



**ORDINARY MEETING OF COUNCIL
MONDAY, 22 MARCH 2021**

AGENDA

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AGENDA

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**CITY AUDIT COMMITTEE MEETING
HELD ON 9 MARCH 2021**

**DEVELOPMENT SERVICES COMMITTEE MEETING
HELD ON 15 MARCH 2021**

**CORPORATE SERVICES COMMITTEE MEETING
HELD ON 16 MARCH 2021**

CHIEF EXECUTIVE OFFICER'S REPORT

NOTICE OF MEETING AND AGENDA

CR _____

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

MONDAY, 22 MARCH 2021

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

18 March 2021

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Leave of Absence previously granted to Cr Silver

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

Nil

4 PUBLIC QUESTION TIME

Public Question Time is allocated for the asking of and responding to questions raised by members of the public.

*Minimum time to be provided – 15 minutes (unless not required)
Policy and Management Practice EM 6 – Public Question Time has been adopted by Council to ensure the orderly conduct of Public Question time and a copy of this procedure can be found at <http://www.armadale.wa.gov.au/PolicyManual>.*

It is also available in the public gallery.

The public's cooperation in this regard will be appreciated.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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Nil

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Nil

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CITY OF ARMADALE

MINUTES

OF CITY AUDIT COMMITTEE HELD IN THE FUNCTION ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY,
9 MARCH 2021 AT 7.00PM.

PRESENT:

- Cr C Frost (Chairperson)
- Cr G Smith (Deputy Chair)
- Cr R Butterfield, Mayor
- Cr J H Munn CMC
- Mr S Linden (Independent Member)

APOLOGIES:

- Cr G Nixon
- Cr D M Shaw (Deputy for Cr Nixon)

OBSERVERS:

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr N Kegie	A/Executive Director Community Services (Via Teams)
Mr M Hnatojko	Executive Manager Corporate Services
Mr B D’Lima	Manager ICT
Mrs N Smith	A/Manager Human Resources (Via Teams) 7pm to 8.45pm
Mr G Dine	Manager Health Services (Via Teams) 7pm to 7.45pm
Mr N Price	A/Manager Governance and Admin (Via Teams)
Mr K Yeoh	Manager Finance Services (Via Teams)
Mrs F Wilkinson	Business Improvement Coordinator
Mrs J Sutherland	Executive Assistant Corporate Services
Mrs S Gunalan	Office of Auditor General
Mr A Zavitsanos	Crowe (Via Teams) 7pm to 7.15pm

Note:

Meetings of the City Audit Committee are closed to the public on the basis that matters to be dealt with by Committee will generally be of a sensitive and confidential nature which, if disclosed could reasonably be expected to impair the effectiveness of the audit process – Council resolution CS18/2001 refers.

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the City Audit Committee Meeting held on 8 December 2020 be confirmed.

Moved Cr J H Munn

MOTION CARRIED

(7/0)

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CITY AUDIT COMMITTEE

9 MARCH 2021

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Committee agreed to bring forward the following report to this juncture of the meeting as the Crowe consultant is in Melbourne. MOVED: Cr Frost

1.6 - RECORDS MANAGEMENT INTERNAL AUDIT

WARD : ALL
FILE No. : M/90/21
DATE : 8 February 2021
REF : FW
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- An internal audit of the City's Records management with a focus on working from home arrangements found that there are some opportunities for improvement in relation to communication of recordkeeping requirements, delegations of authority, revision of policies, procedures and forms and network access security controls
- Recommend that Council note and endorse the Internal Audit Report for Records Management

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.2.2 Implement business plans and practices that improve service delivery

Legal Implications

State Records Act 2000

Council Policy/Local Law Implications

ADM15 Record Keeping Policy

Budget/Financial Implications

The cost of the Internal Audit was covered in the budget for Corporate Services. All recommendations will be able to be implemented using current City resources.

Consultation

1. Crowe
2. Eleven (11) staff members

BACKGROUND

In accordance with the City Audit Committee's Terms of Reference, the Committee is responsible for reviewing and monitoring the internal audit program and scope of audits, reviewing reports provided by the internal auditor and overseeing any agreed actions in response to an audit report received.

In October 2020, Council agreed to extend the contract with Crowe for the delivery of internal audit services from 28 February 2021 to 30 June 2021 to undertake the following audits included in the 2020/21 Internal Audit Plan adopted at the same meeting:

1. Procurement – Property services focus area
2. Records management
3. Workforce health and safety – working from home
4. Management of contractors and volunteers

DETAILS OF PROPOSAL

A review of the City's Records Management was the first internal audit completed under the 2020/21 plan. The objective of the audit was to assess the systems and processes in place in relation to capturing, retrieval, retention and disposal of records, focusing on working from home arrangements.

The scope of the internal audit included the following:

- Recordkeeping plans, policies and procedures, including alignment with the *State Records Act 2000* and the State Records Commission standards and principles;
- Recordkeeping practices with regards to maintaining evidence on decisions made or actions taken using appropriate delegations and authorisations;
- Processes for managing data privacy; and
- Processes to educate personnel in relation to information management, recordkeeping practices and privacy requirements.

The scope covered the period **April 2020 to July 2020**.

The audit involved interviews with staff members from Records Services, Ranger Services, Building Services, Human Resources, Governance and Business Improvement.

The final report on the Records Management Internal Audit provided by Crowe is attached (Confidential) which includes findings, recommendations, priority levels and a management response and agreed actions provided by City staff.

During the audit Crowe observed:

“the City has a Records Management business unit, which comprises knowledgeable and experienced personnel dedicated to ensuring the City complies with its recordkeeping requirements and enhancing records management practices. All personnel across the organisation are responsible for records management and expectations are clearly communicated to employees.

The City’s Recordkeeping Plan 2016, its record keeping policy: ADM 15 – Record Keeping and its Records Services Procedures are in line with the State Records Act 2000 and the State Records Commission Standards and Principles.

Overall, we noted a positive control environment and risk management culture. Management across the organisation are cognisant of improvement opportunities and have a desire to implement”

ANALYSIS

The internal audit findings and suggested opportunities for improvement were summarised into the following areas:

1. Delegated authority recordkeeping
2. Internal Forms – Management Approval & Signature
3. Maintaining a consistent approach to post COVID-19 recordkeeping processes
4. Records Management Integration with Microsoft Office
5. Multi Factor Authentication
6. Policies, Procedures & Other Documentation

The management comments in relation to the findings and agreed actions are provided in the confidential attachment.

CONCLUSION

The internal audit of the City’s Records Management, with a specific focus on working from home processes conducted by Crowe, found that there are some opportunities for improvement in relation to the policies, operating procedures, processes, forms, training and communication of requirements

ATTACHMENTS

1. Records Management Internal Audit Report - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

RECOMMEND

CA1/3/21

That Council note and endorse the Records Management Internal Audit report.

Moved Cr R Butterfield

MOTION CARRIED

(5/0)

7.15pm Mr A Zavitsanos left the meeting

***1.1 - REGULATION OF CONSUMER FOOD SAFETY BY LOCAL GOVERNMENTS
REVIEW***

WARD : ALL
FILE No. : M/80/21
DATE : 5 February 2021
REF : FW
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- The City has undertaken a review of its system and processes for managing the regulation of consumer food safety in accordance with the recommendations from the Office of the Auditor General's 2020 performance audit in this area of two other Local Governments. A number of opportunities for improvement were identified and implemented.
- Recommend that Council note the City's response to the Office of the Auditor General's Performance Audit recommendations regarding the regulation of consumer food safety by Local Governments

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

- 1.2.2 – Provide opportunities to improve health outcomes for everyone.
4.2.2 – Implement business plans and practices that improve service delivery

Legal Implications

Food Act 2008
Australia New Zealand Food Standards Code

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

Manager Health Services
Executive Leadership Team

BACKGROUND

In June 2020, the Office of the Auditor General (OAG) released an audit report on “Regulation of Consumer Food Safety by Local Government Entities” (see attached).

The audit reviewed whether local government entities effectively regulate consumer food safety in food businesses in their local area in accordance with the requirements of the *Food Act 2008* and the Australia New Zealand Food Standards Code.

The City of Armadale was not a participant in the OAG’s audit on this topic, however the OAG provided findings they believe should be considered by all Local Governments.

DETAILS OF PROPOSAL

The OAG report recommended that Local Government entities should:

1. Ensure food business inspections are prioritised and carried out according to their risk classification
2. Ensure changes to inspection frequencies are only made based on a documented assessment of compliance history or other urgent requirement
3. Improve recordkeeping for food business inspections and compliance reporting to:
 - a. better understand inspection and compliance history
 - b. identify compliance issues and follow-up activities
 - c. respond to emerging food safety issues
4. Develop procedures and staff guidance to ensure non-compliant food businesses are followed up and Standards enforced in a consistent and timely manner
5. Work with the Department of Health in the development and implementation of new electronic food safety inspection and recordkeeping systems.

ANALYSIS

City staff have proactively compared the City’s systems and processes against the OAG’s audit approach and findings as a benchmarking exercise. This was undertaken by seeking a copy of the full checklist used by the OAG to perform the audits of the chosen Local Governments and completing a desktop review to determine where improvements could be made. Seven (7) opportunities for improvement were identified which relate to administrative procedures only and not to any non-compliance with the *Food Act 2008*. The opportunities for improvement identified have all been actioned and in most instances completed.

The City’s review and response to the Regulation of Consumer Food Safety by Local Government Entities audit is attached.

CONCLUSION

The City has undertaken a review of its system and processes for managing the regulation of consumer food safety in accordance with the recommendations from the Office of the Auditor General's 2020 performance audit in this area. A number of opportunities for improvement were identified and implemented

ATTACHMENTS

1. [OAG Performance Report_Regulation-of-Consumer-Food-Safety-by-Local-Government-Entities](#)
2. Regulation of Consumer Food Safety by Local Governments OAG Audit CoA response - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

Committee Discussion

Committee requested a further report outlining a more detailed plan in response to Finding 1, (Recommendation 2).

RECOMMEND

CA1/3/21

That Council note the City's response to the Office of the Auditor General's Performance Audit recommendations regarding the regulation of consumer food safety by Local Governments with a further report to be presented outlining a more detailed plan in response to Finding 1.

**Moved Cr G J Smith
MOTION CARRIED**

(5/0)

7.45pm Mr A Zavitsanos left the meeting

1.2 - BIENNIAL RISK REPORT - MARCH 2021

WARD : ALL
FILE No. : M/81/21
DATE : 5 February 2021
REF : FW
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- This report provides a summary of the risk activities completed in the last 6 months, those proposed for the next six months and the annual update on the structure and completeness of risk registers.
- Recommend that Council note the Biennial Risk Report for March 2021

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.1.2 – Make decisions that are sound, transparent and strategic

Legal Implications

Nil

Council Policy/Local Law Implications

ADM25 – Risk Management Policy

Budget/Financial Implications

Nil

Consultation

1. Operational Management Team
2. Executive Leadership Team

BACKGROUND

The City's Risk Management Framework recommends that risk reports containing information relating to operational risks are provided to Council on a quarterly basis and an update on the structure and completeness of risk registers is provided to Council annually.

The City Audit Committee reporting is stipulated in the Risk Management Framework on a quarterly basis to include the following:

1. Critical and High Risks
2. Risks with inadequate controls
3. Strategic Risk register review

The last report on the City's Risk Management activities was presented to the City Audit Committee at the meeting held on 5 August 2020. The "COVID-19 Risks and Resilience" report provided Council with an overview of the risk management and business continuity initiatives which were implemented to guide the City's response to the COVID-19 pandemic.

At the City Audit Committee meeting in October 2020 five assessed strategic risks were presented to the Committee for review and subsequently noted by Council. A separate report in this agenda presents two recently assessed strategic risks.

The last report on the structure and completeness of the risk registers was reported to the City Audit Committee and noted by Council in March 2020.

DETAILS OF PROPOSAL

Business Area Risk Review

The formal annual review of the City's business area risks is incorporated into the development of the Business Area Plans. In 2020, this process was undertaken by Managers between October and December.

Twenty eight (28) business areas maintain a risk register. Twelve (12) of these risk registers haven been formally reviewed, updated and noted as complete. This results in 298 of the 493 business area risks being reviewed or 60% completion rate.

Between October and November 2020, Managers' attention was focused on Business Continuity Planning and preparing for a second wave of COVID-19. These Business Continuity Plans were recently activated with the lockdown imposed during the first week of February.

It is also relevant to note that during 2020, staff have been required to balance significant additional workloads and this has placed a considerable strain on many areas of the organisation. The additional workload has been either directly or indirectly resulting from the COVID-19 pandemic or due to other organisational change such as the Planning and Performance Improvement program. This program includes the development of Business Area Plans, the Four Year Budget and proposals for the new Corporate Business Plan. Careful consideration has been given to the prioritisation of required actions and in some instances formal review processes such as the annual review of the risk registers have not been able to be completed.

During 2021 new processes are planned for implementation which will result in monthly reviews of risks at a Business Area team level. This will include a review of risk registers as

well as ongoing discussions of new and emerging risks and assurance of control effectiveness. The intended outcome of this strategy is to embed risk further into the culture of the organisation and ensure that monitoring and review of risks is an ongoing process and not an annual one.

The results of the 2020 risk review process are illustrated in the summary table below:

Inherent Risks			Residual Risks			Reviewed		Control Effectiveness by Residual Rating			
	No.	%		No.	%	No.	%	Excellent	Good	Inadequate	Unknown
Critical	36	7%	Critical	0	0%						
High	77	16%	High	7	1%	7	100%		7	0	0
Medium	273	55%	Medium	147	30%	144	98%	51	88	2	6
Low	107	22%	Low	339	69%	147	43%	81	235	8	15
Total	493	100%	Total	493	100%	298	60%	132	330	10	21
								27%	67%	2%	4%

ANALYSIS

The assessment results indicate that 94% of documented Business Area risks have either good or excellent controls, hence 99% of residual risks are rated as low or medium, which in accordance with the City’s risk appetite are managed through line Manager oversight and monitoring and routine procedures.

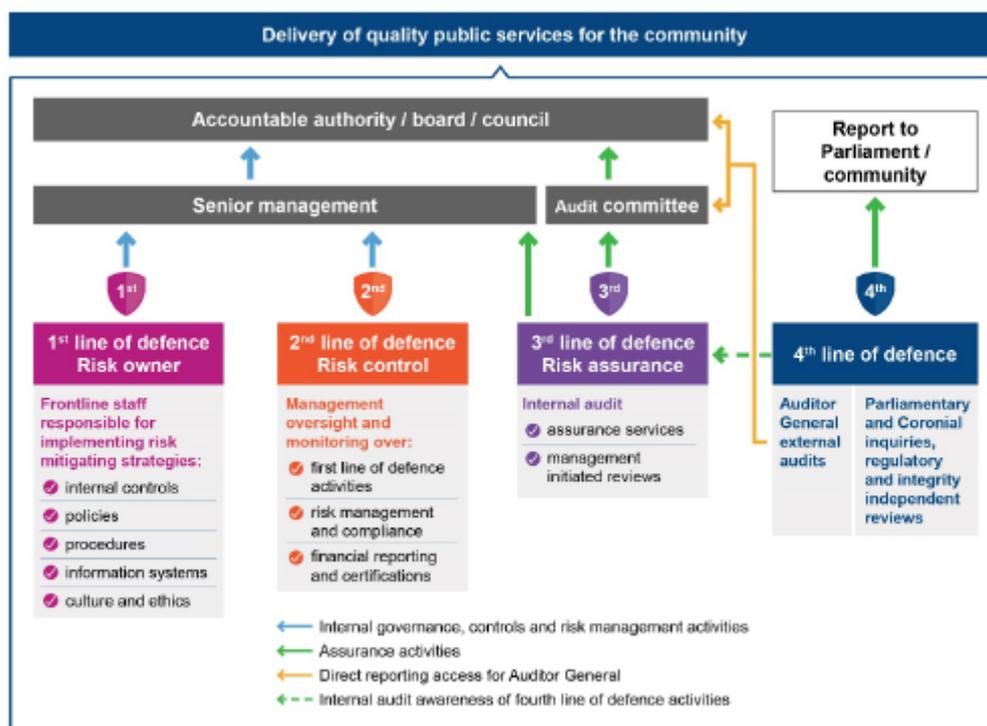
Within the business area risk registers, there are no critical residual risks. Details of the business area residual high risks are provided in the attachment to this report. Details of the risks with inadequate controls will be provided to the next City Audit Committee following a completed review of all risk registers.

Fourth Line of Defence

The “Lines of Defence Model” is a widely known concept of how different mechanisms work together to manage risks and ensure controls are implemented and effective.

The Office of the Auditor General (OAG) in the “WA Public Sector Audit Committees – Better Practice Guide” suggests that there is a fourth defence to be added to the commonly known three lines of defence. The OAG suggests that the fourth line of defence incorporates information or audits from external auditors, regulators, parliamentary committees and other integrity bodies. The activities for each line of defence and the communication flow is represented in the diagram 1 below.

Diagram 1: WA Public Sector Four Lines of Defence Model



Source: OAG – Western Australian Public Sector Audit Committees Better Practice Guide

The City’s draft Corporate Business Plan includes the following action:

4.1.3.6 Ensure that the City's operations is proactively compared with the findings and recommendations of external reviews, such as Office of the Auditor General Performance Audits, and promptly takes any corrective measures necessary to ensure compliance

To support the City’s existing processes for identifying new risks and managing existing risks, a new system of review has been implemented which compares the findings of OAG performance audits against current City practices to identify gaps. The first two reports of this kind have been included separately in this agenda in report items 1.1 and 1.5.

