case. Again, the concept of red tape reduction appears to have not been considered</p>
<b>18. Meetings of electors</b>		
<b>Proposals</b>	<b>Questions</b>	<b>Remarks</b>
<p>The Act establishes that the mayor or president is to preside at electors' meetings, and any resolutions passed by an electors' meeting are considered at a following council meeting.</p> <p>As electors' meetings are quite different to council meetings,</p>	<p><b>33. Should parts of the proposed standard apply at electors' meetings? Yes/No</b></p>	<p>33. No, the procedures should be for the presiding member to determine as per current practice as an elector's meeting is not a meeting of the Council.</p> <p>Furthermore the imposition of meeting procedures such as those used by Council and council members will be confusing for residents at an AGM who will not be</p>

<p>comment is sought about whether parts of the proposed standard should apply for electors' meetings.</p>		<p>accustomed to using formal meeting and debate procedures. This has the potential to cause unneeded issues and disrupt the orderly delivery of the AGM.</p>
<p><b>19. Any other matters</b></p>		
<p><b>Proposals</b></p>	<p><b>Questions</b></p>	<p><b>Remarks</b></p>
<p>Feedback is welcome on any other element of local government meetings for consideration in the further development of the new Regulations.</p>	<p><b>34. Do you have any other comments or suggestions for the proposed new Regulations?</b></p>	<p>34. No.</p>



Department of  
**Local Government, Sport  
and Cultural Industries**

# Local Government Reform

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## Consultation Paper

### Standardised Meeting Procedures

February 2024



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### Privacy statement

Submissions will be treated as public documents unless explicitly requested otherwise.

If you do not consent to your submission being treated as a public document, you should mark it as confidential or specifically identify the confidential information, and include an explanation.

Even if your submission is treated as confidential, it may still be required to be disclosed in accordance with the requirements of the [Freedom of Information Act 1992](#) (WA) or any other applicable written law.

The Department of Local Government, Sport and Cultural Industries reserves the right to redact any content that could be regarded as racially vilifying, derogatory or defamatory to an individual or an organisation.

## Introduction

The State Government is implementing a number of reforms to the [Local Government Act 1995](#) (the Act) to improve transparency and accountability in local government in Western Australia and deliver benefits to ratepayers and residents.

Standardising council and committee procedures is part of these reforms. Establishing a consistent approach to all local government council and committee meetings will make it easier and simpler for people to participate in and observe council meetings, wherever they are held.

Establishing one standard is expected to simplify and improve training for council members and local government staff. It can also strengthen the enforcement of breaches of meeting procedures (for instance, if a person repeatedly and unreasonably disrupts a meeting).

Currently, it is usual practice for local governments to have local laws and policies in place to govern the conduct of council meetings. However, this approach means that there can be variation in how members of the public can engage with council meetings.

The [Local Government Amendment Act 2023](#) inserts section 5.33A, to allow standardised meeting procedures for all local governments to be made in the form of Regulations or model provisions.

The State Government intends under section 5.33A to make Regulations that apply to all local governments and an order of the Governor under section 3.17 of the Act to repeal all existing local government meetings procedures, standing orders or council meeting local laws.

It is intended that the new standard meeting procedures (also known as “standing orders”) apply to all council and committee meetings held by local governments. It is also intended that Regulations will contain consistent rules for how meetings are held.

It is envisaged that relevant elements of Parts 2 and 3 of the [Local Government \(Administration\) Regulations 1996](#) (the Regulations) would be incorporated into the new standardised meeting procedures.

The Department of Local Government, Sport and Cultural Industries (DLGSC) will also develop reference materials for council members, local government staff and communities to assist in ensuring consistency throughout the sector.

Note: Unless otherwise specified in this paper, the word **meeting** refers to both a council or a committee meeting and the word **member** refers to both a council and a committee member.

## Consultation process

You may choose to answer all or some of the questions in the consultation paper, and/or provide a submission that raises related matters not included in this consultation paper.

The DLGSC invites local governments, council members, Chief Executive Officers (CEOs), local government employees, groups and associations, and members of the community to consider the proposals and provide feedback.

Our preferred method for providing a submission is our [online feedback form](#).

Specific questions have been targeted to certain meeting procedure topics to better understand the variety of existing approaches currently used by the sector. The DLGSC is interested in learning more about how existing approaches work well in practice; and how reforms can be structured to improve transparency and public involvement, simplify the way meetings are conducted, and promote uniformity throughout the sector.

Although it is preferred that the feedback form is used to guide responses, general submissions and suggestions on any relevant topic can be provided via email to [actreview@dlgsc.wa.gov.au](mailto:actreview@dlgsc.wa.gov.au)



## Part 1: General meeting process

### 1. Calling meetings

The calling of council meetings is outlined in sections 5.5 to 5.7 of the Act, and in existing regulations 12 to 14. Amendments are proposed to add new requirements for the oversight of special council meetings that are held at short notice and prevent any meeting from being held at an unreasonable time of day. It is important that special meetings are only convened in appropriate circumstances. Regulations are proposed to require:

- a minimum of 24 hours' notice to convene a special council meeting
- that notice to convene a special council meeting may be done with less than 24 hours' notice if an absolute majority of council members call the meeting
- that a meeting cannot commence any earlier than 8 am or later than 8 pm.

**1. Is it suitable to allow for a special council meeting to be convened with less than 24 hours' notice if an absolute majority of council members call the meeting? Yes / No**

(a) If no, please provide a suggested alternative.

**2. Are there any circumstances where meetings must start earlier than 8 am or later than 8 pm? Yes / No**

(a) If yes, please provide examples and the suggested alternative.

### 2. Agendas and order of business

It is proposed to broadly retain existing requirements for local governments to publish meeting agendas.

It is proposed that the general order of meetings be outlined in the Regulations for consistency across the local government sector. However, a council or committee may decide to consider business in a different order, provided that the other requirements of the Regulations (such as public question time being held before any decisions are made) are still met.

Regulations are proposed to outline the following order of business:

- opening (local governments will still be able to continue their own practices for opening meetings, such as making acknowledgements, prayers, opening statements, etc.)
- recording attendance
- public question time (see section 6)
- public presentations and petitions (see sections 7 and 8)
- members' question time (see section 12)
- confirmation of previous minutes (see section 15)
- reports from committees and the CEO
- motions from members
- urgent business
- matters for which the meeting may be closed
- closure.

**3. Is the proposed order of business suitable? Yes / No**

(a) If no, please provide a suggested alternative.

### 3. Urgent business

Currently, individual local governments' meeting local laws and policies may vary in how urgent business is raised at a meeting. Existing local laws and policies provide various procedures for urgent business to be considered at a council meeting. Broadly, these procedures seek to limit the use of urgent business to only the most exceptional circumstances.

Regulations are proposed to allow the CEO to introduce an item without notice in cases of urgency if:

- an absolute majority of the council resolve to hear the matter at the meeting, and
- the item is clearly marked as urgent business.

It is proposed that DLGSC must be notified each time this occurs, within 7 calendar days, to ensure this process is only used in exceptional circumstances.

Urgent business may only be heard after public question time (see section 6).

#### 4. Are the proposed requirements for urgent business suitable? Yes / No

(a) If no, please provide a suggested alternative.

### 4. Quorum

Existing regulation 8 addresses the process for when there isn't a quorum at a meeting.

Amendments are proposed to provide for the following where a quorum is lost or not present:

- if no quorum is present within 30 minutes of the time set for the meeting, the meeting lapses
- where quorum is lost during a meeting:
  - the meeting proceeds to the next item of business if it is due to members leaving because of a financial or proximity interest
  - the meeting is adjourned for 15 minutes for any other reason and if quorum cannot be reformed, the meeting is closed
- where quorum is lost, the names of the members then present are to be recorded in the minutes.

#### 5. Are the proposed requirements for when a quorum is not present or lost suitable? Yes / No

(a) If no, please explain why and the suggested alternative, if any.

### 5. Adjourning a meeting

Currently, individual local governments' meeting local laws or policies may contain processes for adjourning a meeting. It is intended to adopt similar rules, while also addressing concerns regarding meetings of council that run late. Regulations are proposed to provide that:

- council may decide to adjourn a meeting to another day, time and place to resume from the point it adjourned
- a presiding member may adjourn a meeting for 15 minutes to regain order of a meeting that has been disrupted
- if a meeting is adjourned for a second time due to disruption, a presiding member must adjourn the meeting to another day, time or place (not on the same day), with notice being published on the local government's website.

It is also proposed that if a meeting is continuing and it reaches 10:45 pm:

- the council or committee may decide to either extend the meeting for a further 15 minutes to allow for any remaining business to be concluded or determine to adjourn the meeting

- if any business remains at 11 pm, the meeting must adjourn to a day and time which is at least 10 hours later to deal with any outstanding agenda items and a notice must be published on the local government's website listing when the meeting will resume.

**6. Is 11 pm an appropriate time for when a meeting must be adjourned? Yes / No**

(a) If no, what is the suggested alternative?

## Part 2: Public participation

### 6. Public question time

Currently, the Act and Regulations require that public question time is to be made available at every council meeting and certain committee meetings.

Regulation 6 requires that at least 15 minutes is to be made available for public questions at those meetings. However, question time may be extended if there are further questions; the time may also be used for other business if there are no further questions.

Regulation 7 also provides that question time must be held before substantive decisions are made at that meeting.

Currently, the practice at many local governments is that a person who wishes to ask a question attends the meeting (either physically in-person or by electronic means) to ask their question. However, it is proposed that regulations allow for a personal representative of a person to ask a question. This provides an alternative avenue for someone who may be unable to attend a meeting to have their question raised.

Currently, individual local governments meeting local laws and policies may contain processes for members of the public to raise questions. Some requirements, such as rules requiring a person to lodge a question in writing before a meeting, may prevent a person who is not familiar with those requirements from being able to ask a question.

New standardised requirements are proposed to expand the existing Regulations to require that:

- a member of the public only needs to provide their name and suburb/locality (and not any other information) before asking a question
- a person is not required to lodge a question in writing in advance of a meeting (although a person may choose to do so, for instance if they have a very specific or technical question)
- a local government may still require a person, or their personal representative, to attend a meeting to ask a question lodged in writing in advance of the meeting for it to be addressed at that meeting
- questions must not take more than 2 minutes to ask, including a relevant preamble, unless the presiding member grants an extension of time
- if other people are waiting to ask questions, the presiding member will seek to provide equal opportunity for people to ask questions (for instance, by moving to the next person waiting after someone has asked 3 questions, and returning to the first person if time allows)
- any questions are to be answered by the presiding member, or a relevant member (nominated by the presiding member), the CEO, or an employee nominated by the CEO
- if a question, or a question of a similar nature, was asked and answered in the previous 6 months, the presiding member may direct the member of the public to the minutes of the meeting that contains the question and answer
- no debate of a question or answer is to take place
- questions may be taken on notice by the person who is answering the question
- when a question is taken on notice, a response is to be given to the member of the public in writing and a copy of the answer is to be included in the agenda of the next ordinary meeting
- the presiding member may reject questions that contain offensive language or reflect adversely on others but must provide opportunities for the question to be rephrased.

- 7. Is the existing minimum allocation of 15 minutes for public question time sufficient? Yes / No**  
(a) If no, what minimum time limit do you suggest?
- 8. Is 2 minutes enough time for a member of the public to ask a question? Yes / No**  
(a) If no, what time limit or other method of allocating questions do you suggest?
- 9. Should any other standard requirements for public question time be established? Yes / No**  
(a) If yes, please provide details.
- 10. Should a personal representative be able to ask a question on behalf of another person? Yes / No**  
(a) If no, please provide your reasons.