Risk management activities planned for 2021

A report on the further development of the City’s risk management system will be presented to the Corporate Services committee in March 2021. This report undertakes a maturity assessment of the existing system and determines opportunities for improvement under the following four categories:

1. Strategy and Governance
2. Monitoring and Review
3. Culture
4. System and Process

The actions identified in the report for implementation in 2021 include the following:

Action	Responsibility	Timeframe
Undertake genuine team risk discussions on a monthly basis at teams meetings	All Managers	June 2021
Implement a Team Agenda template which incorporates risk discussions	Business Improvement Coordinator	June 2021
Provide guidance to Managers on facilitating risk conversations with their team.	Business Improvement Coordinator	June 2021
Formalise and implement a risk escalation process	Business Improvement Coordinator	June 2021
Risk insight and review reporting discussions at OMT on a quarterly basis	Executive Director Corporate Services	September 2021
Business Improvement Coordinator (or proxy) to attend Directorate Management meetings quarterly to discuss risk	Business Improvement Coordinator	September 2021
Executive provided with risk insight and review reporting for executive leadership team meetings on a monthly basis	Business Improvement Coordinator	September 2021
Finalise the draft Business Continuity Management Response Structure	Business Improvement Coordinator	September 2021
Review and update the current ICT Disaster Recovery Plan	Manager ICT	December 2021
Further incorporate the consideration of risk management in business planning.	Business Improvement Coordinator	December 2021
Develop and seek endorsement of a Business Continuity Policy	Business Improvement Coordinator	December 2021
Implementation of OneCouncil risk management module	Business Improvement Coordinator	December 2021
Development of risk reports (through OneCouncil)	Business Improvement Coordinator	December 2021

CONCLUSION

During 2020 many risk management and business continuity strategies and actions were implemented to respond to the COVID-19 pandemic. The organisation has participated in additional organisational change through the implementation of the Planning and Performance Improvement Program. The additional workload and subsequent strain on staff has meant that some formal operational processes such as the annual review of risk registers has not been completed in all areas. In 2021 a new system will be implemented to facilitate a more regular and consistent approach to the monitoring and review of risks.

ATTACHMENTS

1. March 2021 - Risks with High Residual Risk Rating - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

Committee Discussion

Committee requested using the term effective team risk discussions rather than using the word genuine in future reporting.

RECOMMEND

CA2/3/21

That Council note the Biannual Risk Report for March 2021.

**Moved Cr J H Munn
MOTION CARRIED**

(5/0)

1.3 - INTERNAL AUDIT ACTIONS STATUS UPDATE MARCH 2021

WARD : ALL
FILE No. : M/86/21
DATE : 8 February 2021
REF : FW
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- The status of the agreed actions to address the recommendations from the City's first five internal audits has been reviewed and updated. A summary of the status of the outstanding actions and details of the completed actions are provided.
- Recommend that Council accept the Biannual Internal Audit Action Status Update

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.2.2 Implement business plans and practices that improve service delivery

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

1. All Council staff subject to previous internal audit
2. Executive Leadership Team

BACKGROUND

During the first 18 months of operation of the new internal audit function, five internal audits were completed by Crowe. All of these audits have been reported to the City Audit Committee and endorsed by Council. A list of the completed audits and dates reported to the City Audit Committee is as follows:

1. Procurement and Contract Management - 29 July 2019
2. Armadale Fitness and Aquatic Centre – 3 October 2019
3. Compliance Audit Return – 3 October 2019
4. IT General Controls – 26 November 2019
5. Emergency Management – 5 August 2020

The 2020/21 Internal Audit Plan was endorsed by Council in October 2020 and includes the following internal audits:

- Record Management
- Workforce working from home
- Management of Contractors and Volunteers
- Procurement
- Community Consultation

The Record Management Internal Audit was completed in December 2020 and the report is included in this agenda. The Workforce working from home audit is currently in progress.

The last Internal Audit Status Update report was presented to the City Audit Committee in March 2020. Hence all information referenced in this report relates to the period following this meeting to February 2021.

DETAILS OF PROPOSAL

Internal Audit Action Status Update

A register has been established which enables the monitoring of the progress of the agreed actions which address the auditors recommendations. Progress updates have been provided from management which include:

- Revised status of the action
- Proposal of revised completion dates (if appropriate)
- Comments on the implementation of the actions.

The confidential attachments includes an overview of the status of the actions and a summary of the outstanding actions and actions that have been completed since the previous internal audit status update report presented to the City Audit Committee in March 2020. Actions previously reported as completed are not included in the summary report.

The requirements of the City's response to the COVID-19 pandemic and the workload resulting from the City's Planning and Performance Improvement Program have resulted in a re-prioritisation of staff resources. As a result the completion dates for some of the internal audit actions have been revised and extended.

Internal Audit Activities undertaken during the period March 2020 to February 2021

1. The 2020 Internal Audit Plan adopted by Council in March 2020 was revised and amended to cover the financial year period of 2020/21.
2. The end date of the contract for the City's Internal Auditor, Crowe Australasia was extended from the end of February 2021 to 30 June 2021 to enable the financial year internal audit plan to be completed.
3. The Records Management Internal Audit was completed.
4. The Workforce Health and Safety – Working from Home internal audit has commenced.

Internal Audit Activities Planned for March 2021 to June 2021

1. Completion of the following internal audits:
 - a. Workforce Health and Safety – Working From Home
 - b. Procurement review in Property Services
 - c. Contractors and Volunteers
 - d. Community Engagement
2. Undertake a request for quote for internal audit services to complete the community engagement internal audit
3. Undertaken a request for tender for internal audit services commencing 1 July 2021
4. Prepare an Internal Audit Plan for 2021/22

CONCLUSION

The status of the agreed actions to address the recommendations from the City's first five internal audits has been reviewed and updated. Completion dates for some actions have been revised and extended due to the re-prioritisation of staff resources as a result of the COVID-19 pandemic.

ATTACHMENTS

1. Internal Audit Status Report Overview - March 2021 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*
2. Internal Audit Actions Completed since March 2020 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*
3. Internal Audit Action Actions Outstanding Update – March 2021 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

Committee Discussion

Committee discussed that typically management responses to many audits in the public and private sector set unrealistic timeframes for completion of required actions. Careful attention should be given when determining achievable dates for completion when responding to audit recommendations.

The CEO advised that timeframes for completion of actions when determined in isolation are realistic, however the accumulation of completed audits and resulting volume of actions has a compounding effect that is often not taken into consideration.

Committee requested that the Internal Audit Action status include a completion percentage indicator.

RECOMMEND

CA3/3/21

That Council accepts the Biannual Internal Audit Status update

**Moved Mr S Linden
MOTION CARRIED**

(5/0)

1.4 - EXTERNAL AUDIT ACTION STATUS UPDATE - MARCH 2021

WARD : ALL
FILE No. : M/88/21
DATE : 8 February 2021
REF : FW
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- The status of the agreed actions to address the recommendations from External Audit reports have been reviewed and updated.
- Recommend that Council accept the biannual external audit actions status update.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.1.2 – Make decisions that are sound, transparent and strategic

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

1. All Council staff subject to Annual Financial Audit, General Computer Controls Audit and Financial Management Systems review audit
2. Executive Leadership Team

BACKGROUND

Every year the City's (External) Auditor presents an interim report for the Annual Financial Audit to the City Audit Committee which includes matters raised by the Auditor together with Management's responses to those matters. In March 2020, a review of the implementation of recommendations from the past 5 years was conducted and an update on the status of the outstanding actions provided to the City Audit Committee. The outcome of this review indicated that the majority of items were considered complete with only 3 remaining in progress. These three related to annual leave accruals, sundry debtor provision for doubtful debts and missing pricing on purchase orders. These topics have also been captured in the most recent audits and hence have not been duplicated in the action status update report.

The draft 2020 Interim Audit Report for the 2020 Annual Financial Audit was presented to the City Audit Committee in August 2020. Following some amendments, the final report was received from the Office of the Auditor General (OAG) on 2 September 2020 and distributed via memo to City Audit Committee members.

The General Computer Controls audit was undertaken during September and October 2020 by the OAG as part of the Annual Financial Audit. This audit resulted in a number of recommendations and agreed actions by the City, updates of which have been included in the external audit status update report.

In accordance with the *Local Government (Financial Management) Regulations 1996*, the CEO is required to 'undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews'. This triennial audit was undertaken during June and July 2020 and resulted in a number of recommendations and resulting agreed actions by the City, updates of which have been included in the external audit status update report.

DETAILS OF PROPOSAL

A register has been established which enables the monitoring of the progress of the agreed actions which address the auditors recommendations. Progress updates have been provided from management which include:

- Revised status of the action
- Proposal of revised completion dates (if appropriate)
- Comments on the implementation of the actions.

The confidential attachments include:

- An overview of the current status of the actions
- Details of the outstanding actions
- Details of the actions that have been completed.

CONCLUSION

The status of the agreed actions to address the recommendations from the City's annual financial audit, general computer controls audit and financial management systems review have been reviewed and updated.

ATTACHMENTS

1. External Audit Action Status Report Overview - March 2021 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*
2. External Audit Actions Completed – Update March 2021 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*
3. External Audit Outstanding Actions Status Update – March 2021 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

RECOMMEND

CA4/3/21

That Council note the external audit status update report for March 2021.

**Moved Cr G J Smith
MOTION CARRIED**

(5/0)

1.5 - WORKING WITH CHILDREN CHECKS MANAGING COMPLIANCE - REVIEW

WARD : ALL
FILE No. : M/89/21
DATE : 8 February 2021
REF : FW
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- The City has undertaken a review of its system and processes for managing the compliance requirements of the *Working with Children (Criminal Record Checking) Act 2004* in accordance with the recommendations from the Office of the Auditor General's 2020 performance audit in this area. A number of opportunities for improvement were identified and implemented
- Recommend that Council note the City's response to the Office of the Auditor General's Performance Audit recommendations regarding Working With Children Check compliance.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.2.2 – Implement business plans and practices that improve service delivery

Legal Implications

Working with Children (Criminal Record Checking) Act 2004

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

1. Manager Human Resources
2. Manager Community Development
3. Executive Leadership Team

BACKGROUND

In July 2020, the Office of the Auditor General (OAG) released an audit report on “Working with Children Checks – Managing Compliance” (see attached).

The audit reviewed how WA Health, the Department of Justice and the Department of Education manage their obligations under the *Working with Children (Criminal Record Checking) Act 2004*. The objective of the act is to:

“provide for procedures for checking the criminal record of people who carry out, or propose to carry out child-related work and prohibit people who have been charged with or convicted of certain offence from carrying out child related work”.

The Working with Children Check (WVC) is a compulsory screening program which requires anyone who intends to work with children (which includes employees, contractors and volunteers) to apply for a Card through the Department of Communities who assess each application and either issue a card or decline an application. Cards expire after 3 years and individuals must apply to renew their card before it expires to keep working with children.

DETAILS OF PROPOSAL

The OAG report recommended that to ensure entities are managing their working with children obligations they should:

1. Review their policies and procedures and communicate these to staff
2. Ensure their Card records:
 - a. identify all positions that require a Card and ensure that all individuals in those positions have a Card
 - b. capture sufficient information to track and monitor the Card status of all individuals, including Card number, surname, expiry date and where necessary, date of birth.
 - c. are complete and accurate
3. Ensure all Cards are valid by:
 - a. checking the Cards of all individuals against the Department of Communities database, before they start working with children
 - b. registering new employees with Department of Communities
 - c. re-checking all Cards, at least once per year
4. Monitor how they manage Card obligations through regular, detailed reporting on entity compliance to executive.

ANALYSIS

City staff have reviewed the report recommendations against the City's system for managing these requirements and identified where improvements could be made. Sixteen (16) opportunities for improvement were identified, fifteen (15) of which have been implemented. The remaining action to be implemented is a biannual review of the City's WWC register which is not yet due for review.

The City's review and response to the OAG Working with Children Check – Managing Compliance Audit is attached.

CONCLUSION

The City has undertaken a review of its system and processes for managing the compliance requirements of the *Working with Children (Criminal Record Checking) Act 2004* in accordance with the recommendations from the Office of the Auditor General's 2020 performance audit in this area. A number of opportunities for improvement were identified and implemented.

ATTACHMENTS

1. OAG Performance Report_Working-with-Children-Checks - Managing-Compliance
2. OAG Performance Audit - Working with Children Checks - CoA Response - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

Committee Discussion

Committee requested the Working With Children Checks attachment be amended to only use responsible officer titles.

RECOMMEND

CA5/3/21

That Council note the City's response to the Office of the Auditor General's Performance Audit recommendations regarding Working with Children Check compliance.

**Moved Cr R Butterfield
MOTION CARRIED**

(5/0)

8.45pm *Mrs N Smith left the meeting*

1.7 - STRATEGIC RISK ASSESSMENT - MARCH 2021

WARD : ALL
FILE No. : M/91/21
DATE : 8 February 2021
REF : FW
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- Two strategic risks, one relating to data security and the other to an infectious disease outbreak have been assessed. Seven strategic risks from the City's strategic risk register have now been assessed. It is the intention of management to present a number of assessed strategic risks at each City Audit Committee meeting until all thirty two risks have been assessed.
- Recommend that Council note the assessment of strategic risks 19 and 24.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.1.2 – Make decisions that are sound, transparent and strategic

Legal Implications

Local Government (Audit) Regulations 1996 – Regulation 17

Council Policy/Local Law Implications

ADM 25 – Risk Management Policy
City of Armadale Risk Management Framework

Budget/Financial Implications

The assessment of strategic risks is being completed in house

Consultation

1. Manager Information and Communication Technology
2. Coordinator IT Infrastructure
3. Coordinator Business Systems
4. Business Improvement Coordinator
5. Executive Leadership Team

BACKGROUND

The City's Risk Management Policy and Framework were adopted by Council in August 2019. Subsequent to this, the identification of strategic risks was facilitated through a workshop with the Executive.

At the October 2019 meeting, the City Audit Committee were advised that the assessment of strategic risks would be divided into two parts, firstly identification and subsequently analysis and evaluation. At this same meeting a list of strategic risks identified by the Executive was submitted to seek feedback on the list prior to the commencement of the analysis and evaluation processes.

The Strategic Risk Register contains thirty two (32) strategic risks. Five risks including four relating to the natural environment and one relating to reputation were assessed and presented to the City Audit Committee in October 2020

DETAILS OF PROPOSAL

The Executive Leadership Team are progressively working through the list of identified strategic risks and are following a process which aligns with the international standard for risk management ISO31000:2018 and involves:

1. Ensuring the description of the risk, including the causes and impacts is comprehensive and appropriate
2. Determining the inherent risk rating by considering the consequence and likelihood prior to the consideration of mitigating controls.
3. Determining the controls that the City has in place to mitigate each risk, including an assessment of the control effectiveness and assignment of control owners.
4. After taking into consideration the strength of the controls in place, determining the residual risk rating and comparing this to the City's risk appetite to determine the accuracy of the assessment and the requirement for further treatment.
5. Identification of treatments required to further mitigate the risk and/or opportunities for improvement.

Two risks have been assessed. One risk relates to data security, the assessment of which was an agreed action from the General Computer Controls Audit by the Office of the Auditor General in late 2020. The other risk relates to an outbreak of an infectious disease, and the assessed risk is a summary of the City's Pandemic Risk Register. The attached Strategic Risk Register includes the assessment of the two strategic risks mentioned. The full strategic risk register is provided as a separate attachment.

The City's Strategic Risk Register includes 32 risks and it is the intention of management to present a number of strategic risks to each City Audit Committee. The risks with a high residual risk rating have not been accepted by the Executive and further treatments have been proposed to increase the strength of the controls and further mitigate the risk. In addition, risks with a residual high risk rating will require biannual reporting to the City Audit Committee. All of the treatments listed for these risks are able to be implemented using existing resources or have been included in the 2020/21 budget or submitted as a proposal in the four year budget process.

CONCLUSION

Two strategic risks relating to data security and an infectious disease outbreak have been assessed. It is the intention of management to present a number of assessed strategic risks at each City Audit Committee meeting until all thirty two risks have been assessed. Twenty five strategic risks are still to be assessed.

ATTACHMENTS

1. Strategic Risk Listing Feb '21 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*
2. Strategic Risks - Pandemic and Data Security - *This matter is considered to be confidential under Section 5.23(2) (f ii) of the Local Government Act, as it deals with the matter, if disclosed, could be reasonably expected to endanger the security of the City of Armadale's property*

RECOMMEND

CA7/3/21

That Council note the assessment of strategic risks 19 and 24.

**Moved Cr J H Munn
MOTION CARRIED**

(5/0)

1.8 - 2020 COMPLIANCE AUDIT RETURN

WARD : ALL
FILE No. : M/143/21
DATE : 24 February 2021
REF : DB/NP
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- Council is requested to consider and adopt the 2020 Compliance Audit Return covering the period 1 January 2020 to 31 December 2020 as presented, noting that there were nine instances of non-compliance out of 102 questions.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.1.3 Support the role of the elected body

Legal Implications

Local Government Act 1995

Section 7.13(1)(i) – Regulations as to audits

Local Government (Audit) Regulations 1996

Regulation 13 – prescribed statutory requirements for which compliance audit needed.

Regulation 14 – compliance audits by local governments.

Regulation 15 – compliance audit return, certified copy of etc. to be given to Department CEO.

Regulation 16 – Functions of audit committee

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

1. Executive Leadership Team (ELT)
2. Key Stakeholders as identified by ELT

BACKGROUND

The *Local Government (Audit) Regulations 1996* require every local government to carry out a Compliance Audit for the period 1 January to 31 December each year and to complete a Compliance Audit Return (CAR) as produced by the Department of Local Government.

The CAR is to be:

- Reviewed by the Audit Committee;
- Presented to Council at a meeting of the Council;
- Adopted by the Council; and
- Recorded in the minutes of the council meeting at which it is adopted.

After the CAR has been presented to and adopted by Council, a certified copy is to be signed by the Mayor and CEO for lodgement with the Department by 31 March 2021 together with the relevant section of the council minutes and any additional information explaining or qualifying the compliance audit.

COMMENT

The CAR is one of the tools available to Council in its governance monitoring role and also forms part of the Department of Local Government's monitoring program.

The 2020 CAR once again places emphasis on the need for Council to be aware and acknowledge instances of non-compliance or where full compliance has not been achieved.

In addition, the CAR also requires (where applicable) Council to endorse details of remedial action taken or proposed to prevent future like occurrences.

ANALYSIS

In 2019, the City's internal auditor undertook a high level review of the processes used by the City in the preparation of CARs for previous reporting years. This review identified scope for improvement in terms of the level of education and support provided to staff to assist them to meet their obligations, the quality of the information being recorded, and the City's Governance function having a more detailed involvement in compliance audit objectives.

The process used for the 2020 CAR was closely modeled on that used for the previous reporting year with some improvements with the messaging to staff in respect of the CAR requirements being simplified compared to the previous reporting year, and commenced earlier to ensure staff were aware of the impending audit requirement. One on-one support was offered (and provided) by Governance staff that was tailored to meet the needs of individual stakeholders to ensure the CAR requirements were met and the information provided was sufficient.

The content of the CAR and wording of the questions was again altered by the Department of Local Government for the 2020 reporting year with some reversions in respect of Integrated Planning and Reporting and new requirements to account for recent amendments to the Act and Regulations. In all, there are 102 questions with 10 of those being optional. The following areas of activity are covered:

1. Commercial Enterprises by Local Governments (5 questions);
2. Delegation of Power / Duty (13 questions);
3. Disclosure of Interest (21 questions);
4. Disposal of Property (2 questions);
5. Elections (Gift Register) (3 questions);
6. Finance (11 questions);
7. Integrated Planning and Reporting (3 questions);
8. Local Government Employees (6 questions);
9. Official Conduct (4 questions);
10. Tenders for providing Goods and Services (24 questions).
11. Optional Questions (10 questions)

A total of 98 Officers across all directorates were identified as Key Stakeholders and were required to respond to all questions relative to their role or functions. All responses were returned to the City’s Governance service, collated and then forwarded to the CEO and respective Executive Directors for verification.

A final consolidated return was presented to ELT and approved on 2 March 2020. From the 102 questions, the CAR process identified nine questions where a non-compliance was recorded, with three of these questions being from the optional questions. Details of these are outlined in the following table.

Question	Response	Response
Disclosure of Interest		
<i>Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?</i>	No	A designated employee did not complete their annual return by the due date. The employee was on extended leave at the time. This matter has been reported in accordance with legislative requirements.
<i>When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?</i>	No	Some hard copy returns were not removed from physical files due to office inaccessibility during the COVID-19 lockdown period.

Delegation of Power / Duty		
<i>Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?</i>	No	The City is currently undertaking a full review of its delegations in conjunction with its policies. A systematic approach has been adopted. In phase one every delegation and policy is presented to Council via the City's SOHAG committee. Phase two will focus on the systematic recording of delegations.
Tendering for Providing Goods and Services		
<i>Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?</i>	No	The City conducted proactively, a number of audits during the year, including the Financial Management Review audit, Internal Audits on Contracts and Procurement risks and controls and the interim/annual financial audit. Instances were identified during the reporting period of non-compliance with the City's Purchasing Policy. These incidents were reported to the Audit Committee, including further controls measures developed and management responsibility assigned. Supplementary information (to the CAR) regarding the Audit Findings and Management responses, presented to the Audit Committee are available in the Audit Committee minutes for 8 December 2020, 1 October 2020, 5 August 2020 and 10 March 2020.
<i>Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?</i>	No	Due to COVID 19 Restrictions resulting in the closure of the main administration building to the General Public for a period of the year, not all Tenders openings were available for public attendance. The City did provide the information regarding the details of the tenders to the General Public that requested it via an email request to procurement@armadale.wa.gov.au All tenders we kept securely and remained confidential until the closing deadline had passed either via the locked Tender Box in the main administration building or following the COVID 19 building closure via the online system Vendor Panel.
<i>Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?</i>	No	The information recorded in the tender register complies with the requirements of F&G Reg 17. Prior to COVID 19 Restrictions the Tender Register was publically available via a lever arch folder kept in the Procurement Area. During the COVID 19 building closure the Tender Register was available electronically if requested by a member of the general public via the Procurement email address.

Optional questions		
<i>Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?</i>	No	A draft policy has been prepared, however further review is required before presentation to Council in early 2021.
<i>Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?</i>	No	No policy to publish.
<i>Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?</i>	No	A draft policy has been prepared, however further review is required before presentation to Council in early 2021.

The disruption during COVID-19 lockdowns and the inability of staff and the public to attend the administration centre did influence the City's ability to entirely meet its obligations for the reporting period. The non-compliance with the review of delegations is a result of the thorough consideration of every authority and associated policy that is currently in place that is being systematically progressed through SOHAG and then to Council.

The matters relating to purchasing have been identified and reported through the City's system of internal and external audit and the implementation of the agreed management actions to address this will be reported back to the Audit Committee.

CONCLUSION

It is recommended that 2020 Compliance Audit Return as presented as an Attachment to this Report, be approved by Council.

ATTACHMENTS

1. 2020 Compliance Audit Return - City of Armadale

RECOMMEND

CA8/3/21

That Council:

1. **Adopts the Compliance Audit Return (CAR) for the 2020 calendar year presented as an attachment;**
2. **Acknowledges that the 2020 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.**

Moved Cr J H Munn

MOTION CARRIED

(5/0)

OAG UPDATE

The Director – Financial Audit, Subha Gunalan provided a verbal update from the OAG on the following:

- City of Armadale Financial Audit
- Information System Audit

MEMBERS' ITEMS

Nil

The Chair provided an update of her attendance at a Forum for Chairs of Audit Committee's in State and Local Government held by the OAG. The Chair suggested that it would be helpful for either the OAG or WALGA to have an Audit Chair forum or network specifically targeted at Local Government Audit Committee to examine industry trends, demands and expectations of Councillors on Audit committee and consider relevant training opportunities.

MEETING DECLARED CLOSED AT 9.04PM

CITY AUDIT COMMITTEE SUMMARY OF ATTACHMENTS 9 MARCH 2021		
ATT NO.	SUBJECT	
1.1 REGULATION OF CONSUMER FOOD SAFETY BY LOCAL GOVERNMENTS REVIEW		
1.1.1	OAG Performance Report_Regulation-of-Consumer-Food-Safety-by-Local-Government-Entities	40
1.5 WORKING WITH CHILDREN CHECKS MANAGING COMPLIANCE - REVIEW		
1.5.1	OAG Performance Report_Working-with-Children-Checks - Managing-Compliance	
1.8 2020 COMPLIANCE AUDIT RETURN		
1.8.1	2020 Compliance Audit Return - City of Armadale	

The above attachments can be accessed from the Minutes of the City Audit Committee meeting of 9 March available on the City's website

CITY OF ARMADALE

MINUTES

OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE FUNCTION ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 15
MARCH 2021 AT 7.00PM.

PRESENT:	Cr D M Shaw	(Chair)
	Cr C M Wielinga	(Deputy Chair)
	Cr R Butterfield	
	Cr J Munn CMC	
	Cr M S Northcott	
	Cr G J Smith	
APOLOGIES:	Cr C Frost	
OBSERVERS:	Nil	
IN ATTENDANCE:	Ms J Abbiss	Chief Executive Officer
	Mr P Sanders	Executive Director Development Services
	Mr J Lyon	Executive Director Corporate Services
	Mr G Windass	A/Executive Manager Development Services
	Mr G Dine	Health Services Manager (<i>via Teams</i>)
	Mr M O'Shea	A/Building Services Manager
	Mrs N Cranfield	Executive Assistant Development Services
PUBLIC:	2	

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Development Services Committee Meeting held on 15 February 2021 be confirmed.

**Moved Cr J H Munn
MOTION CARRIED**

(6/0)

ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 4 - FEB 2021

Outstanding Matters & Information Items

Report on Outstanding Matters - Development Services Committee
Review before the State Administrative Tribunal (SAT)
Design Review Panel Meetings 2021

Health

Health Services Manager's Report - February 2021

Planning

Planning Applications Report - February 2021
Town Planning Scheme No.4 - Amendment Action Table
Subdivision Applications - WAPC Approvals/Refusals - February 2021
Subdivision Applications - Report on Lots Registered for 2020/2021
Compliance Officer's Report - February 2021

Building

Building Services Manager's Report - February 2021
Building Health/Compliance Officer's Report - February 2021

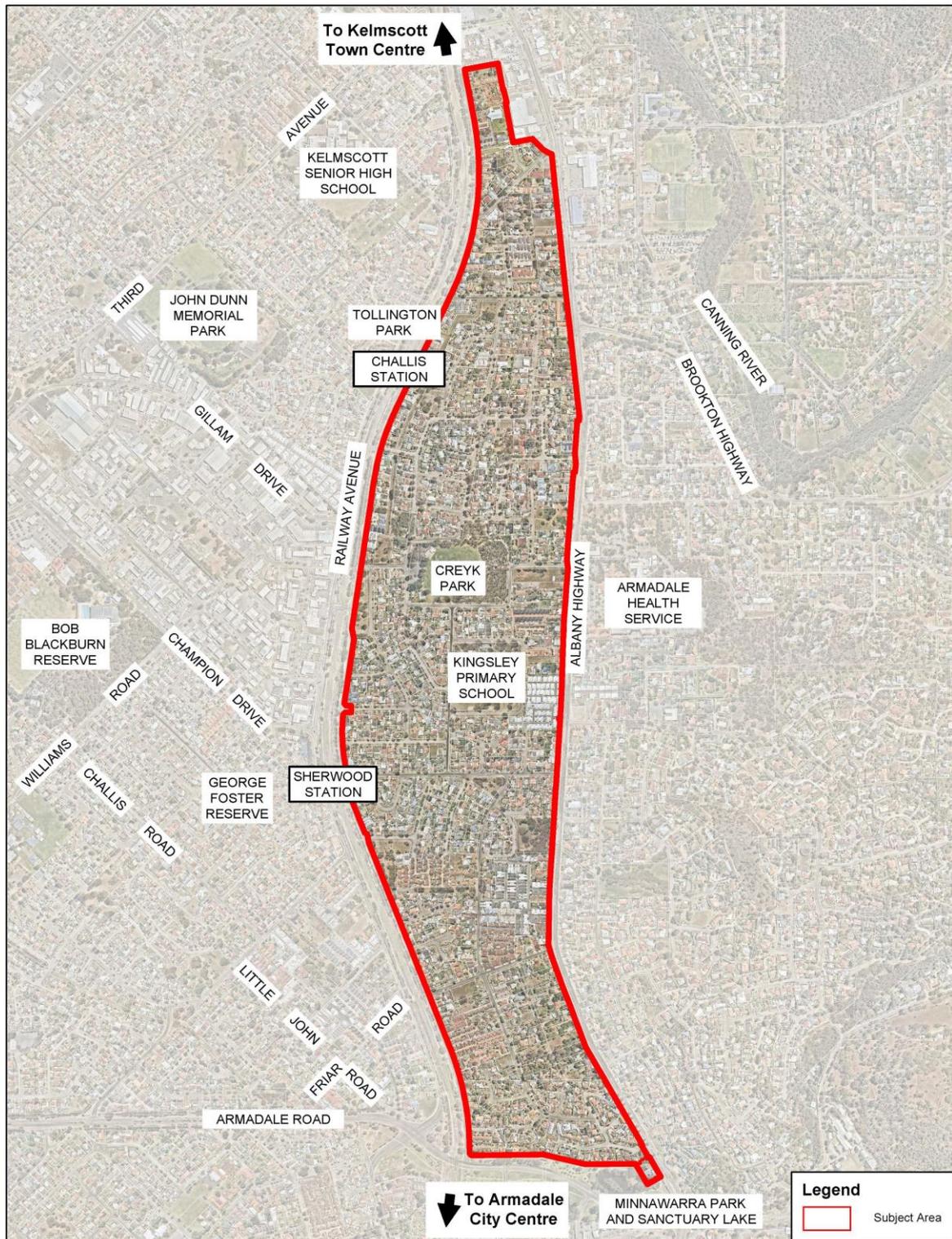
Committee noted the information and no further items were raised for discussion and/or further report purposes.

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DEVELOPMENT SERVICES COMMITTEE

15 MARCH 2021

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Location Plan
Amendment No.89



SCALE 1 : 14000

DATE 31 October 2019 - REVISION 1901
p:\autocad\agenda_drawings\2019\12.december\amendment_no_89_colin_connor\amendment_89.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. Photoscans by NetScapes.



1.1 - FINAL ADOPTION - AMENDMENT 89 - TPS NO.4 - HOUSING DENSITY CODE MODIFICATIONS EAST OF CHALLIS AND SHERWOOD TRAIN STATIONS

WARD : Minnowarra & River
FILE No. : - M/401/20
DATE : 11 March 2021
REF : CC
RESPONSIBLE MANAGER : EDDS
APPLICANT : City of Armadale
LANDOWNER : various
SUBJECT LAND : Refer to Locality Map
ZONING MRS / : Urban
TPS No.4 : Residential

In Brief:

- At its 16 December 2019 meeting, Council initiated Amendment No.89 to modify the R-Codes in the residential area east of the Armadale train line adjacent to Challis and Sherwood train stations.
- Several other minor site specific re-zonings were also included in the Amendment.
- In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* the Amendment was advertised for 42 days with this period extended to 85 days. A total of 175 submissions were received.
- Concerns raised regarding the proposed R-Code modifications are recommended to be addressed by a modification to the City's Town Planning Scheme No.4 Text to:
 - retain R40 development potential in the Amendment area without the need to achieve the minimum development site area (1400m²) and frontage (25 metres) requirements in the Scheme text; and
 - retain the base R25 code in R25/40 areas.
- Council is required to consider the submissions received during the public comment period.
- Recommend that Council adopt Amendment No.89 with modification and request that the Hon. Minister for Transport and Planning grant final approval to the amendment.

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 Long term planning and development that is guided by a balance between economic, social and environmental objectives.
- 2.1.1 Review, update and implement the City’s Town Planning Scheme, taking into account the Local Biodiversity Strategy and other environmental considerations.

Legal Implications

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Town Planning Scheme No.4 (TPS No.4)

Council Policy/Local Law Implications

Local Planning Strategy 2016

Local Planning Policy PLN 3.1 Density Development

Budget/Financial Implications

Nil.

Consultation

- Development Control Unit.
- The Environmental Protection Authority (EPA) advised that the Amendment did not warrant an environmental assessment.
- The Western Australian Planning Commission (WAPC) consent to advertise the Amendment was not required.
- The Amendment was advertised for public comment for 85 days (42 days is normally required).

BACKGROUND

Council at its meeting in December 2019 resolved to initiate Amendment No.89 to TPS No.4 to modify the Residential Density Codes in the Residential zones east of Sherwood and Challis train stations and near Armadale and Kelmscott Activity Centres from R15/40 and R25/40 to R15/60. This proposal is referred to as Proposal A – Density Code Modifications (Proposal A) in this report and the TPS No.4 Amendment.

Proposal A generally implements the following Housing Strategy Actions (HSA) of the City’s Local Planning Strategy (LPS):

- HSA 1 *“Increase density potential around the main centres (particularly the Strategic Metropolitan Centre) to R60 and R80 or higher subject to design requirements.”*
- HSA 3 *“In R40 areas and areas with an upper split code of R40, permit access to R60 density codes for lots with a minimum lot size of 2000sqm and frontage of 25m.”*
- HSA 6 *“Amend the Scheme to provide Scheme clauses to give greater incentive to develop specific housing types, such as maisonettes and one and two bedroomed dwellings in residential zones.” Refer to Attachments for LPS - Housing Strategy Map.*

Several other minor site specific re-zonings are also proposed in the Amendment referred to as Proposals B to E in the “Details of Proposal” section of this report below. *Refer to Attachment for Location & Proposal Plan A to E.*

Since adoption of Amendment No.89 in December 2019 there have been two changes in the planning frameworks relevant to the City’s consideration of Amendment No.89 for final adoption. These are finalisation of Amendment No. 100 to TPS No.4 and the release of the *Draft State Planning Policy 7.3 Residential Design Codes Volume 1 – Low and Medium Density (draft Medium Density Policy)* which are discussed below.

Amendment No. 100 - Implications

Amendment No.100 which was finalised in June 2020 was the first Amendment to implement the LPS Housing Strategy Actions (above) by changing the TPS No.4 R-Codes in the Residential area west of the Kelmscott Activity Centre from R15/40 and R25/40 to R15/60 and R25/60. Amendment No.100 also added Scheme text provisions (development requirements) applicable to housing proposals up to the higher R60 code and R80 density bonus. One of the Scheme text clauses introduced by Amendment No.100 requires housing development up to the higher R60 code to have a minimum development site area of 1400m² and frontage of 25 metres.

When Council adopted Amendment No.100 for final approval in June 2019, it resolved to delete the proposed Scheme text requirement for development up to R60 to have a minimum development site area of 1400m² and frontage of 25 metres, however the Western Australian Planning Commission (WAPC) and Minister for Transport and Planning (Minister) reintroduced these requirement as a modification to the Amendment required before final approval. As a consequence, these two requirements are now in the Scheme Text and would also apply to the Amendment No.89 area if Proposal A is finalised as proposed.

A further modification required by the WAPC and Minister to Amendment No.100 was that the base code in areas coded R25/60 not be reduced to R15 as had been proposed in the advertised Amendment No.100. It is expected that a similar decision on the base code for Amendment No.89 is likely. Amendment No.89 should therefore be modified to be consistent with the changes required by the WAPC and Minister in regard to Amendment No.100.

Draft State Planning Policy 7.3 Residential Design Codes Volume 1 – Low and Medium Density (draft Medium Density Policy) – Implications

The draft Medium Density Policy released in November 2020 for public comment (until April 2021) will also have implications to Proposal A of Amendment No.89.

The draft Medium Density Policy seeks to improve the quality of medium density housing (R30-R100) and provide greater housing diversity for varied lifestyles by requiring:

- more garden areas with trees;
- better solar access and ventilation;
- flexible, functional living spaces;
- safe, attractive streetscapes; and,
- more space for people and less cars.

The draft Medium Density Policy, like Proposal A, seeks to address the same concerns the City has regarding the standard and amenity of medium density housing that has occurred in residential areas to date. The City has been advocating for many years for the WAPC to improve the Policy framework especially for grouped dwellings.

Over the past 30 years tightly packed villa style developments i.e. small scale triplex developments, have dominated infill with less than satisfactory outcomes in terms of amenity for the homeowners and to the broader community. The WAPC estimates that the monetary cost to the broader community for each of these types of infill dwellings is as follows:

Impact	Cost \$
increase stormwater runoff	4,400
loss of garden area	5,800
loss of tree	7,300
active heating & cooling	7,300
urban heat island effect	600
embodied energy	8,000
social isolation	1,500
Total	\$29,200

The WAPC’s new Medium Density Policy will assist in addressing these issues (and costs) and includes higher density incentives for sites and developments that meet particular criteria. It is anticipated the new Medium Density Policy’s open space and tree canopy requirements will promote development above single storey.

Given that the new Medium Density Policy would improve medium density development outcomes for small scale as well as large scale housing developments, provision should be made in the Amendment No.89 and No.100 areas for additional density up to R40 over the base R15 and R25 codes. This is to occur whilst also maintaining or incentivising larger scale developments up to R60 through the current Scheme minimum 1400m² development site area and 25 metres frontage requirements now contained in TPS No.4 as a result of Amendment No.100. Over time the City will be able to gauge the effectiveness of the Medium Density Policy, Scheme R-Codes and other development requirements in improving development outcomes over a range of housing densities and consider adjustments as necessary.