## 7. Presentations at council

Local governments commonly allow for presentations (also known as deputations) to be made to inform council decisions. Councils may set a policy for whether they hear presentations at council meetings and/or committee meetings, or at other meetings, and the circumstances in which a presentation may be heard.

It is proposed that local governments will continue to have discretion to choose whether and when to hear presentations.

To allow for a decision to be made in advance of the meeting, it is proposed that either the presiding member or CEO will make the decision on whether a presentation is heard at a meeting, based on any policy established by the council.

Accordingly, it is proposed that a council may establish a policy that determines:

- the types of meetings at which presentations may be heard
- whether the responsibility for making decisions on presentation requests sits with either the presiding member or CEO
- any other matters to guide the presiding member or CEO's decision making towards requests.

New Regulations are also proposed to:

- allow a person, or group of people, to lodge a request in accordance with the council's policy to provide a presentation at least 48 hours before the meeting
- require the presiding member or CEO to decide and provide a response to the person requesting the presentation by 12 noon the day of the meeting
- provide that if the presiding member or CEO refuses an application, they are to provide their reasons to the applicant and advise of the refusal at the meeting
- limit presentations to 5 minutes (not including questions) unless there is a resolution to extend the time limit
- allow council and committee members to ask questions of presenters.

- 11. Should the Regulations specify that a request to make a presentation must relate to an item on the agenda for the relevant meeting? Yes / No**  
(a) If no, please provide reasons.
- 12. Is 48 hours of notice sufficient to administer an application from a member of the public to present to a meeting? Yes / No**  
(a) If no, please provide reasons and suggest an alternative.

**13. Should a standard time limit be set for public presentations? Yes / No**

(a) If no, please provide reasons.

**14. Would 5 minutes be a suitable time limit for public presentations? Yes / No**

(a) If no, please provide reasons and suggest an alternative.

## 8. Petitions

Many local governments have a tradition of accepting petitions, mirroring the practice of Parliament.

Regulations are proposed to:

- enable any person to petition a local government by lodging a petition to the council on any matter, including petitions which may be critical of actions or decisions of the local government
- require the lead petitioner to provide their contact details
- require any person signing a petition to state their suburb/town, and declare whether they are residents and/or electors of the district
- require the petitioner to tally the number of signatories
- limit rejection of a petition to only when it is not in the prescribed form
- require that the council is to consider each petition and must determine how it is to respond, such as by seeking a report from the CEO
- allow local governments to establish an electronic petitioning system if they wish
- require all petitions received and outcomes from petitions to be summarised in a report to the annual meeting of electors.

**15. Do the proposed regulations provide an effective system for managing petitions? Yes / No**

(a) If no, please provide reasons and suggested alternatives.

## Part 3: Conduct of debate

### 9. Orderly conduct of meetings

New Regulations are proposed to create a duty for all people present at a meeting to:

- ensure that the business of the meeting is attended to efficiently and without delay
- conduct themselves courteously at all times
- allow opinions to be heard within the requirements of the meetings procedures.

It is also proposed that the Regulations:

- allow members to raise points of order to bring the presiding member's attention to a departure from procedure
- provide that it is a minor breach for a presiding member to preside in a manner which is unreasonable or contravenes the requirements of the Act or Regulations
- empower the presiding member to call a person to order and:
  - should a member not comply with a third call to order, the presiding member may direct them to speak no further (but they may continue to cast their vote) for the remainder of the meeting, with failure to adhere to the direction being a minor breach

- if any other person does not comply with one call to order, the presiding member may direct them to leave the meeting, with failure to do so being an offence
- provide that a council may vote to rescind a direction made by a presiding member for a member to not speak further during a meeting
- provide that a member who has had a direction made against them to not speak further cannot move or second a motion that attempts to rescind the decision.

**16. Do these measures provide a suitable framework to maintain order in meetings? Yes / No**

(a) If no, what are the suggested changes?

## 10. Motions and amendments

Existing meeting procedures address many matters relating to the processes of decision making. This includes motions and amendments (including foreshadowed and alternate motions), notices of motion by members, reasons for changes to the CEO's recommended motion, passing motions "en bloc", and how voting occurs. The existing system of motions (including foreshadowed, amendment, alternate and revocation motions) are proposed to be broadly maintained.

Council members may raise motions that are not part of the agenda of a meeting to recommend a proposal for consideration. For instance, a motion might propose a new policy or decision.

Local governments commonly require notice of a motion to be provided in advance of a council meeting. This is to allow council members time to review the motion and for the CEO and administration to provide advice needed to assist council members with making a decision on a motion.

Providing notice to other council members, the CEO and administration can support a more fulsome consideration of the motion.

Regulations are proposed to require council members to provide written notice of motions at least 1 calendar week before the council meeting commences. This would generally allow those motions to be included in the meeting agenda, which must be published 72 hours before the commencement of the meeting.

It is proposed that council members will still be able to move amendments and alternative motions during debate on agenda items without providing written notice in advance of the meeting. This provides for members to be able to consider all options and suggestions for an item included in the agenda of a meeting.

It is proposed that reasons for notices of motion, amendments and other decisions that are changed at a meeting would still be required.

**17. Is a period of 1 calendar week an appropriate notice period for motions? Yes / No**

(a) If no, what is your suggested alternative?

**18. Are these proposals for motions suitable? Yes / No**

(a) If no, please provide reasons.

## 11. Debate on a motion

The practice of motions being moved and seconded and debate alternating between speakers for and against the motion is used in meeting procedures statewide.

Some local governments have a further requirement where if a motion is not opposed, no debate occurs, and the motion is recorded as passing unanimously.

Regulations are proposed to provide for the following rules for formal debate on a motion or amendment:

- any motion must be seconded before it may be debated (or carried without debate)
- a motion is carried without debate if no member is opposed to the motion

- if a member is opposed, the mover and seconder may speak and are followed by alternating speakers against and for the motion, with a final right of reply for the mover
- speeches must be relevant to the motion under debate and no member must speak twice – except for the mover's right of reply, or if the council decides to allow further debate
- no member can speak for longer than 5 minutes without the approval of the meeting.

**19. Do you support these rules for formal debate on a motion or amendment? Yes / No**

(a) If no, what is your suggested alternative?

**20. Is 5 minutes a suitable maximum speaking time during debate? Yes / No**

(a) If no, what should be the default maximum speaking time?

**21. Is a general principle against speaking twice on the same motion suitable? Yes / No**

(a) If no, please provide reasons.

## 12. Questions by members

The current practices for members asking formal questions at meetings varies throughout the sector. Some local governments have a "questions from council members" period; other local governments allow members to place questions on notice for future meetings.

Regulations are proposed to provide that:

- council members can ask the CEO questions related to any item on an agenda by providing the question in writing by 12 noon the day before the meeting
- council member questions are to be answered during the "questions from council members" agenda item
- council members must seek permission from the presiding member to ask the CEO clarifying questions during debate.

**22. Should the new standardised provisions include a maximum time limit for the "questions from council members" agenda item? Yes / No**

(a) If no, please provide details.

**23. Is 1 day of notice for a question from a council member sufficient? Yes / No**

(a) If no, what is your suggested alternative and why?

**24. Is it appropriate for the presiding member to consider whether to allow a member to ask clarifying questions during debate? Yes / No**

(a) If no, what is your suggested alternative and why?

## 13. Procedural motions

Various procedural motions are provided for in each local governments' meeting procedures. They help with managing a meeting effectively and democratically.

Regulations are proposed to provide for the following procedural motions to be put without debate:

- a motion to vary the order of business (e.g. to move a report in the order of business so it is considered earlier)
- a motion to adjourn debate to another time
- a motion to adjourn the meeting
- a motion to put the question (close debate)



- a motion to extend a member's speaking time
- a motion to extend public question time
- a motion to extend the time for a public presentation
- a motion to refer a motion to a committee or for the CEO to provide a new or updated report to a future meeting
- a motion of dissent in the presiding member's ruling (for example, to overturn the presiding member's direction that a member does not speak further)
- a motion to close a meeting to the public in accordance with the Act.

**25. Should any of these procedural motions not be included? Yes / No**

(a) If yes, please identify which motions and why they should not be included.

**26. Are any additional procedural motions needed? Yes / No**

(a) If yes, please provide suggestions and explain why.

## 14. Adverse reflection

In addition to aspects of the model code of conduct, existing meeting procedures seek to prevent inappropriate language and adverse reflections from occurring at meetings.

Regulations are proposed to provide that:

- a person, including a member, cannot reflect adversely on the character of members, employees or other persons – if they do so they must withdraw their remark
- members cannot adversely reflect on the decisions of the council, except in making a motion to revoke or change a decision
- failure to withdraw adverse reflection is to be dealt with as disorderly conduct (including as a potential minor breach)
- a member who is concerned about a remark that may be an adverse reflection may raise a point of order with the presiding member.

**27. Are there any circumstances where a person should be able to adversely reflect on another council member, an employee or a decision of the local government? Yes / No**

(a) If yes, please provide more information to explain the circumstances.

## Part 4: Other matters

### 15. Meeting minutes and confirmation

Existing meeting procedures provide for the method of confirmation of the minutes. It is proposed to amend the Regulations to provide a clear process for correcting minutes by:

- allowing a member who identifies errors with unconfirmed minutes to provide a CEO with any proposed corrections by 12 noon the day before a meeting at which the minutes are to be confirmed
- requiring any proposed corrections to the minutes to be presented to council for a decision with a recommendation from the CEO
- Requiring DLGSC to be notified if a local government fails to adopt or defers confirmation of the minutes of a meeting.



**28. Is 1 day sufficient notice for a proposed correction to the minutes? Yes / No**

(a) If no, how much notice should be required and why?

## 16. Electronic meetings and attendance

In 2020, Regulations were introduced in response to the COVID-19 pandemic to enable councils to hold meetings electronically and for council members to attend using electronic means. This allowed councils to continue making critical decisions during the pandemic. The use of videoconferencing and the adoption of livestreaming has also encouraged public access and participation in local government.

On 9 November 2022, the [Local Government \(Administration\) Amendment Regulations 2022](#) took effect, meaning local governments could conduct council and committee meetings electronically outside of emergency situations and that council and committee members could attend in-person meetings using electronic means, such as videoconferencing.

The State Government committed to a public consultation process to gain feedback on the effect of these changes following 12 months of operation.

**29. Has the change to enable electronic meetings to occur outside of emergency situations been helpful? Yes / No / Unsure or unable to comment**

(a) If no, please explain why.

**30. Has the ability for individual members to attend meetings electronically been beneficial? Yes / No / Unsure or unable to comment**

(a) If no, please explain why.

**31. Do you think any changes to electronic meetings or electronic attendance are required? Yes / No / Unsure or unable to comment**

(a) If yes, please provide details of the changes and explain why they are needed.

## 17. Council committees

Sections 5.8 to 5.18 of the Act provide for the establishment of committees that may assist with decision-making. Section 7.1A provides for the establishment of an audit committee. The standardised meeting procedures will only apply to those committees established under sections 5.8 and 7.1A.

It is proposed that provisions for committees be similar to requirements for council meetings. Committees may need to provide a more flexible meeting environment, in terms of time limitations and procedure, to facilitate the consideration of issues in detail. This is reflected in meeting procedures across the State.