Modifications to Amendment No.89 are considered appropriate to address the new Medium Density Policy. It is noted that the Medium Density Policy is being advertised with these improvements and it is possible the WAPC may not be adopted them in the final policy version. Accordingly, the City will be lodging a submission advocating for the WAPC to adopt positive improvements proposed for medium density grouped dwelling developments.

DETAILS OF PROPOSAL

This report proposes the final adoption of Amendment No.89 with modifications to address the above mentioned planning frameworks and issues and concerns raised in submissions where appropriate. The Amendment includes five proposals (A to E).

Proposal A – Density Code Modifications

Proposal A is to modify the Residential zone density codes from R15/40 and R25/40 to R15/60 within the Amendment area to implement the LPS Housing Strategy. As discussed above, it is considered that two modifications should be made to Amendment No.89. The first to address the WAPC and Minister’s decision on Amendment No.100 to retain the base R25 density code in the R25/40 area and the second to provide for development potential up to R40 in the Amendment area without the requirements to achieve the minimum 1400m² development site area and 25 metres frontage requirements.

Proposal B – Deletion of Special Use zone No.2 area

Proposal B is to delete Special Use Zone No.2 area from Schedule 4 of the Scheme Text and Map. This Special Use Zone was introduced into the Scheme under Amendment No.52 in 2010 to guide development of a 2.5 hectares site for R60 development and specific design criteria i.e. landscaping, two storey development etc. As the subject site is now fully developed with grouped dwellings, the Special Use Zone is no longer required and should be deleted from TPS No.4.

Proposal C – Reclassification of Reserve from Park and Recreation (local) to Public Purpose (local)

Proposal C is to reclassify Lot 3568 Pearson Street, Kelmscott (Reserve 28741) from Parks and Recreation (local) to Public Purpose (local) reserve on the Scheme Map. This lot is a fenced off drainage reserve vested with the Water Corporation and forms part of the district drainage network in the locality. The reclassification will formalise the reserve’s current and ongoing use on the Scheme Map.

Proposal D – Removal of Residential zone from Pedestrian Access Ways (PAW), Rights of Way (ROW) and Road Widening

Proposal D removes the Residential zone on the Scheme Map from the following Pedestrian Access Ways (PAW), Rights of Way (ROW) and road widening:

- PAW - Lot 55 Lilian Avenue and Lot 4787 Serls Street, Armadale;
- ROW - Lot 805 Flinn Avenue, Kelmscott and Lots 5085 and 69 Owtram Road, Armadale; and
- Road widenings of Rogers Lane, Armadale that have already occurred.

The above parcels of land were created for access i.e. as roads etc, and are therefore no longer required to be zoned Residential in TPS no.4.

Proposal E – Local Centre zone

Proposal E is to rezone Lot 10 (No.3249) Albany Highway, Armadale from Residential to Local Centre zone and delete Additional Use No.27 area, which covers the site from the Scheme Text and Map. Lot 10 has a long history of use as a service station and the proposed Local Centre zone will formalise this use in TPS No.4.

Refer to Attachments for proposed Scheme Amendment Map

COMMENT

Public Advertising of the Amendment

The proposed Amendment was advertised for an extended 85 days period (normally 42 days) that closed on 18 May 2020. Advertising included letters to affected landowners, a notice in the “Examiner” newspaper, a notice (including downloadable documents) on the City’s “Out for Comment” web page and letters to relevant Government agencies and service (utility) providers.

Total No. of submissions received	:	175
No. of submissions of conditional support/no objection	:	62
No. of submissions of objection	:	101
No. of submissions comment only	:	12

The above submission numbers relate to Proposal A. In respect to the Proposals B to E, one submission of support without reasons/comments was received for Proposals B to E and two submissions of objection were received in relation to Proposals C and D discussed further below in the report.

The issues raised by the submissions have been summarised and recommendation made on each submission in the Attachment “Schedule of Submissions”.

Advertising Process

A number of submissions raised concerns that the consultation letter sent to landowners did not explain that a minimum 1400m² lot area 25 metres lot frontage would apply to development up to the higher R60 code if the proposed R15/60 density code were approved. As discussed, these requirements were introduced into TPS No.4 under a separate Amendment No.100, which was finalised on 6 June 2020 and which was amended by the WAPC and Minister after Council’s final approval.

In response to this concern, consultation letters generally provide a brief overview of a planning/development proposal with directions to the City’s “Out for Comment” web page where further details and documents on the proposal can be downloaded by the community. The information regarding the minimum lot area and frontage requirements for R60 development potential and full details of other development requirements introduced into TPS No.4 by Amendment No.100 were provided on the “Out for Comment” web page and discussed further in a Frequently Asked Questions (FAQ) for Amendment No.89.

More recently the City has made available on its website an Information Sheet – “*Writing Submissions on Planning and Development Proposals*” to assist members of the public make effective submissions.

Proposal A – Density Code Modifications - Public Submissions

The 62 submissions of support for Proposal A – Density Code Modifications from R15/40 and R25/40 to R15/60 included the following main comments:

- *agree with increasing housing stock and diversity close to train stations and Armadale and Kelmscott commercial centres;*
- *infill development is preferable to, or would stop urban sprawl;*
- *housing would become cheaper;*
- *development/increase in density would provide for the needs of community/future generations;*
- *development/increased density would improve livelihood/vibrancy of the area;*
- *increased density must be supported by good building design and/or additional community services;*
- *replace old housing and/or unwanted big blocks with new development; and*
- *small lots are not suitable for infill; not enough room left for green space.*

Key Issues

The 101 submissions of objection raised the following key issues.

Issue 1 – property devaluation concerns (due to loss of subdivision/development potential)

Comment

Land use planning is primarily concerned with improving the urban environment for the benefit of the community rather than impacts to individual’s property values. Property values are influenced by a range of factors such as location, land area, improvements (i.e. buildings), supply and demand and development potential. The recent economic down turn in WA and associated low rate of population growth in Perth were considered the main causes of the recent decline in property values in many Perth metropolitan suburbs, however since the COVID-19 pandemic there have been increases in property values in some suburbs and development activity has increased significantly. Long-term growth in property values will likely be linked to improvements in the economy and population growth.

Recommendation

That the issue is not supported.

Issue 2 – loss of development/subdivision potential (caused by minimum lot area & frontage requirements)

Comment

The City acknowledges that if Proposal A is finalised as proposed it would result in some lots losing their development potential for additional housing due to the minimum 1400m² development site area of and 25 metres lot frontage requirements of Clause 4.2.4(c) in TPS No.4 coming into effect for development up to the higher R60 code.

As discussed, the WAPC estimates that the monetary cost to the broader community for each typical infill group dwelling under the current R-Codes to be \$29,000. The WAPC's new Medium Density Policy, when implemented, will assist in resolving amenity issues and costs to the community associated with current infill development. In this regard, a modification to Amendment No.89 is appropriate to allow for medium density development up to R40 without the requirement to meet the current minimum development site area and lot frontage requirements in the Scheme. This would maintain current development potential.

Recommendation

That the issue is supported in part by a proposed modification to Amendment No.89 to retain R40 development potential in the Amendment area without the requirement for a minimum development site area and lot frontage, as previously discussed.

Issue 3 – housing development would stagnate and local services/infrastructure would be underutilised in the Amendment area contrary to planning frameworks/objectives

Comment

The target housing density set in the WAPC *Development Control Policy 1.6 Planning to Support Transit Use and Transit Oriented Development*, in areas within 800 metres of train stations is R25 which is already provided for under the current R-Codes of TPS No.4 for the Amendment area.

There are only 88 lots in the Amendment area that would meet the minimum 1400m² development site area and 25m frontage requirements of Clause 4.2.4(c) of TPS No.4 for development potential up to the proposed R60 Code, whereas under the current R-Codes these 88 lots and a large number of typical single residential lots may have development potential up to the current R40 code.

The retention of the R40 density code would resolve this and the current R60 density code (and R80 density bonus) provisions in TPS No.4 would promote larger scale developments i.e. apartments with potential for 1 and 2 bedroom dwellings. This will ensure housing development in the Amendment area will continue, and train and commercial services are well utilised into the long-term. It is noted that most submissions did not acknowledge the Amendment's objective to improve the quality and mix of medium density developments rather than promote more of the same type of development.

Recommendation

That the issue is supported in part by a proposed modification to Amendment No.89 to retain R40 development potential in the Amendment area without the requirement for a minimum development site area and lot frontage as required for R60 development in Clause 4.2.4(c) of TPS No.4.

Issue 4 – concerns regarding pooling properties with neighbours for R60 development potential

Comment

Whilst pooling of properties may be an added complication and financial hurdle for existing landowners and potential investors in the area, especially in the short to medium term, it can allow for an increase in dwelling yield, improvements to development outcomes and add value to properties.

In circumstances where landowners are agreeable to joint development but lack the financial resources and/or knowhow to do so, an option would be to offer their land for sale as a package to investors/developers.

Pooling of properties would not force landowners to develop and “move on” as an existing dwelling could be retained in a development or new dwellings created for the original landowner’s ongoing occupancy.

Recommendation

That the issue is not supported.

Issue 5 – concern regarding 25m frontage requirement for R60 development potential

Comment

Under the R-Codes, frontage is defined as the width of a lot at the primary street setback line so it is not possible to use a secondary street frontage to collectively make up the minimum 25 metres frontage requirement under Clause 4.2.4(c) for development potential up to R60 and the R80 density bonus. A number of lots in the Amendment area (as well as the Amendment No.100 area) comply with the minimum 1400m² development site area but lack the 25 metres frontage required under Clause 4.2.4(c). Allowing for the use of secondary street frontages (ie. corner lots) would increase the number of lots with development potential up to R60 and allow for greater design flexibility.

Recommendation

That the issue is supported. An amendment to *PLN 3.1 Density Development* (PLN 3.1) is recommended to include a clarification that the 25 metres minimum frontage requirements of Clause 4.2.4(c) for R60 and R80 density codes can comprise the sum total of a corner development site’s street frontages. It is recommended that an amendment to PLN 3.1 be undertaken as a minor change without the need to advertise when Amendment No.89 is finalised. This will be the subject of a future report to Council when Amendment No.89 is granted final approval.

Issue 6 – concerns regarding demographic change and/or social issues (anti-social behaviour/crime) due to high density in the Amendment area

Comment

The City supports diverse housing for varied household types (singles, couples and families). Proposal A would promote development of a wide variety housing types including 1 and 2 bedroom dwellings potential which may be suitable for older household types (retirees and seniors are a growing segment in the area) looking to downsize in the local area, noting that smaller housing types may also be suitable for singles and couples.

Not all lots in the Amendment area would be redeveloped for medium density so single houses and existing group dwellings with more than two bedrooms appropriate for larger household types (families) would continue in the housing mix and ensure a diverse housing/demographic for the area. These housing types can also still be developed in the Amendment area.

The Amendment also provides an opportunity for redevelopment of the older housing stock.

Generally, R-Codes are not used as a tool to directly address social issues - unemployment and anti-social/criminal behavior. The following City planning frameworks however can assist/address such issues.

- commercial and industry zones and land uses in TPS No.4 for employment generation;
- scheme provisions and policies to appropriately manage commercial/industrial development;
- Local Planning Policy *PLN 3.14 Designing Out Crime* (adopted by Council in February 2021) to discourage anti-social and criminal behavior through appropriate urban design techniques (increased street surveillance) at all levels of planning including apartment developments.

Recommendation

That the issue is not supported.

Issue 7 – concerns regarding built form and local amenity impacts of increased housing density in the Amendment area

Comment

Built form issues (building bulk and height) and local amenity issues (privacy, noise, parking and traffic) of increased density development are dealt with in the development application process. The City's TPS No.4, local planning policies, *Planning and Development (Local Planning Scheme) Regulations 2015* (deemed provisions) and R-Codes (including the new Apartment Codes (gazetted May 2019 and proposed Medium Density Policy when finalised) are considered sufficiently robust to deal with built form and amenity impacts of increased density development.

As discussed, the WAPC's new Medium Density Policy proposes new development standards including landscaping requirements requiring larger garden areas with deep soil zones for trees as well as canopy cover requirements. The new Medium Density Policy will address the City's concerns regarding R40 development that has occurred in the City to date.

In respect to upkeep of buildings and gardens of larger/higher density developments, such developments are usually managed by strata management companies, which can result in a more kempt appearance than smaller complexes i.e. triplexes that do not have central management for maintenance and gardening.

Over time the character of the Amendment area would gradually change from a predominantly single house neighbourhood to a mixed area with more grouped and multiple dwellings of 2 storeys and more, in line with the WAPC's *Development Control Policy 1.6 Planning to Support Transit Use and Transit Oriented Development, 2006 (DCP 1.6)*, and other State Government planning framework documents discussed in the "Analysis" section of this report below.

This change will inevitably result in concerns being raised by the community regarding scale, bulk, privacy and other amenity impacts which the City will address on a case-by-case basis in its assessment of development applications; noting that neighbours would be consulted where major variations to usual development standards are proposed.

Recommendation

That the issue is not supported.

Issue 8 – concerns regarding fairness/equality - doesn't treat land owners equally and favours big developers not existing landowners

Comment

R-Codes and development standards (i.e. minimum site area and frontage requirements in the Scheme) vary in Residential areas based on planning principles i.e. greater density near commercial centres and train stations so inevitably some landholdings will be bestowed more development potential than others and with different development standards applying.

Notwithstanding the above, the proposed modification to allow for development up to R40 in the Amendment area would, by default, assist in addressing these concerns regarding equity and fairness that would otherwise not be supported on land use planning grounds.

Recommendation

That the issue is not supported however, a proposed modification to Amendment No.89 to permit R40 development potential in the Amendment area without the requirement for a minimum development site area and lot frontage would address a number of the concerns.

Issue 9 – concerns regarding over development/densification concerns in the Amendment area

Comment

One and two bedroom dwellings are under-represented in the Amendment area and currently comprise only 13 percent of all dwellings (196 out of a total of 1552 dwellings). A primary objective of Proposal A is to increase the potential for 1 and 2 bedroom dwellings as well as the number of dwellings (housing stock) overall.

Proposal A, even in its current form, would not force landowners/developers to develop up to the R60 or build 1 and 2 bedroom units only. A landowner/developer could choose to build to a lower density i.e. R40 with dwellings having more than 2 bedrooms. The City's preference is for a range of housing types and sizes in the Amendment area to cater for various household sizes and socioeconomic groups in the vicinity of railway stations and Activity Centres. The proposed modification to Amendment 89 to retain for development potential up to R40 would also assist in addressing concerns regarding over densification.

Although Armadale and Kelmscott Activity Centres and train stations are the focus for higher density housing under the City's LPS, other areas including land in Kelmscott west of rail (north of Kelmscott Centre) and areas in Harrisdale/Piara Waters and Wungong have land coded for medium density development (up to R60) in their structure plans.

Approximately 37 percent of dwellings in the Amendment area are medium density dwellings built under the current R40 code, which has been in place for many years now. The City considers single storey medium density dwellings are generally well represented in the Amendment area, and the preference is now for more variety in the density of development and type of dwellings constructed.

Recommendation

That the issue is not supported.

Issue 10 - concerns regarding adequacy of infrastructure/services to accommodate future high density development in the area

Comment

The Amendment area is well serviced with the necessary infrastructure/services to accommodate increased housing density including the Armadale train service and commercial and community services in Armadale and Kelmscott Activity Centres. The Armadale Hospital is also located adjacent to the Amendment area.

The Amendment area is also well serviced with local parks, including Creyk Park and seven smaller parks distributed throughout the Amendment area and adjoins Sanctuary Lake. In total there are 12.5 hectares of local parks which represents about 9 percent of the Amendment area; noting that the State government standard for provision of public open space in new housing estate developments is 8 to 10 percent irrespective of housing density.

Maintenance and occasional refurbishment of the City's parks in the Amendment area would occur in response to an increase in usage and changes in resident's recreation needs over time. Likewise, the City's other infrastructure/services local roads (drainage), libraries, community centres, waste disposal etc, would also need to respond to increase usage from high density housing development and other influences. It is noted that infill development would not occur all at once but would develop over a number of years based on landowner's timing and market conditions.

Challis and Sherwood train stations are currently under patronised so increased housing density has potential to improve station patronage. Issues raised regarding the adequacy of formal parking bays at Challis and Sherwood train stations have been raised with the Public Transport Authority (PTA). PTA have increased parking demand at other metropolitan train stations by constructing additional parking areas within the unused railway reserve adjacent to stations.

In respect to other infrastructure/services provided by the State Government and service (utility) providers, Amendment No.89 was referred to relevant agencies and their comments and City recommendations are dealt with under heading "Proposal A - Government Agency Submissions", below.

Recommendation

The issue is noted.

Issue 11 – concerns regarding the economy/housing market outlook and/or COVID-19 impacts

Comment

Since Amendment No.89 was adopted for advertising by Council in December 2019 the economic and housing market outlook has become more uncertain due to the impacts of the COVID-19 pandemic, although the recent Federal and State Government home building financial incentives have increased sales and demand for new dwellings and home sites (lots). The amendment provides opportunities for more housing types to respond to more parts of the market.

Recommendation

That the issue is not supported.

Proposal A – Government Agency Submissions

Ten State Government agencies/utility providers lodged submissions. Nine raised no objections and/or provided comments and one - the Water Corporation objected to the Amendment's Proposal A. The following details the key submissions and comments received.

Water Corporation

The Water Corporation objects on the grounds that investigations and a development contribution scheme (DCS) is not included in the Amendment to identify and fund required upgrades to the sewer, and local or State Government drainage networks to accommodate increased flows from projected development.

Comment

Higher density development under the Amendment would occur gradually over many years which would allow sufficient lead time for Water Corporation to undertake wastewater planning, which is the Water Corporation's responsibility. The planning, funding and implementation of sewer works for existing residential areas undergoing densification is better undertaken by the Water Corporation utilising its expertise and infrastructure contribution arrangements it can levy on developments/ subdivisions, rather than a local government development contribution scheme.

Likewise, the City will have sufficient time to investigate drainage upgrade requirements for the area. The City typically implements a DCS in new urban growth areas (as opposed to established residential areas) with levies for infrastructure the City manages i.e. local parks, some higher order roads and community purpose sites. For developments taking place in existing areas the City has been requesting development contributions for road, footpath and drainage upgrades on a case-by-case basis.

Recommendation

The issue is not supported.