Regulations are proposed to provide that:

- a committee meeting is to be called when requested by the presiding member of the committee, the mayor or president, or a third of the committee's members
- certain meeting procedures such as the order of debate, speaking twice and time limits do not apply to a committee
- a committee is answerable to the council and must provide at least 1 report to council on its activities each year.

**32. Are any other modifications needed for committee meetings? Yes / No**

(a) If yes, please provide details of the modifications and explain why.

## 18. Meetings of electors

The Act establishes that the mayor or president is to preside at electors' meetings, and any resolutions passed by an electors' meeting are considered at a following council meeting.

As electors' meetings are quite different to council meetings, comment is sought about whether parts of the proposed standard should apply for electors' meetings.

**33. Should parts of the proposed standard apply at electors' meetings? Yes / No**

(a) If yes, please explain what may be required.

## 19. Any other matters

Feedback is welcome on any other element of local government meetings for consideration in the further development of the new Regulations.

**34. Do you have any other comments or suggestions for the proposed new Regulations?**

(a) If yes, please explain what may be required.

## Appendix: Example timeline for an ordinary council meeting

For this example, the local government holds its ordinary council meetings on the second Tuesday of every month. March 2024 has been used as an example.

Day/time	Task	Requirements
<b>Tue 5 March 6 pm</b>	Deadline for council members to provide written notice of motions.	<ul style="list-style-type: none"> <li>Council members must provide written notice of motions at least 1 calendar week before the day of an ordinary council meeting.</li> </ul>
<b>Sat 9 March 6 pm</b>	Deadline for publishing ordinary council meeting agenda. In practice, the local government publishes the agenda prior to close of business Friday.	<ul style="list-style-type: none"> <li>An ordinary council meeting agenda must be published at least 72 hours before the commencement of a meeting.</li> </ul>
<b>Sun 10 March 6 pm</b>	Deadline for member of the public to lodge a request to present on an agenda item.	<ul style="list-style-type: none"> <li>A person or group of people can lodge a request with the CEO to provide a presentation on an agenda item but must do so at least 48 hours before the meeting.</li> </ul>
<b>Mon 11 March 12 noon</b>	Deadline for council members to provide written notice of questions that will be asked about agenda items at the ordinary council meeting.	<ul style="list-style-type: none"> <li>Council members must submit questions about agenda items to the CEO in writing by 12 noon the day before the meeting.</li> </ul>
<b>Tue 12 March 12 noon</b>	Presiding member or CEO (in accordance with policy) to decide whether members of the public can present on agenda items and provide a response to people making requests.	<ul style="list-style-type: none"> <li>The presiding member or CEO must decide and provide a response to a person requesting to make a presentation on an agenda item by 12 noon the day of the meeting.</li> <li>If an application is refused, the presiding member or CEO must provide their reasons and advise of the refusal at the meeting.</li> </ul>
<b>Tue 12 March 6 pm</b>	Ordinary council meeting.	<ul style="list-style-type: none"> <li>Meeting must finish by 11 pm.</li> </ul>
<b>Wed 13 March 9 am</b>	Adjourned meeting can begin if scheduled meeting was adjourned due to reaching 11 pm.	<ul style="list-style-type: none"> <li>If a meeting needs to be adjourned because it reaches 11 pm, the meeting to deal with outstanding items must be at least 10 hours after the original meeting was adjourned.</li> </ul>
<b>Tue 19 March 6 pm</b>	Deadline for notifying DLGSC of any urgent business considered at the ordinary council meeting.	<ul style="list-style-type: none"> <li>The DLGSC must be notified within 7 calendar days each time urgent business is considered at an ordinary council meeting.</li> </ul>
<b>Sat 6 April 6 pm</b>	Responses to questions on notice included in agenda for next ordinary council meeting.	<ul style="list-style-type: none"> <li>When a question is taken on notice, a response is to be given to members of the public in writing and the answer is to be included in the agenda of the next ordinary council meeting.</li> <li>An ordinary council meeting agenda must be published at least 72 hours before the commencement of a meeting.</li> </ul>
<b>Mon 8 April 12 noon</b>	Deadline for council members dissatisfied with unconfirmed minutes to provide the CEO with corrected wording.	<ul style="list-style-type: none"> <li>A council member dissatisfied with unconfirmed minutes can provide a CEO with corrected wording by 12 noon the day before a meeting at which the minutes are to be confirmed.</li> </ul>
<b>Tue 9 April 6 pm</b>	Ordinary council meeting	<ul style="list-style-type: none"> <li>Meeting must finish by 11 pm.</li> </ul>



# Standardised Meeting Procedures

## WALGA DISCUSSION PAPER



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## PURPOSE OF WALGA DISCUSSION PAPER

WALGA is conscious that Local Government consultation leading to the development of the *Local Government Amendment Act 2023* evidenced broad sector support for standardisation of meeting procedures.

WALGA is equally aware that while many current Meeting Procedures / Standing Orders Local Laws include a solid core of common provisions, there is also some diversity across a range of Local Laws content.

We therefore recognise the challenge inherent in developing standardised meeting procedures and the potential they may differ significantly from, or even exclude, well-entrenched Local Law practices and procedures applied at Council and Committee meetings. Participating in the consultation process is therefore crucial to developing workable standardised meeting procedures.

The WALGA Discussion Paper is developed with a view to being read in conjunction with the Department of Local Government, Sport and Cultural Industries Standardised Meeting Procedures Consultation Paper, released in February 2024.

Our Discussion Paper melds the Consultation Paper content with WALGA Comment that is intended to provoke thought and lead to a considered response to the 34 questions posed by the Department. It is WALGA's recommendation that Local Government administrators and Council Members work collaboratively in determining a response to the Consultation Paper. This can be facilitated through informal workshops or a more formal approach at a Council meeting.

**WALGA would greatly appreciate receiving your formal response by close of business Monday 29 April 2024.** This is a different timeframe to the Department's Consultation Paper closing date of 29 May 2024, however it is necessary to facilitate development of a consolidated advocacy position that reflects the aggregated views of the sector on standardised meeting procedures.

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## PART 1 – GENERAL MEETING PROCESS

### DLGSCI Consultation Paper

#### 1. Calling meetings

The calling of council meetings is outlined in sections 5.5 to 5.7 of the Act, and in existing regulations 12 to 14. Amendments are proposed to add new requirements for the oversight of special council meetings that are held at short notice and prevent any meeting from being held at an unreasonable time of day. It is important that special meetings are only convened in appropriate circumstances. Regulations are proposed to require:

- a minimum of 24 hours' notice to convene a special council meeting
- that notice to convene a special council meeting may be done with less than 24 hours' notice if an absolute majority of council members call the meeting
- that a meeting cannot commence any earlier than 8 am or later than 8 pm.

#### WALGA Comment

**Currently there is no time-based provision relating to calling a Special Council Meeting, with start times based on availability of attendees, identified urgency of a matter and adopting a common-sense approach. In recognition of exceptional circumstances, consider:**

- **Will an absolute majority of Council Members always be available/contactable if an emergency situation necessitates a special meeting?**
- **Should the Mayor or President be empowered to call a Special Council Meeting during an emergency, public health emergency or state of emergency, similar to emergency powers under section 6.8(1)(c) of the Act?**

**1. Is it suitable to allow for a special council meeting to be convened with less than 24 hours' notice if an absolute majority of council members call the meeting? Yes / No**

**(a) If no, please provide a suggested alternative.**

**2. Are there any circumstances where meetings must start earlier than 8 am or later than 8 pm? Yes / No**

**(a) If yes, please provide examples and the suggested alternative.**



## DLGSCI Consultation Paper

### 2. Agendas and order of business

It is proposed to broadly retain existing requirements for local governments to publish meeting agendas.

It is proposed that the general order of meetings be outlined in the Regulations for consistency across the local government sector. However, a council or committee may decide to consider business in a different order, provided that the other requirements of the Regulations (such as public question time being held before any decisions are made) are still met.

Regulations are proposed to outline the following order of business:

- opening (local governments will still be able to continue their own practices for opening meetings, such as making acknowledgements, prayers, opening statements, etc.)
- recording attendance
- public question time (see section 6)
- public presentations and petitions (see sections 7 and 8)
- members' question time (see section 12)
- confirmation of previous minutes (see section 15)
- reports from committees and the CEO
- motions from members
- urgent business
- matters for which the meeting may be closed
- closure.

### WALGA Comment

**Some Meeting Procedures / Standing Orders Local Laws have dispensed with the Order of Business; is it necessary to regulate an Order of Business?**

**If the Order of Business is to be regulated, should the Regulations provide some flexibility for Local Governments to change their Order of Business; for example, bringing forward a matter of public interest is current common practice.**

**3. Is the proposed order of business suitable? Yes / No**

**(a) If no, please provide a suggested alternative**





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## DLGSCI Consultation Paper

### 3. Urgent business

Currently, individual local governments' meeting local laws and policies may vary in how urgent business is raised at a meeting. Existing local laws and policies provide various procedures for urgent business to be considered at a council meeting. Broadly, these procedures seek to limit the use of urgent business to only the most exceptional circumstances.

Regulations are proposed to allow the CEO to introduce an item without notice in cases of urgency if:

- an absolute majority of the council resolve to hear the matter at the meeting, and
- the item is clearly marked as urgent business.

It is proposed that DLGSC must be notified each time this occurs, within 7 calendar days, to ensure this process is only used in exceptional circumstances.

Urgent business may only be heard after public question time (see section 6).

### WALGA Comment

**If the CEO determines items of urgent business, is it appropriate to involve the Department in monitoring the CEO's performance given this is the role of Council?**

**Should a Council Member be permitted to introduce an urgent matter for consideration under a Notice of Motion?**

**Should a definition of 'urgent business' be included in standardised regulations, or should this be a matter of Policy?**

**4. Are the proposed requirements for urgent business suitable? Yes / No**

**(a) If no, please provide a suggested alternative.**



## DLGSCI Consultation Paper

### 4. Quorum

Existing regulation 8 addresses the process for when there isn't a quorum at a meeting.

Amendments are proposed to provide for the following where a quorum is lost or not present:

- if no quorum is present within 30 minutes of the time set for the meeting, the meeting lapses
- where quorum is lost during a meeting:
  - the meeting proceeds to the next item of business if it is due to members leaving because of a financial or proximity interest
  - the meeting is adjourned for 15 minutes for any other reason and if quorum cannot be reformed, the meeting is closed
- where quorum is lost, the names of the members then present are to be recorded in the minutes.

### WALGA Comment

**Is there potential for proposed standardised regulations to replicate existing regulation 8?**

**Should the presiding member be empowered to set the date and time to reconvene a meeting adjourned due to lack of quorum?**

**5. Are the proposed requirements for when a quorum is not present or lost suitable? Yes / No**

**(a) If no, please explain why and the suggested alternative, if any.**

## DLGSCI Consultation Paper

### 5. Adjourning a meeting

Currently, individual local governments' meeting local laws or policies may contain processes for adjourning a meeting. It is intended to adopt similar rules, while also addressing concerns regarding meetings of council that run late. Regulations are proposed to provide that:

- council may decide to adjourn a meeting to another day, time and place to resume from the point it adjourned
- a presiding member may adjourn a meeting for 15 minutes to regain order of a meeting that has been disrupted



- if a meeting is adjourned for a second time due to disruption, a presiding member must adjourn the meeting to another day, time or place (not on the same day), with notice being published on the local government's website.

It is also proposed that if a meeting is continuing and it reaches 10:45 pm:

- the council or committee may decide to either extend the meeting for a further 15 minutes to allow for any remaining business to be concluded or determine to adjourn the meeting
- if any business remains at 11 pm, the meeting must adjourn to a day and time which is at least 10 hours later to deal with any outstanding agenda items and a notice must be published on the local government's website listing when the meeting will resume.

### **WALGA Comment**

**There are a variety of meeting starting times, therefore is the proposal to regulate that meetings must always adjourn at 11pm appropriate? Could the meeting closure time be based on a standard number of hours commencing from the opening of a meeting?**

**Is a procedural motion to extend time, by absolute majority, a valid option?**

**Is employee work, health and safety an equal consideration when determining the earliest a meeting can reconvene? If so, should the CEO have an active role in determining the time the meeting reconvenes?**

- |  |
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| <p><b>6. Is 11 pm an appropriate time for when a meeting must be adjourned? Yes / No</b></p> <p><b>(a) If no, what is the suggested alternative?</b></p> |
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## PART 2 – PUBLIC PARTICIPATION

### DLGSCI Consultation Paper

#### 6. Public question time

Currently, the Act and Regulations require that public question time is to be made available at every council meeting and certain committee meetings.

Regulation 6 requires that at least 15 minutes is to be made available for public questions at those meetings. However, question time may be extended if there are further questions; the time may also be used for other business if there are no further questions.

Regulation 7 also provides that question time must be held before substantive decisions are made at that meeting.

Currently, the practice at many local governments is that a person who wishes to ask a question attends the meeting (either physically in-person or by electronic means) to ask their question. However, it is proposed that regulations allow for a personal representative of a person to ask a question. This provides an alternative avenue for someone who may be unable to attend a meeting to have their question raised.

Currently, individual local governments meeting local laws and policies may contain processes for members of the public to raise questions. Some requirements, such as rules requiring a person to lodge a question in writing before a meeting, may prevent a person who is not familiar with those requirements from being able to ask a question.

New standardised requirements are proposed to expand the existing Regulations to require that:

- a member of the public only needs to provide their name and suburb/locality (and not any other information) before asking a question
- a person is not required to lodge a question in writing in advance of a meeting (although a person may choose to do so, for instance if they have a very specific or technical question)
- a local government may still require a person, or their personal representative, to attend a meeting to ask a question lodged in writing in advance of the meeting for it to be addressed at that meeting
- questions must not take more than 2 minutes to ask, including a relevant preamble, unless the presiding member grants an extension of time
- if other people are waiting to ask questions, the presiding member will seek to provide equal opportunity for people to ask questions (for instance, by moving to the next person waiting after someone has asked 3 questions, and returning to the first person if time allows)
- any questions are to be answered by the presiding member, or a relevant member (nominated by the presiding member), the CEO, or an employee nominated by the CEO



- if a question, or a question of a similar nature, was asked and answered in the previous 6 months, the presiding member may direct the member of the public to the minutes of the meeting that contains the question and answer
- no debate of a question or answer is to take place
- questions may be taken on notice by the person who is answering the question
- when a question is taken on notice, a response is to be given to the member of the public in writing and a copy of the answer is to be included in the agenda of the next ordinary meeting
- the presiding member may reject questions that contain offensive language or reflect adversely on others but must provide opportunities for the question to be rephrased

### **WALGA Comment**

**Do the proposals provide appropriate balance between the right of the public to ask questions and the community expectation that Councils efficiently transact meeting business and make decisions?**

**The public question time provisions under section 5.24 of the Act and the Local Government (Administration) Regulations do not specify that a member of the public must identify themselves. Is it appropriate that a person will be required to identify themselves, or should this be discretionary to permit a right to privacy?**

**Should a Council Member be permitted to act as a personal representative and ask a question on behalf of an absent member of the public? Should members of the public always be present to ask their question?**

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| <p><b>7. Is the existing minimum allocation of 15 minutes for public question time sufficient? Yes / No</b></p> <p>(a) If no, what minimum time limit do you suggest?</p> <p><b>8. Is 2 minutes enough time for a member of the public to ask a question? Yes / No</b></p> <p>(a) If no, what time limit or other method of allocating questions do you suggest?</p> <p><b>9. Should any other standard requirements for public question time be established? Yes / No</b></p> <p>(a) If yes, please provide details.</p> <p><b>10. Should a personal representative be able to ask a question on behalf of another person? Yes / No</b></p> <p>(a) If no, please provide your reasons.</p> |
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## DLGSCI Consultation Paper

### 7. Presentations at council

Local governments commonly allow for presentations (also known as deputations) to be made to inform council decisions. Councils may set a policy for whether they hear presentations at council meetings and/or committee meetings, or at other meetings, and the circumstances in which a presentation may be heard.

It is proposed that local governments will continue to have discretion to choose whether and when to hear presentations.

To allow for a decision to be made in advance of the meeting, it is proposed that either the presiding member or CEO will make the decision on whether a presentation is heard at a meeting, based on any policy established by the council.

Accordingly, it is proposed that a council may establish a policy that determines:

- the types of meetings at which presentations may be heard
- whether the responsibility for making decisions on presentation requests sits with either the presiding member or CEO
- any other matters to guide the presiding member or CEO's decision making towards requests.

New Regulations are also proposed to:

- allow a person, or group of people, to lodge a request in accordance with the council's policy to provide a presentation at least 48 hours before the meeting
- require the presiding member or CEO to decide and provide a response to the person requesting the presentation by 12 noon the day of the meeting
- provide that if the presiding member or CEO refuses an application, they are to provide their reasons to the applicant and advise of the refusal at the meeting
- limit presentations to 5 minutes (not including questions) unless there is a resolution to extend the time limit
- allow council and committee members to ask questions of presenters.

### WALGA Comment

**Should an applicant provide details of their proposed topic and context when making a request to provide a presentation, to permit the CEO to advise Council on relevant legal, financial or other implications?**

**Should the decision to allow a presentation be made by the presiding member in consultation with the CEO, rather than being made by one or the other?**



- 11. Should the Regulations specify that a request to make a presentation must relate to an item on the agenda for the relevant meeting? Yes / No**
  - (a) If no, please provide reasons.
- 12. Is 48 hours of notice sufficient to administer an application from a member of the public to present to a meeting? Yes / No**
  - (a) If no, please provide reasons and suggest an alternative.
- 13. Should a standard time limit be set for public presentations? Yes / No**
  - (a) If no, please provide reasons.
- 14. Would 5 minutes be a suitable time limit for public presentations? Yes / No**
  - (a) If no, please provide reasons and suggest an alternative.

## DLGSCI Consultation Paper

### 8. Petitions

Many local governments have a tradition of accepting petitions, mirroring the practice of Parliament.

Regulations are proposed to:

- enable any person to petition a local government by lodging a petition to the council on any matter, including petitions which may be critical of actions or decisions of the local government
- require the lead petitioner to provide their contact details
- require any person signing a petition to state their suburb/town, and declare whether they are residents and/or electors of the district
- require the petitioner to tally the number of signatories
- limit rejection of a petition to only when it is not in the prescribed form
- require that the council is to consider each petition and must determine how it is to respond, such as by seeking a report from the CEO
- allow local governments to establish an electronic petitioning system if they wish
- require all petitions received and outcomes from petitions to be summarised in a report to the annual meeting of electors.



## WALGA Comment

**Should rejection of a petition extend to cases where the petitioned action will breach a written law and related imperatives, such as a public health emergency declaration?**

**15. Do the proposed regulations provide an effective system for managing petitions? Yes / No**

(a) If no, please provide reasons and suggested alternatives.

## PART 3 – CONDUCT OF DEBATE

### DLGSCI Consultation Paper

#### 9. Orderly conduct of meetings

New Regulations are proposed to create a duty for all people present at a meeting to:

- ensure that the business of the meeting is attended to efficiently and without delay
- conduct themselves courteously at all times
- allow opinions to be heard within the requirements of the meetings procedures.

It is also proposed that the Regulations:

- allow members to raise points of order to bring the presiding member's attention to a departure from procedure
- provide that it is a minor breach for a presiding member to preside in a manner which is unreasonable or contravenes the requirements of the Act or Regulations
- empower the presiding member to call a person to order and:
  - should a member not comply with a third call to order, the presiding member may direct them to speak no further (but they may continue to cast their vote) for the remainder of the meeting, with failure to adhere to the direction being a minor breach
  - if any other person does not comply with one call to order, the presiding member may direct them to leave the meeting, with failure to do so being an offence
- provide that a council may vote to rescind a direction made by a presiding member for a member to not speak further during a meeting
- provide that a member who has had a direction made against them to not speak further cannot move or second a motion that attempts to rescind the decision.





## WALGA Comment

**Are the proposed presiding member powers sufficient to maintain order at meetings?  
Are additional powers required?**

**Clause 10 of the Model Code of Conduct includes matters that must be observed by Council and Committee Members attending Council meetings, enforceable through the behavioural complaints process. Are the proposed new duties of persons present at meetings similar to the expected behaviours expressed in the Model Code?**

**The proposed minor breach of the presiding member includes 'unreasonable' conduct; should the regulations be limited to actual contraventions of the Act, Regulations or Code of Conduct?**

**16. Do these measures provide a suitable framework to maintain order in meetings?  
Yes / No**

(a) If no, what are the suggested changes?

## DLGSCI Consultation Paper

### 10. Motions and amendments

Existing meeting procedures address many matters relating to the processes of decision making. This includes motions and amendments (including foreshadowed and alternate motions), notices of motion by members, reasons for changes to the CEO's recommended motion, passing motions "en bloc", and how voting occurs. The existing system of motions (including foreshadowed, amendment, alternate and revocation motions) are proposed to be broadly maintained.

Council members may raise motions that are not part of the agenda of a meeting to recommend a proposal for consideration. For instance, a motion might propose a new policy or decision.

Local governments commonly require notice of a motion to be provided in advance of a council meeting. This is to allow council members time to review the motion and for the CEO and administration to provide advice needed to assist council members with making a decision on a motion.

Providing notice to other council members, the CEO and administration can support a more fulsome consideration of the motion.

Regulations are proposed to require council members to provide written notice of motions at least 1 calendar week before the council meeting commences. This would generally allow those motions to be included in the meeting agenda, which must be published 72 hours before the commencement of the meeting.

It is proposed that council members will still be able to move amendments and alternative motions during debate on agenda items without providing written notice in advance of the



meeting. This provides for members to be able to consider all options and suggestions for an item included in the agenda of a meeting.

It is proposed that reasons for notices of motion, amendments and other decisions that are changed at a meeting would still be required.

## WALGA Comment

**It is relatively common for Agendas to be prepared well in advance of the Council meeting so that Agenda Briefing sessions can be held. Should a notice of motion be provided within the established Agenda preparation timeframe of each Local Government?**

**Should a notice of motion be received by Council resolution to indicate support prior to the Administration preparing a detailed report?**

**Should a CEO be empowered to reject any notice of censure motion from a Council member, given this equates to adverse reflection?**

**17. Is a period of 1 calendar week an appropriate notice period for motions? Yes / No**

(a) If no, what is your suggested alternative?

**18. Are these proposals for motions suitable? Yes / No**

(a) If no, please provide reasons

## DLGSCI Consultation Paper

### 11. Debate on a motion

The practice of motions being moved and seconded and debate alternating between speakers for and against the motion is used in meeting procedures statewide.