ATCO Gas

ATCO Gas raised no objections to the Amendment but advised of a high and a medium pressure gas main located on each side of Streich Avenue and that any change in land use within the 'trigger distance' of WAPC *draft DC4.3 – Planning for High Pressure Gas Pipelines* (DC 4.3) does not impact the safety case of the high pressure gas main. ATCO also sought confirmation that Proposal C - Reclassification of Reserve 28741 to Public Purpose (local) discussed below, would not include provision for any 'sensitive' land uses.

Comment

R-Code modifications relate to residential use only which is excluded from the sensitive land use category under draft DC 4.3. New housing developments in the Amendment area would unlikely interfere with the high pressure gas main safety case as it is on the west (railway) side of Streich Avenue just outside the Amendment area. All development proposals within the 'trigger distance' of DC 4.3 will be referred to ATCO Gas. In regard to Proposal C, it is not for the purpose of introducing sensitive land use i.e. hospitals, schools, aged care facilities, as these uses are not services provided by Reserve 28741 vesting Authority - Water Corporation.

Recommendation

The issue is noted.

Department of Fire and Emergency Service (DFES)

DFES advises that *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* (SPP 3.7) has not been applied to the Amendment and requests information pursuant to SPP 3.7 be forwarded to DFES to allow for their review and comment prior to the City’s endorsement of the Amendment.

Comment

The portion of the Amendment area identified as bushfire prone is relatively small and includes Creyk Park and adjacent land developed with housing which extends to the east over more houses to join other bushfire prone land on the east side of Albany Highway which is outside the Amendment area. Bushfire management is more appropriately managed if/when subdivision/development applications are prepared on bushfire prone land in the Amendment area.

Recommendation

The issue is not supported.

Department of Education

The Department of Education commented that Kingsley Primary School will be able to accommodate additional student demand generated by the Amendment however future upgrades to its current facilities will be required in the medium to long term. In this regard, the Department does not object to the proposed amendment.

Comment

That the comments are noted.

Department of Health (DOH)

The DOH has no objection to the proposed amendment provided that all higher density development connects to scheme water and reticulated sewerage in accordance with the Government Sewerage Policy (2019).

Comment

Noted, all medium density development would be required to connect to water and sewer.

Proposal A – Consideration/Modifications

Submissions have argued that Proposal A in its current form would likely result in a decline in new medium housing development in the Amendment area in the short to medium-term. Furthermore, Proposal A does not take into consideration the implications of the WAPC and Ministers’ decision on Amendment No. 100, and the Medium Density Policy (currently in draft) which is expected to be finalised in late 2021.

The following modifications/additions to Proposal A are therefore recommended to address the above considerations:

- areas currently R25/40 in the Amendment No.89 areas to be recoded to R25/60; and,
- introduce an additional sub-clause to Clause 4.2.4(c) of TPS No.4 to allow housing development up to R40 in areas to be coded R15/60 and R25/60 subject to the existing locational and servicing criteria in clause 4.2.4(b) and retention of street trees (note: minimum development site area 1400m² and frontage 25m would not apply to R40).
Refer to attachments for proposed Scheme Map and Text modifications.

The above modifications retain current development potential in the Amendment area; noting that R60 and R80 development continues as an incentive to pool properties for more intensive housing developments i.e. apartments with increased potential for 1 and 2 bedroom dwellings thereby implementing the City's LPS HSA. The new Medium Density Policy, when finalised latter this year, will ensure improved development outcomes for all medium density housing developments in the City.

In addition to the above and as discussed under Issue 4 above, a minor modification to Local Planning Policy *PLN 3.1 Density Development* is recommended to clarify that the 25 metres frontage requirement in Clause 4.2.4(c) of the Scheme can comprise the combined sum of a corner development site's street frontages. This Policy change will be the subject of a future report when Amendment No.89 is granted final approval by the Minister.

Proposal B – Deletion of Special Use zone No.2 area

Proposal B is to delete Special Use zone No.2 area from Schedule 4 of the Scheme Text and Map.

One submission of support was received without reasons/comments.

Proposal C – Reclassification of Reserve from Park and Recreation (local) to Public Purpose (local)

Proposal C is to reclassify Lot 3568 Pearson Street, Kelmscott (Reserve 28741) from Parks and Recreation (local) to Public Purpose (local) reserve on the Scheme Map.

Submissions

Two identical public submissions of objection were received which raised the following issue:

- *Concerned that the proposed reclassification of Reserve 28741 to Public Purpose (local) reservation will allow for its future development whereas the current Parks and Recreation reservation protects it as a greenspace/water way and habitat for native wildlife. The adjoining Kembla Park to the north also includes drainage but is not proposed to be reclassified. Why isn't Kembla Park fenced off like Reserve 28741? It's a drowning hazard for young children in winter.*

Comment

Reserve 28741 is a reserve for drainage vested with the Water Corporation (WC). It is developed as a stormwater detention basin and forms part of WC's main drainage which conveys stormwater north to discharge into the Canning River. The City's understanding is that the drainage and associated greenspace/waterway and native wildlife habitat functions of Reserve 28741 would continue under the proposed Public Purpose (local) reservation in TPS No.4 but ultimately the Water Corporation is responsible for management of the reserve. The Water Corporation (vesting authority) supports the reclassification of Reserve 28741 on the grounds that it would correctly depict the current use of the site in TPS No.4 and there would be no servicing implications.

Kembla Park adjoining to the north of Reserve 28741 is vested with the City of Armadale (not WC) and is also reserved for Parks and Recreation (local). Kembla Park serves a local recreation/drainage function; a shallow swale conveys stormwater entering the Park from local drains into the adjoining Water Corporation main drain.

Recommendation

That the issue is not supported.

Proposal D – Removal of Residential zone from Pedestrian Access Ways (PAW), Rights of Way (ROW) and Road Widening

Proposal D removes the Residential zone on the Scheme Map from Pedestrian Access Ways (PAW), Rights of Way (ROW) and road widening:

Submissions

Two submissions of objection were received regarding Proposal D: one in respect to Lot 805 Flinn Avenue which is part of the cul-de-sac head verge area with a footpath; and, one in respect to Rogers Lane (road widening land) which was ceded and constructed as road when a large multi-unit development was built on land just to the south.

- *Concerned regarding the removal (opening) of Flinn Avenue cul-de-sac to vehicle traffic and objection to widening of Rogers Lane as it is a short road with not much traffic; construction of a foot path would be more beneficial.*

Comment

Proposal D is administrative in nature and simply removes the Residential zoning from the Scheme Map on roads, PAW and ROW lots. No change to the current and future use of subject land areas for vehicle/pedestrian access or construction works would result from Proposal D. Standard practice in local planning scheme maps is not to indicate a zone or reserve (colour) on roads, PAW or ROW lots as they are not intended for development/use other than for vehicle/pedestrian access. The submitters' concerns are therefore unfounded.

Recommendation

That the issue is not supported.

Proposal E – Local Centre zone

Proposal E is to rezone Lot 10 (No.3249) Albany Highway, Armadale from "Residential" to "Local Centre" zone and delete Additional Use No.27 area which covers the site from the Scheme Text and Map. Lot 10 has a long history of use as a service station and the proposed "Local Centre" zone will formalise this use in TPS No.4.

Submission

One submission of support (without reasons) was received in respect to Proposal E.

Recommendation

Noted.

Proposals B to E – Consideration/Modifications

Proposals B to E are administrative in nature and concerns raised in the submission have been adequately addressed so they do not require any changes.

ANALYSIS

State Planning Frameworks and Initiatives

Infill development at medium and high densities in locations adjacent to train stations, as well as major Activity Centres, is a key planning principle of the State Government’s strategic and urban policy planning frameworks for the Perth and Peel metropolitan regions. Proposal A with modifications identified in the “Comments” section above, is generally consistent with housing strategy actions of the City’s LPS and the following State and local planning frameworks.

Development Control Policy 1.6 Planning to Support Transit Use and Transit Oriented Development, 2006 (DCP 1.6)

DCP 1.6 encourages higher density residential development (including aged or dependent persons’ dwellings) around train stations to increase the potential for residents to use train services and reduce car dependency. The TPS No.4 R-Codes in the area already achieve the minimum R25 density recommended in DCP 1.6. Proposal A with modifications identified in the “Comments” section above, would achieve further density (as well as housing diversity) with due regard to the 800 metres walkable catchment and the City’s LPS ‘Housing Strategy’.

Perth and Peel @ 3.5 Million, 2018 and South Metropolitan Peel – Sub Regional Planning Framework, 2018 (SMP-SRPF)

The Perth and Peel @ 3.5 Million and SMP-SRPF maps out land use and infrastructure planning until 2050. The Strategy includes 10 urban consolidation principles to guide infill development. Three (3) of the Principles; ‘Urban Corridors’, ‘Station Precincts’ and ‘Public Transport’, promote high density residential development along transit corridors and around train stations. Proposal A with the modifications identified in the “Comments” section above, would implement the above three (3) urban consolidation principles.

Metronet

Metronet is a State government initiative involving the Department of Transport, Public Transport Authority, Department of Planning, Lands and Heritage, Department of Communities, and Development WA. Metronet’s aim is to progress an integrated approach to the provision of passenger rail infrastructure and land use planning for Perth and Peel regions. Proposal A with the modifications identified in the “Comments” section above, is considered consistent with Metronet’s objective to better integrate land use and passenger rail transport.

City of Armadale Local Planning Framework

Town Planning Scheme No.4

The subject locality is currently zoned Residential which has the following objectives under Clause 3.2.1 of TPS No.4:

- (a) *To provide for a range of housing and choice of residential densities to meet the needs of the variety of household types which make up the community.*
- (b) *To provide for a range of associated compatible activities and development, which will assist in the creation of efficient and sustainable residential neighborhoods.*

(c) *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*

Proposal A with the modifications identified in the “Comments” section above, is consistent with objective (a) above, as increasing the range of R-Codes available also increases the potential for increased housing diversity i.e. 1 and 2 bedroom dwellings and multiple dwellings, which are housing types currently lacking in the City. Objective (c) will be addressed through the assessment of group and multiple dwelling housing against the City’s Scheme, R-Codes, and local planning framework and the WAPC’s *Apartment Codes* and new Medium Density Policy when finalised.

Planning and Development (Local Planning Schemes) Regulations 2015

Amendment No.89 is considered a ‘*standard amendment*’ under Part 5, Clause 34 – standard amendment, subsection (a), (b), (c), (e), (f) and (g) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Under the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Council is now required to consider the submissions received and make a decision in accordance with the options below.

OPTIONS

Council has the following options:

1. Adopt the amendment with or without modifications and request that the Hon Minister for Transport and Planning grant final approval to the amendment.
2. Resolve to not adopt the amendment giving reasons and request that the Hon Minister for Transport and Planning refuse to approve the amendment.

CONCLUSION

Proposal A of Amendment No.89 will implement the City’s LPS ‘Housing Strategy’ key recommendations and the State Government’s urban policy and strategic planning objectives for infill (higher density) development within the walkable catchments of Challis and Sherwood Train Stations and Armadale and Kelmscott Activity Centres.

The key outcomes of Amendment No.89 are anticipated to include:

- increase in housing stock, and housing diversity (i.e. apartments) including 1 and 2 bedroom dwellings;
- enhanced viability of Activity Centres; and
- potential for an increase in train patronage and associated reduction in car ownership and car usage.

The recommended modification to Proposal A to recoding areas from R25/40 to R25/60 is consistent with the WAPC and the Minister’s decision on Amendment No.100. The recommended modification to include a clause to provide for development up to R40 in R15/60 and R25/60 is considered appropriate in the light of the WAPC’s new Medium Density Policy (currently in draft) which will improve development outcomes for all medium density development in terms of more garden areas with trees; better solar access and ventilation; flexible, functional living spaces; safe and attractive streetscapes; and, more space for people and less cars.

Amendment No.89 would also carry out some minor zone and reservation changes to the Scheme Map (Proposals B to E) to correctly zone/reserve land areas in accordance with their current and future use.

It is recommended that Council resolve to adopt the Amendment with modifications in accordance with Option 1 above.

ATTACHMENTS

1. [↓](#) Local Planning Strategy - Housing Strategy Map
2. Location and Proposal Plan - Amendment No.89
3. Schedule of Submissions - Amendment No.89
4. Amendment No.89 - Proposed Scheme Text (with modifications)
5. TPS No.4 - Amendment No.89 - Existing and Proposed Zoning Plan
6. Confidential - Submitter Plan - Amendment No.89 - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relates to the personal affairs of a person*
7. Confidential - Submitter Names & Address List - Amendment No.89 - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relates to the personal affairs of a person*

RECOMMEND

D8/3/21

That Council:

1. Pursuant to Part 5 of the *Planning and Development Act 2005* adopt, with modification, Amendment No.89 to Town Planning Scheme No.4 (TPS No.4) to:
 - (a) Amend the Residential Density Code to recode the land as depicted on the Scheme Amendment Map from R15/40 and R25/40 to R15/60 and R25/60 and amend the Scheme Maps accordingly;
 - (b) Amend Clause 4.2.4(c) as follows:
 - i. Renumber Clause 4.2.4(c)(i) and (ii) to 4.2.4(c)(ii) and (iii) respectively;
 - ii. add the following to clause 4.2.4(c):
“(i) up to R40 where:
(a) the provisions of clause 4.2.4(b) are satisfied and street trees are retained.”, and
 - iii. modify the wording in the clause after Clause 4.2.4(c)(iii) from “under Clause 4.2.4(c)(i) and (ii)” to “under Clause 4.2.4(c)(i), (ii) and (iii)”.
 - (c) Delete Special Use No.2 area from Schedule 4 – Special Use zone of the Scheme Text and from the Scheme Map;
 - (d) Amend Lot 3568 Pearson Street, Kelmscott (Reserve 28741) from “Parks and Recreation (local)” to “Public Purpose (local)” reservation on the Scheme Map;

- (e) Amend the zoning of the following land parcels from “Residential” zone to show no zone and remove the Residential density code for:
 - i. Pedestrian Access Way - Lot 55 Lilian Avenue and Lot 4787 Serls Street, Armadale;
 - ii. Right of Way - Lot 805 Flinn Avenue, Kelmscott and Lots 5085 and 69 Owtram Road, Armadale; and
 - iii. road widenings for Rogers Lane, Armadale.
 - (f) Rezone Lot 10 (No. 3249) Albany Highway, Armadale from “Residential” zone to “Local Centre” zone and delete from the Scheme Map and Text Schedule 2 - Additional Use No.27.
2. Authorise the Mayor and Chief Executive Officer to execute the Amendment documents.
 3. Forward the amendment documentation to the Western Australian Planning Commission for its consideration and request the Hon Minister for Transport and Planning grant final approval to the amendment.
 4. Should the Hon Minister for Transport and Planning grant final approval to the Amendment subject to minor modifications, authorise the Mayor and Chief Executive Officer to execute the modified Amendment documents.
 5. Endorse the comments made in this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission.
 6. Advise the submitters of Council’s decision.

Moved Cr D M Shaw
MOTION CARRIED

(6/0)



***2.1 - RECONSIDERATION OF CONDITION OF DEVELOPMENT APPROVAL -
PROPOSED CHILD CARE - LOTS 30 AND 99 (36) JULL STREET, ARMADALE***

WARD : MINNAWARRA
FILE No. : - M/142/21
APPLN NO. : 10.2020.203.1
DATE : 11 March 2021
REF : MK
RESPONSIBLE MANAGER : EDDS
APPLICANT : Armadale Holdings Pty Ltd
LANDOWNER : Armadale Holdings Pty Ltd
SUBJECT LAND : Property size 2322m²
ZONING
MRS / : MRS: Central City Area
TPS No.4 : TPS: Strategic regional Centre

In Brief:

Council resolved to approve a Development Application for a Child Care Centre on the subject property at their meeting held on 23 November 2020 subject to conditions.

- The applicant has now requested that Condition No.2 relating to the hours of operation be removed/rescinded to allow the centre to operate 24 hours, seven (7) days a week.
- It is recommended that Council approve the request for reconsideration of Condition No.2.

Tabled Items

Nil.

Decision Type

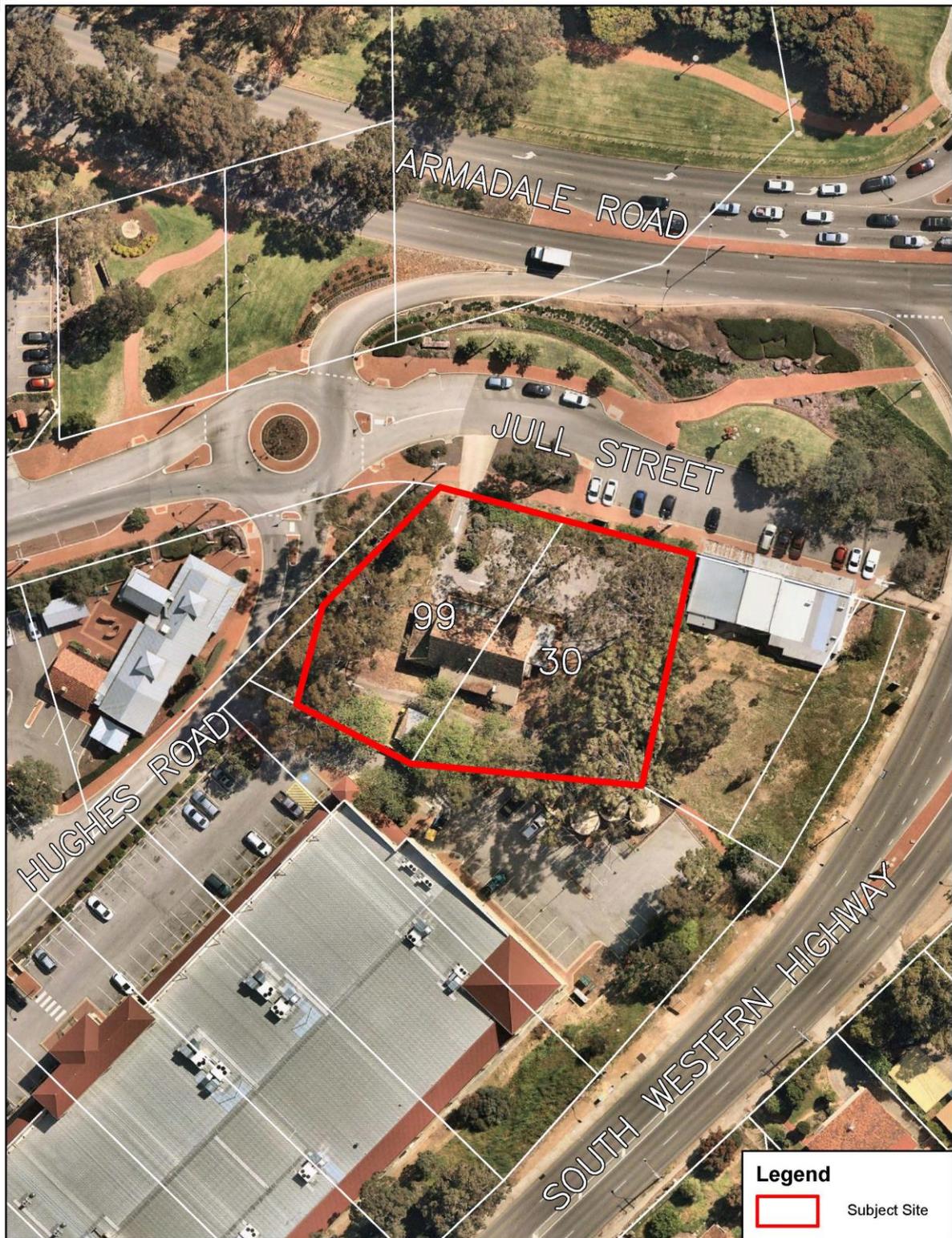
- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial**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

Officer Interest Declaration

Nil.