Some local governments have a further requirement where if a motion is not opposed, no debate occurs, and the motion is recorded as passing unanimously.

Regulations are proposed to provide for the following rules for formal debate on a motion or amendment:

- any motion must be seconded before it may be debated (or carried without debate)
- a motion is carried without debate if no member is opposed to the motion
- if a member is opposed, the mover and seconder may speak and are followed by alternating speakers against and for the motion, with a final right of reply for the mover
- speeches must be relevant to the motion under debate and no member must speak twice –



except for the mover's right of reply, or if the council decides to allow further debate

- no member can speak for longer than 5 minutes without the approval of the meeting.

## WALGA Comment

**Should regulations provide for Council to suspend formal debate rules to enable members to speak more than once on a specific item?**

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| <p><b>19. Do you support these rules for formal debate on a motion or amendment? Yes / No</b><br/>(a) If no, what is your suggested alternative?</p> <p><b>20. Is 5 minutes a suitable maximum speaking time during debate? Yes / No</b><br/>(a) If no, what should be the default maximum speaking time?</p> <p><b>21. Is a general principle against speaking twice on the same motion suitable? Yes / No</b><br/>(a) If no, please provide reasons.</p> |
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## DLGSCI Consultation Paper

### 12. Questions by members

The current practices for members asking formal questions at meetings varies throughout the sector. Some local governments have a "questions from council members" period; other local governments allow members to place questions on notice for future meetings.

Regulations are proposed to provide that:

- council members can ask the CEO questions related to any item on an agenda by providing the question in writing by 12 noon the day before the meeting
- council member questions are to be answered during the "questions from council members" agenda item
- council members must seek permission from the presiding member to ask the CEO 0.0.0. clarifying questions during debate.

## WALGA Comment

**Questions from Council Members are an important part of the meeting, especially if a Local Government does not conduct Agenda Briefings in advance of ordinary Council meetings.**

**Should questions from Council Members only be asked at one particular part of the meeting or be asked prior to debate on the agenda item to which the question relates?**



**Could limiting questions to those provided the day before the meeting be counter productive to good decision making if the question relates to a matter on the Agenda?**

**With proposed new rules for public question time in mind, should questions by members also be limited by time and number in the interests of conducting efficient and effective meetings? Should the presiding member be empowered to rule on the relevance of a question?**

- 22. Should the new standardised provisions include a maximum time limit for the “questions from council members” agenda item? Yes / No**
- (a) If no, please provide details.
- 23. Is 1 day of notice for a question from a council member sufficient? Yes / No**
- (a) If no, what is your suggested alternative and why?
- 24. Is it appropriate for the presiding member to consider whether to allow a member to ask clarifying questions during debate? Yes / No**
- (a) If no, what is your suggested alternative and why?

## **DLGSCI Consultation Paper**

### **13. Procedural motions**

Various procedural motions are provided for in each local governments' meeting procedures. They help with managing a meeting effectively and democratically.

Regulations are proposed to provide for the following procedural motions to be put without debate:

- a motion to vary the order of business (e.g. to move a report in the order of business so it is considered earlier)
- a motion to adjourn debate to another time
- a motion to adjourn the meeting
- a motion to put the question (close debate)
- a motion to extend a member's speaking time
- a motion to extend public question time
- a motion to extend the time for a public presentation
- a motion to refer a motion to a committee or for the CEO to provide a new or updated report to a future meeting



- a motion of dissent in the presiding member's ruling (for example, to overturn the presiding member's direction that a member does not speak further)
- a motion to close a meeting to the public in accordance with the Act.

## WALGA Comment

**Procedural motions in current Local Laws are accompanied by qualifying provisions explaining their effect; for example, a person who has spoken on a motion cannot move to close a debate on the motion; and the mover of some procedural motions can speak to the motion but cannot speak to some others.**

**Are some qualifying provisions still necessary to ensure fair and equal participation in the meeting? Or should all procedural motions be put without debate?**

**25. Should any of these procedural motions not be included? Yes / No**

(a) If yes, please identify which motions and why they should not be included.

**26. Are any additional procedural motions needed? Yes / No**

(a) If yes, please provide suggestions and explain why.

## DLGSCI Consultation Paper

### 14. Adverse reflection

In addition to aspects of the model code of conduct, existing meeting procedures seek to prevent inappropriate language and adverse reflections from occurring at meetings.

Regulations are proposed to provide that:

- a person, including a member, cannot reflect adversely on the character of members, employees or other persons – if they do so they must withdraw their remark
- members cannot adversely reflect on the decisions of the council, except in making a motion to revoke or change a decision
- failure to withdraw adverse reflection is to be dealt with as disorderly conduct (including as a potential minor breach)
- a member who is concerned about a remark that may be an adverse reflection may raise a point of order with the presiding member.



## WALGA Comment

**With compulsory public broadcasting and audio recording of ordinary Council meetings imminent, should adverse reflection be elevated from a behavioural or minor breach to a serious breach of the Act?**

**27. Are there any circumstances where a person should be able to adversely reflect on another council member, an employee or a decision of the local government? Yes / No**

(a) If yes, please provide more information to explain the circumstances.

## PART 4 – OTHER MATTERS

### DLGSCI Consultation Paper

#### 15. Meeting minutes and confirmation

Existing meeting procedures provide for the method of confirmation of the minutes. It is proposed to amend the Regulations to provide a clear process for correcting minutes by:

- allowing a member who identifies errors with unconfirmed minutes to provide a CEO with any proposed corrections by 12 noon the day before a meeting at which the minutes are to be confirmed
- requiring any proposed corrections to the minutes to be presented to council for a decision with a recommendation from the CEO
- Requiring DLGSC to be notified if a local government fails to adopt or defers confirmation of the minutes of a meeting

## WALGA Comment

**The confirmation of minutes ensures that a true and correct record of a meeting is kept. Currently, a simple majority of Council Members must agree to any proposed amendments. Are additional rules required?**

**28. Is 1 day sufficient notice for a proposed correction to the minutes? Yes / No**

(a) If no, how much notice should be required and why?



## DLGSCI Consultation Paper

### 16. Electronic meetings and attendance

In 2020, Regulations were introduced in response to the COVID-19 pandemic to enable councils to hold meetings electronically and for council members to attend using electronic means. This allowed councils to continue making critical decisions during the pandemic. The use of videoconferencing and the adoption of livestreaming has also encouraged public access and participation in local government.

On 9 November 2022, the [Local Government \(Administration\) Amendment Regulations 2022](#) took effect, meaning local governments could conduct council and committee meetings electronically outside of emergency situations and that council and committee members could attend in-person meetings using electronic means, such as videoconferencing.

The State Government committed to a public consultation process to gain feedback on the effect of these changes following 12 months of operation.

### WALGA Comment

**Is the '50% rule' (refer: regulations 14C(3) and 14D(2A) of the *Local Government (Administration) Regulations*) for electronic attendance at in-person meetings and holding electronic meetings clearly understood? Is it proving to be easily applied?**

**Should the definition of 'meeting' (refer: regulation 14C(1) of the *Local Government (Administration) Regulations*) be amended to permit electronic attendance at electors' meetings?**

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| <p><b>29. Has the change to enable electronic meetings to occur outside of emergency situations been helpful? Yes / No / Unsure or unable to comment</b></p> <p>(a) If no, please explain why.</p> <p><b>30. Has the ability for individual members to attend meetings electronically been beneficial? Yes / No / Unsure or unable to comment</b></p> <p>(a) If no, please explain why.</p> <p><b>31. Do you think any changes to electronic meetings or electronic attendance are required? Yes / No / Unsure or unable to comment</b></p> <p>(a) If yes, please provide details of the changes and explain why they are needed.</p> |
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## DLGSCI Consultation Paper

### 17. Council committees

Sections 5.8 to 5.18 of the Act provide for the establishment of committees that may assist with decision making. Section 7.1A provides for the establishment of an audit committee. The standardised meeting procedures will only apply to those committees established under sections 5.8 and 7.1A.

It is proposed that provisions for committees be similar to requirements for council meetings. Committees may need to provide a more flexible meeting environment, in terms of time limitations and procedure, to facilitate the consideration of issues in detail. This is reflected in meeting procedures across the State.

Regulations are proposed to provide that:

- a committee meeting is to be called when requested by the presiding member of the committee, the mayor or president, or a third of the committee's members
- certain meeting procedures such as the order of debate, speaking twice and time limits do not apply to a committee
- a committee is answerable to the council and must provide at least 1 report to council on its activities each year.

### WALGA Comment

**Many current Local Laws include requirements additional to sections 5.8 to 5.18 of the Act for establishing committees, that include assigning terms of reference and requirements for reporting to Council. Are similar establishment provisions required in standardised regulations?**

**If a committee has delegated authority to make decisions, should it follow that the standardised regulations must apply as they do at the ordinary council meeting?**

**32. Are any other modifications needed for committee meetings? Yes / No**

(a) If yes, please provide details of the modifications and explain why





## DLGSCI Consultation Paper

### 18. Meetings of electors

The Act establishes that the mayor or president is to preside at electors' meetings, and any resolutions passed by an electors' meeting are considered at a following council meeting.

As electors' meetings are quite different to council meetings, comment is sought about whether parts of the proposed standard should apply for electors' meetings.

### WALGA Comment

**Should the presiding member powers for effective control of meetings always apply to electors' meetings?**

**33. Should parts of the proposed standard apply at electors' meetings? Yes / No**

(a) If yes, please explain what may be required.

## DLGSCI Consultation Paper

### 19. Any other matters

Feedback is welcome on any other element of local government meetings for consideration in the further development of the new Regulations.

### WALGA Comment

**There are additional matters common to current Standing Orders / Meeting Procedures Local Law that may feature in standardised regulations but not discussed in detail to date, including:**

- **Revoking or changing decisions / implementing decisions: Many current Local Laws feature rules that clarify how revoking or changing decisions under Administration Regulation 10 is applied; does this content remain relevant for inclusion in standardised regulations?**
- **Suspension of standardised regulations: Many current Local Laws include a provision permitting Council by resolution, to suspend one or more Local Law provision; does this content remain relevant for inclusion in standardised regulations?**
- **Matters not included in standardised regulations: Many current Local Laws include a provision empowering the presiding member to decide matters not set out in the Local Law; does this power remain relevant for inclusion in standardised regulations?**



- **Enforcement:** Many current Local Laws include a specific enforcement provision; does this content remain relevant for inclusion in standardised regulations?
- **Powers of presiding member:** Some powers have been referred to in the Consultation Paper under orderly conduct of meetings – Part 3, Item 9. Would additional details of the presiding member powers be helpful?
- **Review of Standardised Regulations:** The Model Local Law (Standing Orders) 1998 (No 73, 3/4/98) were developed by the Department of Local Government to assist Local Governments transition from Bylaws created under the *Local Government Act 1960* to appropriate meeting provisions compliant with the current Act. This Model formed the basis of early Local Laws but due to lack of review, arguably fell out of favour as a suitable template. Should standardised regulations be reviewed every 5 years, to ensure they remain current with contemporary meeting practices?

**34. Do you have any other comments or suggestions for the proposed new Regulations?**

(a) If yes, please explain what may be required

## SUBMITTING FEEDBACK TO WALGA

Please submit feedback on this Discussion Paper by close of business **Monday 29 April 2024** to:

James McGovern  
Manager Governance and Procurement  
[jmcgovern@walga.asn.au](mailto:jmcgovern@walga.asn.au)  
(08) 9213 2093



Delegation of authority

<b>Delegation</b>	<b>1.1.17 Tenders for goods and services [DRAFT]</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO s. 5.43 - Limits on delegations to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.57 - Tenders for providing goods or services.  <b>Local Government (Functions and General) Regulations 1996</b> r. 11 - When tenders have to be publicly invited. r. 13 - Requirements when local government invites tenders though not required to do so. r. 14 - Publicly inviting tenders, requirements for. r. 18 - Rejecting and accepting tenders. r. 20 - Variation of requirements before entry into contract. r. 21A - Varying a contract for the supply of goods or services. r. 21 - Limiting who can tender, procedure for.

DRAFT



Delegation of authority

<p><b>Function</b></p>	<ol style="list-style-type: none"> <li>1. Publicly invite tenders if the consideration under a contract is, or is expected to be, more, or worth more, than \$250,000 [Regulations, r. 11(1)]</li> <li>2. Determine a sole supplier arrangement if there is good reason to believe that, because of the unique nature of the goods or services, or for any other reason it is unlikely that there is more than one supplier [Regulations, r. 11(2)(f)]</li> <li>3. Publicly invite tenders although not required to do so [Regulations, r. 13]</li> <li>4. Determine in writing, before tenders are publicly invited, the criteria for deciding which tender(s) should be accepted [Regulations, r. 14(2a)]</li> <li>5. Decide the information that is to be disclosed to those interested in submitting a tender [Regulations, r. 14(4)(a)]</li> <li>6. Vary tender information after public notice of invitation to tender, and before the close of tenders, taking reasonable steps to give each person who has sought copies of the tender information is provided notice of the variation [Regulations, r. 14(5)]</li> <li>7. Reject a tender that is not submitted at a place, and within the time, specified in the invitation for tenders [Regulations, r. 18(1)]</li> <li>8. Reject a tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation without considering the merits of the tender [Regulations, r. 18(2)]</li> <li>9. Assess by a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and decide which of them (if any) would be most advantageous to accept [Regulations, r. 18(4)]</li> <li>10. Request a tenderer to clarify the information provided in the tender, in order to assist in deciding which tender would be the most advantageous to accept [Regulations, r. 18(4a)]</li> <li>11. <u>Decline to accept any tender [Regulations, r. 18(5)]</u></li> <li>12. Accept the next most advantageous tender to the local government if, within 6 months of the day on which the tender was accepted, a contract has not been created between the City and the tenderer [Regulations, r. 18(6)]</li> <li>13. Accept the next most advantageous tender to the local government if, within 6 months of the day on which the tender was accepted, a contract has been entered into and the City and the tenderer agree to terminate the contract [Regulations, r. 18(7)]</li> <li>14. Determine that a variation needed for the supply of required goods or services is minor, and then negotiate minor variations with the successful tenderer before entering into a contract [Regulations, r. 20(1)]</li> <li>15. Choose the next most advantageous tenderer if the chosen tenderer is unwilling to enter into a contract to supply the varied requirement or the local government and the chosen tenderer cannot agree on any other variation to be included in the contract as a result of the varied requirement [Regulations, r. 20(2)]</li> <li>16. Vary a contract for the supply of goods or services if the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract, or the variation is a renewal or extension of the term of the contract entered into [Regulations, r. 21A(a) and (b)]</li> <li>17. Accept another tender where, within 6 months of either accepting a tender, a contract has not been entered into and the successful tenderer agrees to terminate the contract [Regulations, r. 18(7)].</li> </ol>
<p><b>Delegates</b></p>	<p>Chief Executive Officer</p>



Delegation of authority

<p><b>Conditions</b></p>	<ol style="list-style-type: none"> <li>1. Authority to accept or reject tenders is to be conducted in accordance with the requirements of the Regulations where -             <ol style="list-style-type: none"> <li>a. there is a budget provision up to a value of \$1,000,000; or</li> <li>b. it is a multiple year contract (including extension thereof) up to a total value of \$1,500,000.</li> </ol> </li> <li>2. Where the budget has not been adopted, the Chief Executive Officer can perform all functions outlined in this delegation with the exception of determining a tender provided that the specifications of the invitation to tender includes a provision that it's award is subject to the budget being adopted by Council.</li> <li>3. Tender exempt (Sole supplier) arrangements may only be approved where a record is retained that evidences -             <ol style="list-style-type: none"> <li>a. a detailed specification;</li> <li>b. the outcomes of market testing of the specification;</li> <li>c. the reasons why market testing has not met the requirements of the specification or competitive analysis;</li> <li>d. rationale for why the supply is unique and cannot be sourced through other suppliers; and</li> <li>e. the expense is included in the adopted Annual Budget.</li> </ol> </li> <li>4. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new budget, and where the -             <ol style="list-style-type: none"> <li>a. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the local government;</li> <li>b. current supply contract expiry is imminent; and</li> <li>c. value of the proposed new contract has been included in the draft budget proposed for adoption.</li> </ol> </li> <li>5. A minor variation may only be entertained if -             <ol style="list-style-type: none"> <li>a. the proposed variation does not alter the nature of the goods and/or services procured;</li> <li>b. the proposed variation does not materially alter the specification or structure provided for by the initial tender; and</li> <li>c. the proposed variation is less than 10% of the original tendered price.</li> </ol> </li> </ol> <p>A tender cannot be varied outside the above definition.</p>
<p><b>Express power to subdelegate</b></p>	<p><b>Local Government Act 1995</b> s. 5.44 - CEO may delegate powers and duties to other employees</p>
<p><b>Statutory framework</b></p>	<p><b>Local Government Act 1995</b> <b>Local Government (Functions and General) Regulations 1996</b></p>
<p><b>Policy</b></p>	<p>Policy - Procurement of Goods and Services</p>
<p><b>Record keeping</b></p>	<p>Exercise of the authority is to be recorded in the City's records management system and Attain.</p>

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23



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**ORDINARY MEETING OF COUNCIL  
MONDAY, 25 MARCH 2024**

**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, 25  
MARCH 2024 AT 7.00PM.

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### 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

*Mayor Butterfield, declared the meeting open at 7.00 pm.*

*To begin I would like to pay my respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation and Elders past, present and emerging.*

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

#### PRESENT:

Her Worship, Mayor R Butterfield presided over

Deputy Mayor, Cr J Keogh	River Ward
Cr J Joy	River Ward
Cr K Kamdar	Ranford Ward
Cr L Sargeson	Palomino Ward
Cr P A Hetherington	Palomino Ward
Cr M J Hancock	Heron Ward
Cr C M Wielinga	Heron Ward
Cr K Busby	Minnawarra Ward
Cr G J Smith	Minnawarra Ward
Cr S S Virk	Lake Ward
Cr S J Mosey	Hills Ward

#### IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr M Andrews	Executive Director Technical Services
Mrs S Van Aswegen	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant
Ms J Cranston	Executive Assistant Community Services

Public: Nil

#### LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr Silver, Cr S Stoneham and Cr S Peter

#### APOLOGIES:

Nil



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

Nil

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**4 PUBLIC QUESTION TIME**

Nil

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**5 APPLICATIONS FOR LEAVE OF ABSENCE**

**1 Request for Leave of Absence**

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Request for leave of absence received from:

- Cr Hancock for the period Tuesday 2 April to Friday 12 April 2024 inclusive;
- Cr Mosey for the period Monday 6 May to Friday 24 May inclusive; and
- Cr Hetherington for the period of Monday 6 May to Friday 10 May 2024 inclusive.

MOVED Cr C M Wielinga

**That Council grant leave of absence from:**

- **Cr Hancock for the period Tuesday 2 April to Friday 12 April 2024, inclusive (Does not include an Ordinary Council meeting);**
- **Cr Mosey for the period Monday 6 May to Friday 24 May inclusive (includes 1 Ordinary Council Meeting - 13 May 2024); and**
- **Cr Hetherington for the period of Monday 6 May to Friday 10 May 2024 inclusive (Does not include an Ordinary Council meeting).**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

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**6 PETITIONS**

Nil

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**7 CONFIRMATION OF MINUTES**

7.1 PREVIOUS ORDINARY COUNCIL MEETING  
HELD ON 11 MARCH 2024.

MOVED Cr K Busby that the Minutes of the Ordinary Council Meeting held on 11 March 2024 be confirmed as a true and accurate record.

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

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## **8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

### **1. Mayor's Announcements**

#### **Tuesday 12 March 2024**

- Attended a Metronet Byford Rail Extension Viaduct panel, to shortlist artists.

#### **Thursday 14 March 2024**

- Was interviewed ABC Radio about verge trees in Seville Grove and the City's attempts to increase canopy cover via our Urban Forest Strategy.
- Attended a SEREG briefing.
- Made introductory comments at the Better Business Forum & Networking Event held at Beaver Tree Services in the Forrestdale Business Park. The event was held jointly by CCIWA and the City of Armadale. Cr's Mosey, Kamdar, Peter, Busby, Smith and Deputy Mayor Keogh, also attended.

#### **Friday 15 March 2024**

- Spoke at the opening of Good Sammy's store at the Stargate Shopping Centre in Kelmscott. The opening was attended by Dr Tony Buti MLA, Matt Keogh MP, Kyle McGinn MLC and Councillors Mosey and Busby also attended.

#### **Saturday 16 March 2024**

- Attended a regular interview with Heritage FM to discuss upcoming events and local issues.
- Spoke at the Multicultural Food Festival put on by the Australian Masjid Islamic Centre (AMIC) and held at Mills Park in Beckenham. Senator Fatima Payman Chair of Standing Committee on Publications & Deputy Chair of Joint Committee of Publications, Mayor Teresa Lynes and several City of Gosnells Councillors were also in attendance.

#### **Monday 18 March 2024**

- Attended a SOHAG meeting. Cr's Mosey, Peter, Keogh also attended.

#### **Thursday 21 March 2024**

- Chaired the Local Emergency Management Committee (LEMC).
- Presided at a Citizenship Ceremony held at the Kelmscott Hall, which welcomed over 100 new citizens to the City of Armadale. Deputy Mayor Cr Keogh and Councillors Smith, Mosey, and Sargeson also attended.

#### **Saturday 23 March 2024**

- Cooked breakfast in the Salvation Army Food truck, from 5am, for fire fighters who were attending the Bedforddale fire. Councillors Hetherington and Mosey also volunteered their time to cook for the fire fighters (including our local volunteer brigades). The fire had been contained by the morning and crews were exhausted but happy with their tremendous efforts.

The Mayor highlighted the tremendous effort of the firefighters that assisted in the recent Bedforddale fire and requested the CEO pass on a very grateful thank you to the City's volunteer brigades on the tremendous job they did. There were career firefighters and volunteers that assisted from other Local Governments surrounding the City of Armadale and it was a real team effort to get the fire contained

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

Nil

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**10 REPORTS**

**10.1 DEVELOPMENT SERVICES COMMITTEE MEETING**

Report of the Development Services Committee held on 18 March 2024.

MOVED Cr C M Wielinga that the report be received.