Strategic Implications

- 2.3 Diverse and attractive development that is integrated with the distinctive character of the City.
- 2.3.1 Provide supportive planning and development guidance and liaison on major land developments.
- 2.4 Attractive and user-friendly streetscapes and open spaces.
- 2.4.1 Implement townscape, streetscape and parkland improvements to enhance the distinctive character of the City.



AERIAL PLAN

Lots 30 & 99 (No. 36) Jull Street, Armadale



SCALE 1 : 1000

DATE 21 July 2020 - REVISION 0001
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Legal Implications

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Town Planning Scheme (TPS) No.4

Local Planning Strategy 2016

Metropolitan Region Scheme

Council Policy/Local Law Implications

PLN 3.2 - Child Care Premises and Family Day Care

Budget/Financial Implications

Nil.

Consultation

The original Development Application was advertised for public comment and referred to State Government Agencies for comment as well as the City's Development Control Unit and Design Review Panel.

BACKGROUND

At its meeting on 23 November 2020, Council resolved (D71/11/20) to approve the application for Planning Approval for a proposed Child Care Centre utilizing the existing building and additions, subject to conditions. The Approved Plans and Planning Approval are attached.

The approved development comprises a Child Care Centre for approximately 80 children using the existing building with additions and alterations. The application documentation that supported the application advised that the proposed Child Care Centre would initially operate 6am to 7pm Monday to Friday with the potential for 24 hour, 7 day a week operation.

DETAILS OF PROPOSAL

The applicant has requested that Condition No.2 relating to the hours of operation be deleted to allow the Centre to operate 24 hours, seven (7) days a week. Condition No.2 of the Planning Approval is as follows:

- 2. The hours of operation of the Child Care Centre are to be 6am to 7pm weekdays unless otherwise approved following the submission of a new application for Development Approval.*

The above condition was included in the officer recommended conditions on the basis that the Development Application detailed that the initial hours of operation would be 6am to 7pm five (5) days a week. However, the information provided in support of the Development Application did identify that there was an opportunity for 24 hour care seven (7) days a week to be provided in the future.

The applicant has now written to the City requesting that consideration be given to the removal of Condition 2 to allow them to extend the hours of operation to 24 hours a day, seven (7) days a week when the need arises. The applicant advises that the centre would like to be able to provide nighttime care or extended care for children of shift workers (eg staff of Armadale Hospital, Western Australian Police and other shift workers) and

also to be able to provide emergency care for children under the Department of Child Protection at any time of the day or night. The latter service is provided by the proposed operator of the proposed child care centre at some of its existing centres in regional WA.

COMMENT

Development Control Unit (DCU)

No objections.

Public Advertising

Public Consultation was not required with regard to the applicant's request to delete Condition No.2 of the Development because the centre is located within the City Centre and is surrounded by businesses and other uses that also operate seven (7) days a week or late at night (in the case of the McDonald's premise 24 hours a day).

ANALYSIS

The *Planning and Development (Local Planning Schemes) Regulations 2015* provide for an owner of land subject to a Development Approval to request the local government to amend or delete any condition of approval as set out below:

77. *Amending or cancelling development approval*

- (1) *An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following —*
- (a) *to amend the approval so as to extend the period within which any development approved must be substantially commenced;*
 - (b) *to amend or delete any condition to which the approval is subject;*
 - (c) *to amend an aspect of the development approved which, if amended, would not substantially change the development approved;*
 - (d) *to cancel the approval.*

Consideration of merits of removing Condition 2.

Local Planning Policy PLN 3.2 Child Care Premises and Family Day Care

PLN 3.2 contains the following provisions with regard to the operating hours for Child Care Centres:

4.5 Conditions on Hours of Operation and Noise Emissions

4.5.1 Operating hours shall consider the need to protect residential amenity where applicable. This may require the City to impose additional conditions on Child Care Premises where non-standard operating hours are proposed (Standard Hours: 7am and 7pm excluding Sundays and Public Holidays).

The subject site is located within the Armadale Strategic Metropolitan Centre and is surrounded by businesses including a 24 hour fast food premise (McDonalds), shops, restaurants that trade at night (including weekends and public holidays), showrooms that trade 7 days a week including late night trading one night a week and the Armadale District Hall that can operate 7 days a week including evenings. There is also the Narrogin Inne Hotel

located on the south eastern corner of the South Western Highway, Albany Highway and Armadale Road intersection which operates 7 days a week till late at night.

The nearest residential premise is located on the eastern side of South Western Highway approximately 70 metres from the subject site. This portion of South Western Highway is four (4) lanes plus turning lanes and includes the South Western Highway, Albany Highway and Armadale Road intersection. The ambient noise generated by these roads and intersection is significant and as a result noise levels from the child care centre will not impact on adjacent residences more than the road noise already does. This residence is also adjacent to the Narrogin Inne Hotel.

Outside of the hours of normal operation (6am to 7pm) of the Child Care Centre outdoor play areas would generally not be used which would reduce the potential for a noise impact on adjacent properties. Mostly, children aged 0-6 years would be sleeping between the hours of 7pm and 6am. It is recommended that Condition No.2 be replaced with a condition that limits the use of outdoor play areas to 7am to 7pm weekdays and 8am to 7pm on weekends and public holidays. With this condition in place the generation of external noise outside normal operating hours would be limited to vehicles arriving/leaving and people talking on the way from the centre to their vehicles. This would produce a much lower noise and lower traffic generation than the 24 hour McDonalds premises on the opposite side of Jull Street or the Narrogin Inne drive thru bottleshop and outdoor dining and drinking areas.

A condition of Development Approval (Condition 3) requires the Child Care Centre to obtain a Quiet Building Assessment and implement the recommendations of that assessment to reduce the impact of the considerable surrounding ambient noise on children sleeping inside the centre both during the day and at night. These Quiet Building measures will also result in noise spill from activities inside the centre being very limited.

Given all the above it is considered that operation of the centre on a 7 days per week/24 hours per day basis will not have any potentially adverse impacts on adjacent residences.

Demand for 24 hour/7 day a week Child Care Facilities

The majority of early childhood services operate from 6am-6pm weekdays, however recent figures from the Australian Bureau of Statistics show that the number of people working non-standard hours is rising.

There are significant employers within the City of Armadale such as the Armadale Hospital and the Armadale Police facility who employ a lot of people who work outside of normal daytime work hours and could benefit from a 24 hour/7 days a week facility.

Many industries including hospitality, emergency services, shops, gyms, restaurants, museums, galleries and all sorts of service industries now have weekend openings and late closing times in the evenings requiring their staff to work weekends or evening shifts or extended working hours. Currently in Perth weekend or overnight child care is predominantly provided by Family Day Care, nannies, babysitters, au pairs and In Home Care services. There are very few Child Care Centres that provide night-time or weekend care services in the whole of the Perth Metropolitan Area and none within the City of Armadale.

OPTIONS

That Council may:

1. Approve the request and modify Condition 2 of the Development Approval granted on 23 November 2020 so that it only restricts the use of outdoor play areas outside of normal operating hours; or
2. Refuse the request to delete Condition 2 of the Development Approval granted on 23 November 2020 and provide reasons for the refusal.

CONCLUSION

Condition No.2 of the Development Approval for the proposed Child Care Centre was imposed as the Development Application stated that the centre would initially only operate 6am to 7pm 5 days a week. However, it has been determined that allowing the option for the centre to commence operating longer hours and more days when the market demands this, without having to go through a formal Development Application process at a later date, is appropriate and will provide more flexibility for the centre and assist in providing an additional service to the community.

The location of the centre within the commercial centre of Armadale, surrounding existing 24 hour or night-time operating businesses, high traffic volumes on adjacent roads and the acoustic measures that the centre will have to implement to reduce noise inside the centre for their own benefit, means that the centre will not adversely impact any adjacent residences.

Accordingly, it recommended that Council take Option 1 and approve the modification of Condition No.2 of the Development Approval so that it does not restrict operating hours but restricts the hours that outdoor play area may be used.

ATTACHMENTS

1. Notice of Determination - Approved by Council - Lot 30 (36) Jull Street, Armadale
2. Approved Site Plan - Lot 30 & 99 Jull St, Armadale
3. Approved Elevation Plan 1 - Lot 30 & 99 Jull St, Armadale
4. Approved Elevation Plan 2 - Lot 30 & 99 Jull St, Armadale
5. Proposed Tree Removal - Lot 30 & 99 Jull St, Armadale
6. Approved Floor Plan - Lot 30 & 99 Jull St, Armadale
7. Approved Roof Plan - Lot 30 & 99 Jull St, Armadale
8. Approved Demolition Plan - Lot 30 & 99 Jull St, Armadale
9. Original Building Plan - Lot 30 & 99 Jull St, Armadale

Committee Discussion

Committee discussed the proposal and the hours of operation to allow the Child Care Centre to operate 24 hours, seven (7) days a week.

It was MOVED Cr Munn, that the officer's recommendation be adopted.

The motion was put to the vote.

RECOMMEND

D9/3/21

That Council:

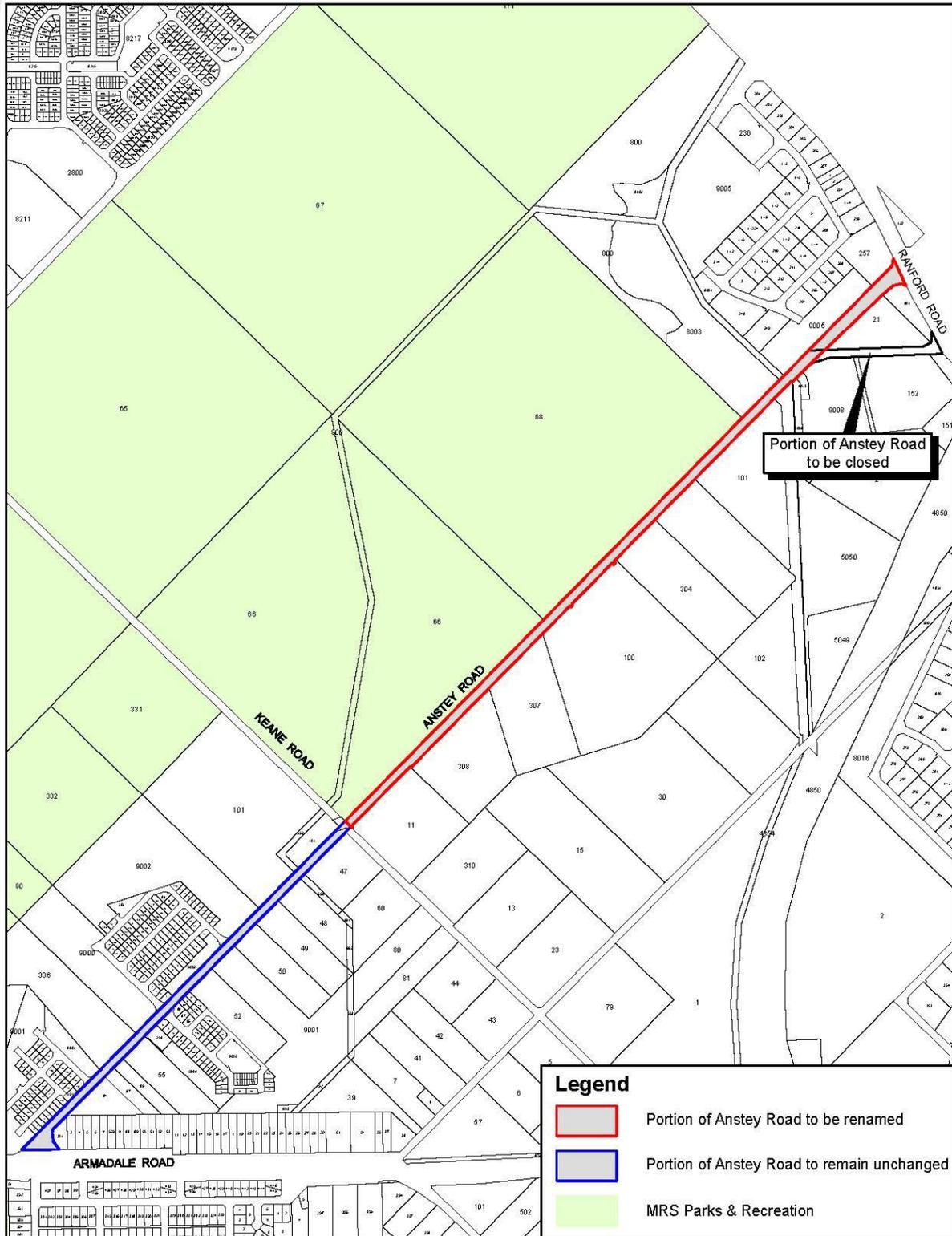
- A) Replaces Condition No.2 of the Development Approval for the proposed Child Care Centre on Lots 30 and 99 (36) Jull Street Armadale granted on 23 November 2020 through resolution D71/11/20 with the following new Condition No.2:**
- 2. *Outdoor Play Areas are only to be used between the hours of 7am to 7pm weekdays and 8am to 7pm weekends and public holidays.***
- B) Requires an amended Notice of Determination in accordance with 1 above to be issued to the Applicant.**

Moved Cr J H Munn

Opposed Cr C M Wielinga

MOTION CARRIED

(5/1)



LOCATION PLAN
Portion Anstey Road, Forrestdale



DATE 24 February 2021 - REVISION 2/01
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Aerial photography supplied by Landgate, Melbourne by Westmap.



3.1 - ROAD NAMING - ANSTEY ROAD, FORRESTDAL

WARD : RANFORD
FILE No. : RDA/4 - M/62/21
DATE : 11 March 2021
REF : KC
RESPONSIBLE MANAGER : EDDS
APPLICANT : City of Armadale
LANDOWNER : Various
SUBJECT LAND : Anstey Road, Forrestdale
ZONING : Urban Development
MRS / : MRS
TPS No.4 : DevelopmentWA Scheme

In Brief:

- The proposal involves renaming a portion of Anstey Road in Forrestdale. The realignment of a portion of Anstey Road near Ranford Road will create a cul-de-sac. The segregation of Anstey Road, as identified by the adopted Structure Plans for the area, necessitates the renaming of a portion of Anstey Road to ensure continuation of services, including timely response from emergency services.
- Council resolved at its meeting on 21 September 2020 (D53/9/10) to advertise its intention to rename the portion of Anstey Road, Forrestdale, between Keane Road and Ranford Road, liaising with occupants, landowners, government agencies and the wider community by way of letters and newspaper advertising.
- A total of 4 submissions were received during the advertising period.
- Recommend that Council submit the supported name 'Slavonian' to Topographic Names Team (TNA) with the secondarily preferred name of 'Ayers' to accompany this submission in case the preferred name is deemed unsuitable by TNA.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil.



AERIAL PLAN
Portion Anstey Road, Forrestdale



SCALE 1 : 12500

DATE 21 August 2020 - REVISION 001
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Strategic Implications

- 1.1.1 Provide opportunities to connect individuals to each other and the wider community.
- 2.2.2 Protect and enhance the character of the City's spaces and places.
 - 2.2.2.1 Implement, survey and define a sense of place or character for each designated area of the City.
 - 2.2.2.2 Facilitate place making activities in localities to reinforce local identity.
 - 2.2.2.3 Contribute to local character by understanding the history of places and preserving locally significant sites and items.
- 2.3.1 Apply best practice design and construction methodologies for the provision of infrastructure.
- 2.5.1 Implement and administer the City's Town Planning Scheme and Local Planning Strategy to deliver quality development outcomes.

Legal Implications

Land Administration Act 1997.

Council Policy/Local Law Implications

Council Policy DEV 1 – Street Numbering

Council Policy DEV 2 – Naming of Roads, Parks, Places and Buildings

City of Armadale Street Numbering Local Law 2010

Budget/Financial Implications

Advertising costs have been accommodated within the Planning Services budget. New street signage shall be required.

Consultation

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

BACKGROUND

The development of the Forrestdale Business Park and Anstey Keane Urban Development Precinct areas will result in a cul-de-sac along Anstey Road south of Keane Road and a realignment of Anstey Road to create a new intersection with Ranford Road by DevelopmentWA. The resulting separation and therefore duplication of road names in such close proximity needs to be resolved to ensure the safety of the community. Renaming of one of the two resulting portions of Anstey Road should be undertaken to minimise any delays of emergency service respondents and provide appropriate addresses for future businesses and residents.

The formal closure of a portion of Anstey Road is currently being progressed via a separate process under the *Land Administration Act 1997*. The renaming of a portion of Anstey Road is required to occur as soon as possible to ensure businesses do not commence operations using the current address and then need to change their addresses if the renaming of Anstey Road is delayed. Several industrial developments along Anstey Road are currently under construction.

In accordance with Landgate's *Policies and Standards for Geographical Naming in Western Australia*, "renaming shall be necessary when a road is made into a cul-de-sac, resulting in two or more separated sections of road." It is noted that "such separations can cause difficulties for emergency service responders and the delivery of other services to the area."