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

**BUSINESS ARISING FROM REPORT**

Recommendation D1/3/24 - Proposed Closure of Portion of Commercial Road Reserve, Forrestdale

MOVED Cr C M Wielinga

**That Council:**

- 1. Pursuant to Section 58 of the *Land Administration Act 1997* request the Minister for Lands to permanently close the portion of Commercial Road, Forrestdale within the red border on the Location Plan, subject to the land being created as a Crown Reserve for ‘Conservation and Recreation’ or amalgamated with a similar Crown Reserve.**
- 2. Advise the applicant and submitters of its decision.**
- 3. Advise the Minister for Lands that the City will accept the indemnification against all claims for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister for Lands in considering and granting the above requests pursuant to the *Land Administration Act 1997*.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation D2/3/24 - MRS Amendment for Forrestdale Townsite East Future Urban Area

MOVED Cr C M Wielinga

**That Council:**

- 1. Advise the Western Australian Planning Commission that the City supports MRS Amendment 1408/57 to rezone the Forrestdale Townsite East Urban Precinct to Urban and Urban Deferred zones and the reservation of parts of the precinct for**

**Parks and Recreation (Regional) and Primary Regional Road under the Metropolitan Region Scheme as shown on the MRS Amendment Map for Amendment 1408/57, subject to the following:**

- a) **A separate Town Planning Scheme Amendment being prepared for the precinct to enable the insertion of requirements to be addressed at Structure Planning and Subdivision stages of development of the area;**
  - b) **The Urban Deferred zone being retained for the area affected by the buffer to the further Wastewater Treatment Plant until such time as Water Corporation have completed planning for the type and exact location of this facility and the final required buffer extent can be determined;**
  - c) **Corrections being made to the zoning plan for the MRS amendment as the plan incorrectly shows MRS zoning and reserves over the land on the eastern side of Tonkin Highway that is under the control of Development WA and is not zoned under the MRS.**
- 2. Request that the submission to WAPC include a request for a deputation by City officers at the meeting of the WAPC at which the MRS Amendment is determined.**
- 3. Advise the proponent to continue to liaise with the City in preparing applications and technical studies in support of a future amendment to TPS No.4 and future structure plan including (but not necessarily limited to):**
- a) **Noise impact assessment related to Armadale Road and Tonkin Highway;**
  - b) **Engineering Servicing Report;**
  - c) **A Local Water Management Strategy;**
  - d) **Environmental Impact Assessment including Flora and Fauna assessment and protection strategies where required;**
  - e) **Retail Impact Assessment with regard to the proposed Local Centre;**
  - f) **The buffer to the future Wastewater Treatment Facility that affects the precinct;**
  - g) **Traffic Impact Assessment;**
  - h) **Bushfire Hazard Assessment;**
  - i) **Aboriginal Heritage Survey;**
  - j) **A Sustainability Strategy that addresses retention of existing trees wherever possible, climate change, tree canopy, minimization of creation of urban heat islands and urban greening;**
  - k) **Rationalisation of some of the smaller POS areas shown on the Concept Plan into larger POS areas. This is relevant for future maintenance considerations;**
  - l) **Further information on the potential use and treatment of the road widening for Forrest Rd required by the Water Corporation for its infrastructure; and**
  - m) **Advice on the Water Corporation's drainage corridor and interface with the future Urban area – removal of fencing between Drain and the proposed Road shown on the Concept Plan and planting of trees and shrubs within the proposed road reserve verge abutting the drain.**

**MOTION not opposed, DECLARED CARRIED**

**(12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation D3/3/24 - Development Application for Principal Shared Path Ramp and Bridge Over Armadale Road, and Adjoining Public Realm Upgrades

MOVED Cr C M Wielinga

**That Council:**

- A) **Recommend that the Western Australian Planning Commission approve the development application for the new Principal Shared Path (PSP) ramp and bridge over Armadale Road, and public realm upgrades from the south side of Armadale Road to the northern extent of the Viaduct structure pursuant to section 116 of the *Planning and Development Act 2005* subject to the following conditions and advice:**
- 1. A Schedule of Materials and Finishes including design treatments and artwork being applied to the PSP ramp and columns shall be submitted and approved by the Western Australian Planning Commission, on the advice of the City of Armadale and the Government Architect, prior to the commencement of operations. Once approved, the plan is to be implemented in its entirety.**
  - 2. A Crime Prevention through Environmental Design (CPTED) Assessment outlining how the design response will mitigate the risk of crime and antisocial behaviour for the PSP ramp and all public realm areas. The CPTED Assessment shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Armadale. Once approved, the CPTED Assessment is to be implemented in its entirety, including any identified remedial measures to the satisfaction of the Western Australian Planning Commission and on the advice of the City of Armadale.**
  - 3. Detailed plans for the Welcome Gateway entry statement (western side) shall be submitted and approved by the Western Australian Planning Commission, on the advice of the City of Armadale and the Government Architect, prior to the commencement of operations. Once approved, the plans are to be implemented in their entirety.**
  - 4. A detailed revised Landscape Plan shall be submitted and approved by the Western Australian Planning Commission, on the advice of the City of Armadale, prior to the commencement of operations. The Landscape Plan should address flood storage requirements within the public realm, relocation of the proposed transformer to a less visually prominent location and include a suitable water supply for ongoing irrigation of the landscaping proposed within the public realm, other than scheme water. Once approved, the Landscape Plan is to be implemented in its entirety.**
  - 5. A revised Drainage Strategy which addresses flood storage requirements within the public realm shall be prepared to the satisfaction of the Western Australian Planning Commission on the advice of the City of Armadale, prior to the commencement of operations. Once approved, the revised Drainage Management Plan is to be implemented in its entirety.**
  - 6. A Tree Retention Strategy shall be submitted to and approved by the Western Australian Planning Commission, on the advice of the City of Armadale, prior to the commencement of site works. The Strategy should address the extents of this application which are not already covered by another Tree Retention Strategy prepared by the applicant, and once approved, the Tree Retention Strategy is to be implemented in its entirety to the satisfaction of the Western Australian Planning Commission.**

7. All accessible structures within three metres of ground level which are the subject of this application are to be applied with an anti-graffiti coating or other agreed treatment to the satisfaction of the Western Australian Planning Commission on the advice of City of Armadale.
8. A Signage and Way-Finding Plan shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Armadale. The Signage Way-Finding Plan is to address all the public realm areas in addition to the PSP and other footpaths. Once approved, the Signage and Way-Finding Plan is to be implemented in its entirety prior to the commencement of operations and maintained thereafter by the proponent to the satisfaction of the Western Australian Planning Commission.
9. A revised Lighting Plan shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Armadale, prior to commencement of works. The Lighting plan is to address all public realm areas, abutting pedestrian crossing and the PSP ramp and bridge. The Lighting Plan is to also correspond to the Signage and Way-Finding Plan and CPTED Assessment. Once approved, the plan is to be implemented in its entirety thereafter to the satisfaction of the Western Australian Planning Commission.
10. Additional privacy screening being provided to screen the northern boundary of Lot 4 (26) Aragon Court and Lot 14 (24) Aragon Court to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Armadale, if it is determined that the retained trees do not provide sufficient screening.

#### ADVICE NOTES

1. The applicant is advised that this is a development approval under the *Planning and Development Act 2005*. It is not an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all the relevant laws. All requirements under Ministerial Statement 1183 under Section 45 of the *Environmental Protection Act 1986* are still a requirement of the Office of the Environmental Protection Authority.
2. All development should comply with the provisions of the Building Code of Australia, Health Regulations, Public Building Regulations and all other relevant Acts, Regulations and Local Laws, including obtaining any relevant permits and licenses. Additional approvals/licenses may be required to ensure compliance with State Government environmental legislation.
3. In regard to Condition 1 the treatment of the columns should have consistency and regard for the treatment of the adjoining railway viaduct columns and the project's Public Art Strategy.
4. In regard to Condition 3 the following should be addressed in the detailed design for the Welcome Gateway entry statement:
  - a. The 4 x standard PSP light poles extending above the entry statement distracts from the intended effect and should be replaced with a lower form of Main Roads WA lighting;
  - b. The throw screen behind the entry statement should be modified so that it does not distract from the intended effect.
  - c. The PSP edge beam (T-roff beam) along the western side to have higher

- finish that is consistent with the Gateway entry statement.**
- d. Some ‘welcome wording’ should be added below the screen, where it can also hide the PSP edge beam – use ‘*Armadale - Where City Meets Country*’, which is wording from the City’s Strategic Community Plan.**
  - e. The columns underneath the Welcome Gateway, PSP ramp and railway viaduct will get a public art treatment and all elements need to be coordinated, so that they work together in a seamless way; and**
  - f. The City wants to investigate the inclusion of some lighting set within the scarp portion of the screen, to replicate the view of house/street lights in the hills.**
- 5. In relation to Condition 4, the Landscape Plan shall include the planting of new trees within the adjoining road reserve and rail reserve in accordance with the numbers and sizing specified in the relevant Tree Retention Strategies, and shall address:**
- a. Modification of the path network north of Armadale Road to better reflect pedestrian desire-lines;**
  - b. Substitute an earthy coloured concrete cement for the proposed stabilised gravel fines where the proposed footpath is likely to carry constant pedestrian traffic and/or maintenance vehicles: the fines are a short-term landscaping treatment suitable for decorative embellishments without constant pedestrian traffic;**
  - c. The proportion of landscaping being seeded is too high (80%) to deliver a high quality outcome which is both perceptible on day one and sustainable in the long-term: an alternative needs to be implemented, and the following options should be considered:**
    - Include areas of permanent irrigation;**
    - Reduce areas of seeding and install a temporary irrigation system with tubestock planting and mulch, with the aim to reduce irrigation over time: this would have an improved appearance on day one and reduced maintenance obligations on local government;**
    - Reduce areas of seeding and instead install tubestock planting and mulch, with additional funding for truck watering and plant replacement for at least 3 years to enable establishment; and**
    - Exploring landscape treatments beyond planting, such as hard landscaping, decorative lighting and artworks to achieve the appearance of high-quality landscaping.**
  - d. Some detail is lacking on plans/specifications and needs to be added, including:**
    - Irrigation of all turf areas including the Frog Hollow event space;**
    - Proposed pavement finish along Streich Avenue. The landscape plan on page 3 may indicate that it is compacted loose stone finish, but detailed plans are unclear. The path along Streich Avenue be concrete due to loose stones ending up within the road pavement;**
    - Further detail is required of battering into Frog Hollow, to ensure the event space remains fit for purpose;**
    - Provide irrigation plans for approval;**
    - Provide electrical plans for approval;**
    - Provide bollards and gates all the way around public open spaces (generally) to protect from unwanted access;**

- **Garden bed planting species have not been specified;**
  - **Pot sizes of trees is not noted. Majority of Trees to be a minimum 45lt size;**
  - **Rates of planting p/m2 not provided. Rates of tubestock to be 4/m2 Rates of 130mm pots to be 3/m2 and supported by long term irrigation; and**
  - **Heights are not clear where ramp begins to be retained. Concern with safety and surveillance of space under the PSP: areas under stairs below 1.8m in height should be enclosed.**
- e. **Some species selections are not suited to their proposed location and need to be replaced, including:**
- **Corymbia maculata and Eucalyptus grandis are of eastern states origin. Request feature trees be an endemic or WA native species;**
  - **Wildflower planting species list is to be noted as the key feature of this space but further thought/discussion is required into the best species for this space;**
  - **Bio retention basins need to consider species that will thrive in deep shade, the City holds concerns over the viability of the species selected. For example, the City questions the viability of these species in this location:**
    - i. **Baumea Juncea = likes full sun;**
    - ii. **Baumea rubignosa = Full Sun / Part Sun;**
    - iii. **Lep. gladiatum = Full Sun;**
  - **Tree species that produce large nuts (Corymbia calophylla and Corymbia ficifolia and Eucalyptus marginata) planted in garden bed areas only and not over footpaths or paved areas where gum nuts create a slip hazard.**
- f. **Aeration of soil with the aim of supplying oxygen to the soil and preparing the soil to support plants;**
- g. **Ripping of the site to mitigate the impact of construction processes prior to establishment to promote the best chance of survival for seeds and plantings in the first year;**
- h. **Use of Additives and soil conditioners to aerate and provide drainage;**
- i. **An assets and maintenance register of all hard landscaping assets, including detailed specifications and drawings; and**
- j. **Push cyclone mesh fencing closer to the viaduct retaining wall.**

**MOTION not opposed, DECLARED CARRIED**

**(12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation D4/3/24 – Canopy Cover Working Group

MOVED Cr C M Wielinga

**That Council:**

1. **Form a Canopy Cover Working Group;**
2. **Appoint the following Councillors to the Working Group:**
  - **Cr C Wielinga;**
  - **Cr M Silver;**



- Cr S Mosey;
- Cr S Peter;
- Cr G Smith;
- Mayor R Butterfield;
- Cr J Keogh (deputy)

3. Approve for the Working Group to meet to prepare the draft Terms of Reference to be presented to Council.

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

## 10.2 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 19 March 2024.

MOVED Cr S J Mosey that the report be received.

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

## BUSINESS ARISING FROM REPORT

Recommendation CS12/3/24 - List of Accounts Paid - January 2024

MOVED Cr S J Mosey

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

### Municipal Fund

Accounts paid totalling \$12,655,249.33 on cheque numbers 309 to 321, transactions 16070 to 16886 and Payrolls dated 7 January and 21 January 2024.

### Credit Cards

Accounts paid totalling \$6,840.96 for the period ended 31 January 2024.

### Fuel Cards

Accounts paid totalling \$5,170.42 for the month ended 15 January 2024.

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation CS13/3/24 - Statement of Financial Activity - January 2024

MOVED Cr S J Mosey

**That Council:**

- 1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* accept the Statement of Financial Activity for the seventh (7) month period ended 31 January 2024.**
- 2. Note that there are reportable actual to budget material variances for the period and this report is preliminary only for the end of January 2024.**

**MOTION DECLARED CARRIED BY AN ABSOLUTE  
MAJORITY RESOLUTION OF COUNCIL**

**(12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga,  
Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation CS14/3/24 - Review of 2023/24 Annual Budget

MOVED Cr S J Mosey

**That Council:**

- 1. Pursuant to Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, adopt the attached Report titled 'Review of Budget for the period ended 29 February 2024'.**
- 2. Pursuant to section 6.8 of the *Local Government Act 1995*, authorise\* the following amendments to the 2023/24 Annual Budget as presented and explained in Attachment 1 Report titled 'Review of Budget for the period ended 29 February 2024' and Attachment 2 Budget Amendment Details.**

<b>Budget Amendments</b>	
<b>Particulars</b>	<b>(\$)</b>
<b>Revenue (excl. Non Cash)</b>	
<i>Increases</i>	
Increase in Interest from Cash	204,100
Increasing in Interim General Rating During the Year	450,000
Increase in Grants, Subsidies and Contributions	440,170
<i>Decreases</i>	
Decrease in Fees and Charges - Primarily Waste	(557,000)
<b>Net Revenue Increase/(Decrease)</b>	<b>537,270</b>
<b>Operating Expense (excl Non Cash)</b>	
<i>Increases</i>	
Reclassify Guarantee Fees from Other Expenditure to Finance Costs	(280,000)
Additional Funds for technical Landfill projects and modelling	(110,000)
Additional Funds for Staff Training	(17,400)
Additional Funds for Recruitment of Staff at Piara Waters Library	(50,000)
Additional Funds for Landfill Waste Levy	(2,316,500)
Additional Funds for Hiking Grant Expenditure	(25,000)
Additional Electoral Commission Costs	(30,000)
Additional Funds For Community Donations ( including School Awards)	(15,650)
Reclassify of General Environmental Consultants to Water Strategy Document	(50,000)
Reclassify of General Environmental Consultants to Soil and Land Strategy Document	(50,000)
Reclassify of General Environmental Consultants to Air Strategy Document	(50,000)
AFAC Budget realignment from Utilities	(39,000)
Increase in SERCUL Environmental Co-Ordinator Grant Spending	(20,000)
Increase in Subscriptions and Consumables	(6,900)
<i>Decreases</i>	
Reclassify Guarantee Fees from Other Expenditure to Finance Costs	280,000
Reduction in ICT Budget for ERP Data Migration Consultants	680,000
Reduction in ICT Budget for Phase 2 Employee Expenses	226,000
Reduction in ICT Budget due to lower costs or allocated to other projects	1,195,000
Reduction for Landfill Airspace Charge	1,601,800
AFAC Budget realignment Utilities to Materials and Contracts	39,000
Reduction in Consultants and Subscriptions	30,000
Reduction on Funds for Leasing Amendment in Finance Costs	9,400
Reduction for Digital Advertising	7,900
Reduction in General Environmental Consulting to Specific projects (above)	150,000
<b>Net Operating Expense (Increase)/Decrease</b>	<b>1,158,650</b>

<b>Budget Amendments</b>	
<b>Particulars</b>	<b>(\$)</b>
<b>Capital Expense</b>	
<i>Increases</i>	
Additional Funding for Morgan Park Irrigation	(350,000)
Reallocation of Budgets for the Purchase of AFL Back Netting at Springdale Park	(90,000)
Reallocation of Budgets for the Purchase of AFL Back Netting at William Skeet Park	(75,000)
Additional Funding for Various Plant and Equipment Items	(255,000)
Reallocation to Specific Charging Station from Renewables Budget	(40,000)
Additional Funding for Jull and Civic Space (Approved CS56/12/23)	(18,000)
Additional Funding for Shipwreck Park Toilets	(24,000)
Additional Funding for Landfill Gas Flare Relocation	(50,000)
<i>Decreases</i>	
Reallocation of Renewals Budget to Specific Charging Station	40,000
Reallocation of Minor Capital Works to AFL Netting Project at William Skeet Park and Springdale Park (infrastructure construction)	8,800
Reallocated savings on Bus Shelter projects to AFL Netting at William Skeet Park and Springdale Park	2,000
Reallocated savings on now completed Barossa Loop Skate Park to AFL Netting at William Skeet Park and Springdale Park	20,000
Reallocation of Parks Budget for George Foster Reserve (\$18k) and Municipal Water Fountain (\$6.7k) to AFL Netting at William Skeet Park and Springdale Park	24,700
Reallocated savings on now completed Springdale Bushfire Station project to AFL Netting at William Skeet Park and Springdale Park	15,800
Proceeds from Sale of Assets (Trailer, Water Cart)	27,000
<b>Net Capital Expense (Increase)/Decrease</b>	<b>(763,700)</b>
<b>Non-Operating Revenue/Expense</b>	
<i>Increases</i>	
Leasing payment Amendments	155,340
Prior year unspent Borrowings - One Council Project Amendments	908,000
Transfer from Waste Management Reserve to Fund Gas Flare Relocation	50,000
Transfer from Waste Management Reserve to Fund Waste Operations	1,564,700
Transfer from Plant and Machinery Reserve to Fund Plant and Equipment Items	228,000
Transfer from ICT Reserve to Fund for data analysis cleansing and migration FY 24	250,000
<i>Decreases</i>	
Transfer of Interest related to Cash backed Reserve Funds	(1,293,800)
Alignment of the One Council loan funds remaining to the Phase 2 Program	(1,750,000)
Reduction in ICT Reserve due to Civica Project funds not required	(255,000)
Reduction in transfer from ICT reserve - ICT Projects data migration etc funds required FY25	(680,000)
Increase in Transfer to reserve for deferred ICT Projects	(400,000)
<b>Net Non-Operating Revenue/Expense Increase/(Decrease)</b>	<b>(1,222,760)</b>
<b>Movement in Contract Liability</b>	<b>327,800</b>
<b>Net Budget Surplus/(Deficit)</b>	<b>37,260</b>

3. Note the budget amendments in point 2 above increases the forecast year-end budget surplus by \$37,260, from \$18,156 to \$55,416.

**MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL**

(12/0)

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation CS15/3/24 - Evaluation Recommendation Report - RFQ 6/24: Microsoft Enterprise Agreement

MOVED Cr S J Mosey

**That Council, in regard to RFQ 6 of 2024 for Microsoft Enterprise Agreement, accept the recommendation detailed within Confidential Attachment 2 for a period of three (3) years.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation CS16/3/24 - OneCouncil Program - Phase 2 Implementation

MOVED Cr S J Mosey

**That Council note the report and continues to receive monthly *OneCouncil* Project updates from the Program Manager.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation CS17/3/24 - 2024 National Growth Areas Alliance (NGAA) National Congress, 29-31 May

MOVED Cr S J Mosey

**That Council make no nomination for the attendance at the National Growth Areas Alliance Congress to be held in Penrith, NSW on 29-31 May 2024.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation CS18/3/24 - Committee Room - IT Set Up (Referral Item)

MOVED Cr S J Mosey

**That Council note the Officer's comment.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

**10.3 CITY AUDIT COMMITTEE MEETING**  
Report of the City Audit Committee held on 20 March 2024.

MOVED Cr J Keogh that the report be received.

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

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**BUSINESS ARISING FROM REPORT**

Recommendation CA2/3/24 - 2023 Compliance Audit Return

MOVED Cr J Keogh

**That Council:**

- 1. Adopt the 2023 Compliance Audit Return, presented as an attachment.**
- 2. Note that that the 2023 Compliance Audit Return presented as an attachment will be subsequently jointly certified by the Mayor and Chief Executive Officer for submission to the Department of Local Government, Sport and Cultural Industries.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation CA3/3/24 - Cyber Security - 2024 Update

MOVED Cr J Keogh

**That Council note the progress, outcomes, and insights of the City's Cyber Security Program of work.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

**10.4 CHIEF EXECUTIVE OFFICER'S REPORT**

Report of the Chief Executive Officer.

MOVED Cr G J Smith **that the report be received.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

**BUSINESS ARISING FROM REPORT**

Recommendation CEO2/3/24 - Councillors Information Bulletin - Issue No 4/2024

MOVED Cr G J Smith

**That Council acknowledge receipt of Issue 4/2024 of the Information Bulletin**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

Recommendation CEO3/3/24 - Conference Attendance - International Public Works  
Conference in April 2024

MOVED Cr S J Mosey

**That Council nominate Councillor C M Wielinga and Councillor K Kamdar as delegates to the 2024 International Public Works Conference.**

**MOTION not opposed, DECLARED CARRIED (12/0)**

FOR: Mayor Butterfield, Cr J Keogh, Cr Joy, Cr Kamdar, Cr Sargeson, Cr P A Hetherington, Cr Wielinga,  
Cr Hancock, Cr Smith, Cr Busby, Cr Virk, Cr Mosey

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**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Nil

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

Nil

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**14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION**

Nil

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**15 CLOSURE**

*The Mayor, Cr Butterfield, declared the meeting closed at 7:15pm*

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MINUTES CONFIRMED THIS 22 APRIL 2024

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MAYOR