The suggested names considered by Council at its meeting on 21 September 2020 (D53/9/20) were advertised via letter on 8 October 2020 for feedback to the affected landowners and occupants, government agencies and Topographic, Names and Addressing (TNA). The wider community was consulted via advertising in a newspaper circulated locally on 8 October 2020, with comments and suggestions able to be lodged by 23 October 2020. The City provided the opportunity for landowners and the community to suggest alternative names. Suggestions that comply with Landgate's *Policies and Standards for Geographical Naming in Western Australia* were accepted for consideration.

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

- a) Ayers
- b) Slavonian
- c) Sutton
- d) Angrove
- e) Bradford
- f) Eldred
- g) Julius
- h) Hancock
- i) Kauper
- j) Kayser
- k) Kearney
- l) Marchant
- m) Newbery
- n) Osborne

Renaming of this portion of Anstey Road in the Forrestdale Business Park would also require street renumbering. Renumbering is required by the Australian and New Zealand Standard – *Rural and urban addressing* (AS/NZS 4819:2011) and shall be in accordance to the City's Street Numbering Policy (DEV 1).

COMMENT

Renaming of this portion of Anstey Road and subsequent renumbering is required given the risk to the public and operational safety if this is not performed. Emergency service responders require clear, unambiguous road names for optimised service delivery. If the road is not renamed then this could potentially be confusing for emergency service responders, and transport, utility, communication and mail services. The City would prefer to ensure that the section of Anstey Road is renamed prior to businesses commencing along this section of Anstey Road in the Forrestdale Business Park to facilitate service provisioning, business operations and locating by clients.

TNA criteria limits the City's scope to apply road names from its reserved list which honour the rich and significant heritage history of the area. The following commemorative names held by the City in reserve do not pass preliminary assessment against TNA's criteria for road names, however they may be suitable for naming future parks and buildings:

- O'Reilly
- Wilkie
- Pratt

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

PUBLIC ADVERTISING

Total No. of letters sent to residents/owners:	:	14
Total No. of submissions received	:	4
No. of submissions of conditional support/no objection	:	2
No. of submissions of objection	:	0
No. of submissions of general advice by Service Agencies	:	2

Submissions were invited over a 16 day period, with a total of four (4) responses received, two (2) of which were from the public and two (2) from service agencies. Australia Post advised of no objection to the proposal and TNA provided advice on the names and process.

Topographic, Names and Addressing (TNA)

TNA advised that 12 of the 14 names proposed (of inventors and industrial developers) during advertising were not suitable unless they had direct association with the area.

Of the remaining two proposed names advertised (Ayers and Slavonian), TNA advised that the proposed name of 'Ayers' would require additional information relating to the commemorative naming would be required prior for this to be considered. This name comes from a local pioneering family from 1950's, who owned Lot 148 Railway Avenue.

The City wrote to TNA on 13 November 2020 requesting reconsideration of its stance on using the commemorative name guidelines in this regard and consider the names based on the existing theme for the Business Parks. The City advised that the names proposed were of inventors and industrial developers, a theme of which has been successfully used in the Forrestdale Business Park for many years.

TNA reviewed its stance in light of precedence and the connection to the naming within the Forrestdale Business Park. TNA advised that it would potentially accept a name from the list supported by Council at its meeting of 10 July 2007 (D79/7/07). This list included the names of some of history's major inventors and industrial developers.

Public Submissions

One of the residents consulted preferred the name 'Marchant', advising a preference for a strong and name that is easy to pronounce. George Marchant (1843-1895) was a soft-drink manufacturer and philanthropist in Brisbane, Australia. He invented a bottling machine that came to be used worldwide. This name would continue the theme of inventors as established in the Forrestdale Business Park.

A member of the public suggested the following names to be considered to commemorate previous residents whom had close association with the area:

- **Rhone:** One of the earlier families to live in the subject area. The family lived there probably before 1940. Mrs Rhone in her later years was remembered as travelling everywhere on her bicycle in her later years. Her daughter Josie was a member of the Armadale Women's Emergency Corp during the war years. 'Rhone' has been applied to Rhone Way, Piara Waters and cannot be proposed in the area again as per the guiding policy.
- **Johnson:** The name is already associated with the area twice. There was a Mr Johnson who owned a parcel of land there where he raised pigs, but he did not live there. In the early 1960's Alan Johnson and his family came to live on a small property at the junction of the roads. Mr and Mrs Johnson had arrived from England in 1952 as '10 pound poms', living first in Wungong on Seventh Ave. Similar road names exist in neighbouring municipalities and thus it is unlikely TNA would support this proposed name.
- **Regan:** James Regan had a butcher shop in Jull Street, Armadale, and lived on a property called 'Sandiacres'. 'Regan' has been applied to Regan Place, Seville Grove and as such cannot be proposed in the area again as per the TNA guiding policy.
- **Moennich:** (Pronounced 'Monnick'). Lived originally on Allen Road, East Jandakot (now Forrestdale), and the house still exists. He later moved to Westfield Road, Westfield (now Camillo). Early last century he was a member of the Jandakot Roads Board, when this part of Armadale was included in the Jandakot Agricultural area. The similar road name of Munich Link exists in Piara Waters, with further similar road names exist such as Mimosa Court in Kelmscott; Monash Gate in Jandakot and Manich Drive in Martin. It is unlikely TNA would support this as a proposed name.
- **Gibson:** Joe Gibson was a farmer who had 3 blocks of land north of the Moennich property on Ranford Road. Here Joe and the daughter of Mr Moennich raised a family, with their sons attending the Westfield School. Similar sounding names of Gypsum Avenue in Harrisdale and Gibson Top in Oakford indicate that TNA is unlikely to support this as a proposed name.

ANALYSIS

The names proposed via public submission are not suitable for consideration in this instance, however they could be considered for potential reserve and park names for future developments in the area.

TNA requires inventors to demonstrate direct association with the area, however upon review advised that it would consider accepting a name from the list supported Council at its meeting of 10 July 2007 (D79/7/07). The majority of these names no longer pass preliminary validation against TNA's criteria given the list was created in 2007. 'Fitzpatrick' is the only exception to pass preliminary validation against TNA criteria and thus may be considered for road naming in this area.

TNA noted that 'Slavonian' appears to be the most suitable with additional information found in the Local Heritage Survey document providing sufficient information to support local connection. The Slavonian Vineyard was started by Anton Marian in 1901 along the Bunbury Road. This vineyard was later known as Marian's Vineyard, and later became the Richon Vineyard.

Landgate's *Policies and Standards for Geographical Naming in Western Australia* requires that the proposed road names are duplicated less than six times in the metropolitan area (three south and three north of the Swan River) and do not have duplicates less than 10km from the subject site. Further criteria is set out in Clause 2.3.1 *Existing duplicated or similar sounding names* in Landgate's *Policies and Standards for Geographical Naming in Western Australia*. The names proposed meet this criteria.

OPTIONS

Council has the following options:

1. Support renaming the portion of Anstey Road, Forrestdale, between Ranford Road and Keane Road, and approach Topographic, Names and Addressing with the name 'Slavonian' in the first instance, with 'Ayers' as an alternative.
2. Recommend alternative names, subject to meeting the criteria set by Topographic, Names and Addressing, then undertake Option 1 above.
3. Recommend alternative names and readvertise to affected landowners, government agencies, service providers and the wider community.
4. Decline to pursue a road renaming of the northern portion and instead rename the southern portion of Anstey Road, Forrestdale, between Armadale Road and Keane Road and undertake the consultation process.
5. Decline to pursue a road renaming of the subject portion and retain the name as Anstey Road, Forrestdale.

CONCLUSION

Appropriate measures to ensure safety of the community is paramount and renaming should be undertaken in response to the development of the area resulting in this portion of road becoming a cul-de-sac. The resulting duplication of road names in such close proximity needs to be resolved to minimise any delays of emergency service respondents. It is more appropriate to rename the northern portion of Anstey Road as development is more advanced in the southern portion of Anstey Road.

Names suggested commemorate the heritage of the area, sourcing from pioneers. The names have been considered in light of TNA's guidelines and the names suggested pass the preliminary validation test against the naming guidelines. Option 1 is therefore recommended.

ATTACHMENTS

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

Committee Discussion

Committee considered that the proposed road name "Slavoian" was unsuitable and requested that it be replaced with the alternative road name "Ayers" and that prior to the next Council meeting, new alternative road names be sent to Councillors for consideration. Accordingly the recommendation was amended.

RECOMMEND

D10/3/21

That Council:

1. **Approach Topographic, Names and Addressing, to rename the portion of Anstey Road, Forrestdale, between Ranford Road and Keane Road, with 'Ayers' as the first preference and '_____ ' as an alternative name, and the road type to be one deemed suitable by Topographic, Names and Addressing.**
2. **Advise submitters of Council's decision.**

**Moved Cr R Butterfield
MOTION CARRIED**

(6/0)



LOCATION PLAN
Special Control Area 3
Amendment No. 115

DATE 5 January 2021 - REVISION 2101
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Based on information provided by and with the permission of the
Western Australian Planning Authority (WAPWA) or Landgate, Perth.
Aerial photography supplied by Landgate, Perth, unless otherwise stated.



***4.1 - PROPOSED AMENDMENT NO.115 TO TOWN PLANNING SCHEME NO.4 -
NORTH FORRESTDALE DEVELOPMENT CONTRIBUTION PLAN NO.3 MAJOR
REVIEW PHASE 1***

WARD : All
FILE No. : - M/137/21
DATE : 11 March 2021
REF : RS/CM
RESPONSIBLE : EDDS
MANAGER

In Brief:

The North Forrestdale Development Contribution Plan No.3 (DCP 3) commenced operation in January 2007 and has been in force for over 13 years.

- The City is undertaking a major review of the DCP to examine its performance to date and identify any opportunities for improvements.
- Draft State Planning Policy 3.6 – Infrastructure Contributions also identifies that major reviews of existing DCPs should be undertaken on a frequent basis.
- The major review of DCP 3 has identified several modifications that will require implementation through an amendment to TPS No.4.
- The proposed modifications in this report consider the impending urbanisation of the Piara Waters West (Warton Road Precinct) area and the need for new common infrastructure to service the area.
- Modifications are also required within the northern portion of the DCP between Skeet Road and Wright Road to address community infrastructure requirements.
- It is recommended that Council initiate Amendment No.115 and seek the WAPC's consent to advertise the amendment.

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, but it is noted that the Development Contribution Plan No.3 provides funding to the City for staff costs associated with administering DCP 3. These costs are included in the Infrastructure Cost Schedule.

Strategic Implications

- 1.2.2 Provide opportunities to improve health outcomes for everyone
- 1.3.1 Plan for services and facilities in existing and emerging communities
- 2.1 Long term planning and development that is guided by a balance between economic, social and environmental objectives
 - 2.2.1 Deliver attractive and functional streetscapes, open spaces, City buildings and facilities
 - 4.3.2 Pursue non-rates revenue opportunities
 - 2.5.1 Implement and administer the City's Town Planning Scheme and Local Planning Strategy to deliver quality development outcomes
 - 2.5.1.2 Implement the Developer Contribution Plan arrangements and review as required

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

Nil.

Budget/Financial Implications

Through DCP 3, the City collects Development Contributions which constitutes an external source of capital funding for the development of essential facilities and infrastructure that provide benefits to the Harrisdale and Piara Waters communities.

The City is required to cover the future recurrent operational and maintenance costs for the facilities and infrastructure that is delivered in Harrisdale and Piara Waters. The City also has the financial impact of depreciation of these new assets. However, these assets are needed to deliver essential facilities and infrastructure to service the needs of the Harrisdale and Piara Waters communities.

Consultation

1. Development Contribution Plans are regarded as complex amendments and are advertised for public comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of no less than 60 days following approval being received by the WAPC for consent to advertise.
2. The City has been in consultation with stakeholders associated with the Piara Waters West area as part of the DCP 3 Major Review process and a further meeting with developers has recently been scheduled to discuss the proposals outlined in this report.
3. In reporting to the January 2020 Council meeting where Amendment No.110 was considered for initiation, one of the key justifications that was identified to support the extension to the operating lifespan for DCP 3 as proposed by Amendment No.110 was due to the DCP 3 Major Review being underway. A brief overview of Amendment No.110 is discussed in the following section.

BACKGROUND

Development Contribution Plan No.3 – Historical Details

In accordance with TPS No.4, all landowners within Development Contribution Area (DCA) 3 are required to contribute towards the cost of providing common infrastructure works. DCA 3 encompasses the City's growth suburbs of Harrisdale and Piara Waters. It is anticipated that these suburbs will have a combined total population of approximately 38,000 residents by 2041.

Development Contribution Plan (DCP) 3 (North Forrestdale), included under Schedule 9B of TPS No.4, provides the statutory framework for the City to determine the cost of common infrastructure works within DCA 3 and establish the associated contribution cost per lot.

Established in 2007, DCP 3 provides a mechanism to equitably share the cost of providing common infrastructure items across an environmentally constrained area, where the historical nature of land ownership has also been fragmented. The coordinated approach established by DCP 3 has enabled the City to deliver essential infrastructure and facilities for the benefit of the Piara Waters and Harrisdale communities in an appropriate and timely manner.

As of October 2020, the status of the DCP 3 program is approximately 75% complete and the current expiry date for DCP 3 is 2022. The percentage complete will vary with the inclusion of the Piara Waters West area into the DCP.

Amendment No.110 to TPS No.4, which was initiated by Council in January 2020 proposes to extend the operating lifespan of DCP 3 by 5 years beyond its current expiration period to reflect that a significant portion of the DCP 3 area has yet to be subdivided, and the extended operating period will ensure that all DCP infrastructure can be fully implemented. This was a first step of the DCP 3 major review process. At its meeting on 14 December 2020, Council considered submissions that were received during the advertising period and resolved to adopt Amendment No.110 without modification. Amendment No.110 is currently being considered by the WAPC and Minister for Planning and a final decision on the amendment is expected in May 2021.

Development Contribution Plan No.3 – Major Review

Given that DCP 3 has been in operation for over 13 years, and along with the current proposal to extend the operating period of the DCP from 15 to 20 years, the City is moving ahead with additional aspects of the major review of the DCP in order to further examine its performance to date, identify any changes that might be necessary and identify any opportunities for improvements.

There are a number of key factors which have informed the scope of the major review. These factors are summarised as follows:

- 1) The proposed inclusion of the 'Warton Road Precinct' (Piara Waters West) in the DCP 3 area, which was the subject of a recently gazetted Metropolitan Region Scheme (MRS) amendment to rezone the precinct from Rural to Urban.
- 2) The provision of common infrastructure to service the new Piara Waters West area that could be funded by the DCP.
- 3) A review of infrastructure requirements for the existing and future parts of the DCA.
- 4) The consideration of close out arrangements upon expiration of the DCP, including a reconciliation of owner contributions collected to date.

- 5) The consideration of any adjustments that could be made to the DCP to manage the collection of owner contributions going forward in light of the incremental expansion of the Development Contribution Area 3 (DCA 3) area as areas are rezoned under the MRS to Urban and the changing rates of residential densities achieved.

DETAILS OF PROPOSAL

Given the significant scope and scale of the DCP 3 Major Review, it is considered appropriate to implement the changes arising from the outcomes of the major review in an incremental manner comprising several discrete phases which are described as follows:

- Phase 1 – Amendment No.110, which has been initiated, advertised and adopted by Council.
- Phase 2 (Part 1) – Addition of the Piara Waters West area to the DCA, inclusion of key infrastructure changes to DCP 3 and a review of the current cost contribution methodology to account for operational requirements arising from these changes.
- Phase 2 (Part 2) – Review of the Infrastructure Cost Schedule (ICS) to account for changes implemented as part of previous phases.
- Phase 3 – Alignment of DCP 3 with other City of Armadale DCP programs and planning for end of DCP lifespan.

Amendment No.115 proposes to give effect to Phase 2, Part 1 of the DCP 3 Major Review as follows:

- 1) Amend the TPS No.4 Special Control Area map to include Piara Waters West in the Development Contribution Area 3 (DCA 3) area;
- 2) Amend Section 5A of TPS No.4 to ensure the scheme text governing development contribution areas reflects best practice and learnings from the City's administration of DCP 3 since 2007 and learnings from other DCPs administered by other Local Governments and DevelopmentWA; and
- 3) Amend Schedule 9B of TPS No.4 to:
 - Include new common infrastructure items that will be required to service Piara Waters West;
 - Modify the description of community infrastructure already identified in the DCP in recognition that the opportunity for shared use of sporting fields with adjacent primary school sites may no longer exist, thereby enabling the development of community infrastructure to occur in areas that are not adjacent to a primary school;
 - Include the ability for the DCP to acquire land to facilitate the development of community infrastructure already identified in the DCP as a specified works item, and to acquire land for an environmentally significant wetland within the DCA;
 - Transfer provisions relating to the calculation and apportionment of common infrastructure costs and cost contributions from Schedule 9B to the ICS to reflect the WAPC's draft State Planning Policy 3.6 – Infrastructure Contributions and provide more flexibility to be able to respond to changes; and
 - Include new scheme provisions to enable common infrastructure costs to be apportioned to discrete areas within the DCA, similar to the approved Anstey Keane Urban Precinct DCP as part of Amendment No.102.

The implementation of Phase 2, Part 1 of the DCP 3 Major Review through the aforementioned amendments to the Special Control Area Map and TPS No.4 scheme text will also require the implementation of modifications to the full ICS to quantify the cost implications of the proposed scheme amendment.

The ICS is a table appurtenant to TPS No.4 which itemises, calculates and apportions common infrastructure costs and the per lot contribution rate applicable to DCP 3. The ICS and Proposed Values are reviewed at least on an annual basis in accordance with the TPS No.4. The current ICS was adopted by Council at its meeting of May 2020 and the City is currently progressing the annual review of the ICS which will be presented to Council in April 2021.

In the interim, costs associated with common infrastructure proposed under Amendment No.115 are described in a draft Infrastructure Cost Estimate which is provided in the attachments and will be advertised as part of the documents to describe the proposals in Amendment No.115. The draft Infrastructure Cost Estimate also includes estimated allocations for existing DCP infrastructure that will be considered at the next ICS review. When Amendment No.115 is finalised, the ICS will need to be reviewed to implement the outcomes of the amendment.

The proposed scope for Phase 3 of the DCP 3 Major Review will be refined and confirmed as implementation of Phase 2 progresses and further reporting to Council will be undertaken at the appropriate time.

COMMENT AND ANALYSIS

Draft State Planning Policy 3.6 – Infrastructure Contributions (July 2019) sets out the principles and requirements that apply to infrastructure contributions in new and established urban areas. The 6 main principles which prescribe the manner in which contributions for infrastructure must be levied are summarised as follows:

- 1) Need and the Nexus
- 2) Transparency
- 3) Equity
- 4) Certainty
- 5) Consistency
- 6) Accountable

The infrastructure proposals identified in the preceding table for implementation as part of Phase 2 of the DCP 3 Major Review are described in further detail below, including the scope, need and nexus and costs (where applicable) for each. Costs for some of these items will be subject to change as the planning process advances through the MRS and TPS rezoning amendment process, and structure plans for the area are eventually finalised and approved. Notwithstanding, the estimates are considered to be at a suitable level of accuracy for inclusion in the draft ICS for advertising purposes.

Modifications to DCP 3 – Piara Waters West

Whilst the planning framework to guide the future subdivision and development of the Piara Waters West area is still to be progressed through structure plans, the identification of common infrastructure for inclusion in DCP 3 is considered appropriate and timely based on the following factors:

- Infrastructure provided to service the area represents a logical the extension of existing DCP 3 infrastructure program;
- The location of the future high school site has been confirmed through the recent MRS amendment that was adopted by the WAPC and was gazetted in November 2020;
- The need for a future primary school site to service the catchment has been confirmed based on the projected dwelling yield and population for the area with only the location of the site requiring confirmation through the future structure planning process;
- The key stakeholders associated with the development of the Piara Waters West area that were consulted as part of the DCP 3 Major Review process are generally supportive of modifications to extend the DCP area to encompass the precinct;
- Extending the DCP will provide additional certainty for both the City and landowners with respect to common infrastructure needs and costs; and
- The timeframe for approval of a DCP scheme amendment, which is classified as a ‘complex amendment’ under the *Planning and Development Act (Local Planning Schemes) Regulations 2015* is between 3-6 months longer than ‘standard’ amendment to rezone the area under the City’s TPS No.4 to Urban Development and this scheme amendment on behalf of the stakeholders associated with the Piara Waters West area has recently been lodged for the City’s consideration.

Proposal 1 – Include the Piara Waters West Area in DCP 3

The Special Control Area Map 3 which forms part of TPS No.4 will need to be amended to extend the DCA 3 area to apply to the Piara Waters West area, thus enabling DCP 3 to operate over the area. A copy of the Special Control Area Map 3 Amendment Plan is provided in the Attachments.

Proposal 2 – Funding for sporting and community facilities within the Piara Waters West including land acquisition

Scope / Need and Nexus

The provision of new sporting and community facilities will be required to service the Piara Waters West catchment that is being included in DCA3 as described in *Proposal 1*. There are several factors which will impede the provision of a sufficient land area (4.8 hectares) that will provide the required footprint for the future senior playing field. These factors include:

- The fragmented nature of land ownership within the Piara Waters West expansion area will create difficulties in coordinating the assembly of an appropriately located consolidated land parcel of a sufficient size to provide the required 4.8 hectare public open space footprint;
- No single lot within the Piara Waters West expansion area is capable of yielding a sufficient land area of 4.8 hectares of public open space when the Commission’s standard 10% gross subdivisible area for POS requirement is applied;
- There are wetland and vegetation areas that are also likely to need to be protected; and
- Drainage areas are also require and receive POS credits (partial) in accordance with the WAPC’s Policies.

The inclusion of land acquisition costs over and above 10% of the gross subdivisible area within the definition of DCP specified works will ensure that an appropriately sized and located land area for public open space purposes can be secured, and the associated land acquisition costs are apportioned in an equitable manner within the DCA 3 area. Modifying the wording of the relevant DCP specified works provision to encompass land acquisition costs will also ensure that affected landowners ceding over and above their 10% POS requirement are appropriately reimbursed from the DCP. This is a similar approach to the Anstey Keane DCP and other local government DCPs.

Modifications to the existing DCP scheme provisions relating to the development of sporting fields are also proposed to ensure that DCP allocations can be adjusted where applicable to account for the costs of constructing the required playing field, buildings and associated facilities.

Costs

Land acquisition costs associated with this proposed specified works item will be identified as part of the draft ICS that is prepared to accompany the advertising of Amendment No.115. The draft Infrastructure Cost Estimate identifies that land acquisition costs associated with this item will be approximately \$1,875,000, and development costs for the playing field and, buildings and associated facilities will be approximately \$9,500,000 minus contributions from the subdivider towards the costs of the development of public open space in accordance with normal subdivision requirements.

Proposal 3 – A contribution towards the development of sporting facilities for shared community use on the Department of Education high school site

Scope / Need and Nexus

The City holds a primary role for the provision of community buildings and public open space to accommodate organised and social sporting, recreational and leisure activities.

Based on the projected population in the North West Catchment Area, as identified by the City's Community Infrastructure Plan and in accordance with draft Liveable Neighbourhoods 2015, the Piara Waters/Harrisdale community will require an additional 2 playing fields and associated infrastructure. The City is planning to meet the community demand for hard court facilities through a negotiated outcome with the Department of Education.

The future 12.8 hectare high school site to be developed by the Department of Education bounded by Mason Road to the south and Warton Road to the east provides an opportunity for the City to enter into an agreement with the Department for the shared use of hardcourt facilities that the Department is proposing to develop within the school grounds.

With the future high school site in the final planning stages, the City has engaged with the Department to negotiate the provision of associated infrastructure (amenity building and floodlights) to support community use of a shared hardcourt facility proposed on the future Department of Education high school site. The development of an amenity building and floodlights will be required to service the hard court facilities so they are suitable for community use.

Costs

The costs associated with this proposed specified works item will be identified as part of the draft ICS that is prepared to accompany the advertising of Amendment No.115. The draft Infrastructure Cost Estimate identifies costs associated with this infrastructure item to be approximately \$450,000.

Proposal 4 – Contribution towards the costs of acquisition and/or betterment of the rehabilitated wetland UFI 7176 (as amended) located in Piara Waters on various lots within the West Piara Waters Precinct.

Scope/Need and Nexus

As part of consideration of the submission that was provided by the City to the WAPC in response to the advertising of MRS Amendment 1369/57 to rezone the land within the West Piara Urban Precinct from Rural to Urban, at its meeting of 20 July 2020 [D46/7/20], Council resolved to advise the proponent that it seeks to retain and protect the wetland and vegetation that falls within UFI 7176 as part of a TPS Amendment and Structure Plan process.

The WAPC's draft SPP 3.6 provides that wetlands may be suitable for inclusion in a DCP providing that such land provides a community recreation benefit as part of the overall public open space network for the area. DCP 3 already includes two wetlands situated within Harrisdale.

It is noted that the planning framework within the West Piara area is in its early stages, and as such, structure planning and associated environmental and botanical investigations are still progressing. The ability for wetland UFI 7176 and any associated vegetation deemed worthy of retention to form part of the developer's standard 10% public open space provision has therefore yet to be established, however it has been identified that in light of other demands for the allocation of POS within the area, it is unlikely that the wetland and vegetation will be capable of being fully accommodated within area of POS to be ceded as part of the developer's standard 10% POS requirement.

Under these circumstances, it is considered prudent for the DCP to recognise that a contribution may be required towards the costs of acquisition and/or betterment. Such a measure will assist in ensuring that an area of public open space ceded by developers which exceeds 10% of the gross subdivisible area, where such an overprovision directly relates to the retention of significant vegetation within the wetland as determined by the future planning framework can be acquired through the DCP mechanism, and the associated land acquisition costs apportioned in an equitable manner within the DCA 3 area.

Costs

The costs associated with this proposed specified works item will be identified as part of the draft ICS that is prepared to accompany the advertising of Amendment No.115. These costs are currently being reviewed by officers.

Modifications to DCP 3 – Existing DCA

DCP 3 provides a planning framework which has enabled contributions from developers to be secured by the City to fund the provision of community infrastructure within the area.

Based on the forecast population for the suburbs of Piara Waters and Harrisdale, the need and demand for sporting and community infrastructure and facilities that have been identified and where applicable, developed to date in the area exceeds the scope of infrastructure and facilities identified in the North Forrestdale Structure Plan and DCP 3. To this end, an assessment undertaken as part of the DCP 3 Major Review has identified the following modifications within the existing DCA which are discussed in further details as follows.

Proposal 5 – Acquisition of the land for the development of the 8e Harrisdale North - Site 'A' sporting and community facility

Scope/Need Nexus

The provision of new sporting and community facilities will be required to service the Harrisdale North area that is already included in DCA 3. The proposed construction costs for the development of this facility are already identified in the DCP (Specified Works Item 8e). The orderly planning for the Harrisdale North area has historically been hindered by several factors which have impeded the provision of a sufficient land area (4.8 hectares) that will provide the required footprint in order to provide the public open space area for the future senior playing field. These factors include:

- Environmental and drainage requirements/constraints;
- The fragmented nature of land ownership within Harrisdale North has created difficulties in coordinating the assembly of an appropriately located consolidated land parcel of a sufficient size to provide the required 4.8 hectare public open space footprint;
- No single parent lot within Harrisdale North is capable of yielding a sufficient land area of 4.8 hectares of public open space when the Commission's standard 10% gross subdivisible area for POS requirement is applied;
- The area had not been subdivided when the Reilly Road Primary School was approved and started construction, and the Department of Education has proceeded to construct its own oval; and
- A larger commercial area is being progressed on the corner of Wright Road and Ranford Road which does not contribute towards the 10% POS requirement.

The inclusion of land acquisition costs over and above 10% of the gross subdivisible area as part of DCP specified works will ensure that an appropriately sized and located land area for public open space purposes can be secured and the associated land acquisition costs are apportioned in an equitable manner within the DCA 3 area. The inclusion of this proposed specified works item will also ensure that affected landowners ceding over and above their 10% POS requirement in order to contribute to the proposed 4.8 hectare POS site are appropriately compensated.

Several modifications to the existing DCP scheme provisions relating to the development of this sporting field is also proposed in recognition that the opportunity for shared use of this sporting field with an adjacent primary school site may no longer exist.

Costs

Land acquisition costs associated with this proposed specified works item will be identified as part of the ICS 2021 review, and will be presented to Council prior to the draft 2021 ICS being advertised for public comment. The draft Infrastructure Cost Estimate identifies that land acquisition costs associated with this infrastructure item will be approximately \$4,488,000.

Proposal 6 – Contribution towards the costs of acquisition and/or betterment of the rehabilitated Wetland UFI 14880 (as amended) located on Lot 200 on DP 415389 Skeet Road, Harrisdale.

Scope/Need and Nexus

Draft SPP 3.6 provides that wetlands may be suitable for inclusion in a DCP providing that such land provides a community recreation benefit as part of the overall public open space network for the area. DCP 3 contains existing provisions relating to the acquisition of the core area of the rehabilitated Conservation Category Wetland on Lot 49 Wright Road, Piara Waters.

It is noted that the planning framework within the North Harrisdale area is in its early stages, and as such, structure planning and associated environmental and botanical investigations have not been significantly advanced. The ability for wetland UFI 14880 and any associated vegetation deemed worthy of retention to form part of the developer's standard 10% public open space provision has therefore yet to be established and confirmed. It is also noted that the WAPC has not previously been supportive of the inclusion of wetland areas within DCPs, however the WAPC's draft SPP 3.6 now permits the inclusion of wetland areas where a community recreation benefit can be derived.

Under these circumstances, it is considered prudent for the DCP to recognise that a contribution may be required towards the costs of acquisition and/or betterment. Such a measure will assist in ensuring that an area of public open space ceded by developers which exceeds 10% of the gross subdivisible area, where such an overprovision directly relates to the retention of significant vegetation within the wetland as determined by the future planning framework can be acquired through the DCP mechanism, and the associated land acquisition costs apportioned in an equitable manner within the DCA 3 area.

Costs

The costs associated with this proposed specified works item will be identified as part of the draft ICS that is prepared to accompany the advertising of Amendment No.115. The draft Infrastructure Cost Estimate identifies the costs associated with this infrastructure item to be approximately \$350,000, which is essentially a high level estimate based on the assumed area of wetland that might need to be acquired through the DCP mechanism, the assumed land acquisition rate per square metre for environmentally constrained land, and the assumed costs of contributing towards the betterment of the wetland if required.

Proposal 7 – Modifications to the DCP 3 cost calculation approach to apportion costs over specific areas

Based on the preliminary outcomes of the DCP 3 Major Review, with some of the proposed new common infrastructure items identified for inclusion as part of Amendment No.115, it has been identified that the existing approach to the apportionment of costs in Schedule 9B of TPS No.4 may require some modification to ensure that infrastructure costs are shared more equitably.

The current approach to calculating the contribution amount paid by developers is predicated on the costs of all DCP infrastructure being apportioned on an equal basis throughout the entire DCP area.

Modifications to the scheme text to introduce a Cost Apportionment Schedule (CAS) into the ICS are considered appropriate to enable different contribution rates to be applied to a designated area to meet the costs of providing specific infrastructure for that area when the circumstances deem that such an approach is warranted rather than these costs being apportioned throughout the entire DCP area.

The proposed scheme provisions will ultimately enable Council to exercise discretion to determine that it is more equitable for developers in a designated area to pay a different rate for the provision of infrastructure to service that area. Such scheme provisions are commonplace in other local government areas, and will also be consistent with SPP 3.6.

As the ICS is reviewed on an annual basis, Council will have the opportunity to consider the need for any potential future adjustments to the CAS on a regular basis in conjunction with the annual ICS review.

Modifications to DCP 3 – Administrative Arrangements

The City has been acting as the administrator of DCP 3 since it first came into operation in 2007. An assessment undertaken as part of the DCP 3 Major Review has identified a number of operational issues that could be resolved to improve the efficient and effective administration of DCP 3. To this end, modifications to the planning framework to improve the administration of the DCP are discussed in further details as follows.

Proposal 8 – Transfer the calculation and apportionment of costs and contribution details from TPS No.4 to the ICS

As part of the scope of the major review, consideration has been given to potential adjustments to the DCP approach in order to more effectively and accurately calculate and manage the collection of owner contributions for the remaining lifespan of the DCP.

Reviewing this aspect of the DCP as part of the major review was considered particularly important in light of the incremental expansion of DCA 3 from beyond what was originally contemplated in 2007 due to additional areas being rezoned to Urban in the MRS and the changing rates of residential densities achieved over this period.

The transfer of the calculation and apportionment of costs and contribution details from TPS No.4 to the ICS will provide the flexibility for adjustments to be advertised and made if and when required, as determined by Council, and ensure the cost contribution rate can be adjusted in an agile manner to account for future residential density trends, and when land is identified with additional constraints.

This method is also preferred rather than undertaking scheme amendments to amend the forecast density rate provisions contained in TPS No.4 which take between 18 - 24 months to be completed. The WAPC's draft State Planning Policy 3.6 supports this approach for cost calculation and other DCP administrative details to be provided in documents that do not form part of the scheme.

Calculation and cost apportionment provisions will be included in the ICS which is far more practical and efficient than inclusion in the DCP scheme provisions. Importantly, as the ICS is reviewed annually, developers will be able to be consulted and Council will have the opportunity to consider the need for any potential future adjustments to the DCP calculation methodology on a more frequent basis which represents a more efficient and effective approach to the administration of the DCP. In addition to this, the ICS review, which is advertised on an annual basis will also provide stakeholders with the opportunity to review and provide comment on changes to inputs into the DCP calculation methodology.

Proposal 9 – Amend Clause 5A.3.3 and 5A.3.4 of TPS No.4

Section 5A of TPS No.4 contains provisions which support the imposition of subdivision conditions that require cost contributions to be made in an area where a DCP is in effect, or in areas where a DCP is required but has yet to take effect. However, these scheme provisions do not support the imposition of development conditions requiring cost contributions to be made given that historically, land within the DCP area has been generally subdivided first and contributions fully paid prior to any development occurring.

The omission of the word ‘development’ from these scheme provisions appears to be an anomaly given that other parts of the scheme clearly recognise that DCP cost contribution liabilities can arise as a result of either subdivision or development. To this end, it is considered appropriate to amend these scheme provisions by inserting the words ‘and/or development’ next to the word ‘subdivision’ which will enable cost contribution requirements to be imposed through conditions of development approvals as well as subdivision approvals.

The proposed modifications to the scheme text to give effect to Proposals 2 - 9 are included in the Attachments.

Complex Amendment

Under the *Planning and Development Act (Local Planning Schemes) Regulations 2015*, any local planning scheme amendment proposal involving a development contribution area or development contribution plan is classified as a complex amendment. As such, if Council agrees to initiate, Amendment No.115 will be progressed as a complex amendment and require the WAPC’s consent to advertise. Following initiation, the Scheme Amendment will also be required to be forwarded to the EPA for a decision as to whether an environmental assessment is required. Following a decision by the WAPC and the EPA that no assessment is required, the Scheme Amendment will need to be publicly advertised for a period of 60 days.

OPTIONS

Council has the following options:

1. Council may initiate the Scheme Amendment as proposed (with or without modifications).
2. Council may decline the initiation of the Scheme Amendment if it considers the proposal to be contrary to the orderly and proper planning of the area or for any other reason.

CONCLUSION

Amendment No.115 will assist in facilitating the delivery of beneficial outcomes for the communities of Piara Waters and Harrisdale including:

- Ensuring that the new Piara Waters West urban expansion area is provided with an appropriate level of infrastructure to service the needs of the community, and which is commensurate with the scope and scale of infrastructure that has been delivered, or is in the process of being delivered via DCP 3 for the existing Harrisdale and Piara Waters DCA.
- Appropriately responding to the infrastructure needs of the established DCA through the implementation of appropriate modifications to the DCP.
- Implementing appropriate modifications to the relevant administrative provisions set out in TPS No.4 to facilitate the efficient and effective administration of DCP 3 for its remaining operating lifespan.

Having regard to the benefits outlined in the preceding comments, Option 1 is recommended. Once initiated, following the closure of the advertising period, the proposed amendment and any submissions received during the advertising period will be forwarded to Council to consider whether the amendment should be supported and forwarded to the Minister for final adoption.

ATTACHMENTS

1. Amendment 115 - TPS 4 Proposed modifications (with modifications)
2. Amendment 115 - TPS 4 Proposed modifications (final version)
3. Special Control Area Map 3 - Amendment 115
4. Draft Infrastructure Cost Estimate Schedule (refer separate Attachment)

RECOMMEND

D11/3/21

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate Amendment No.115 to Town Planning Scheme No.4 as follows:

Proposal 1

- A. Amending Special Control Map 3 as shown on the attached Proposed Zoning – Special Control Area Map 3 Plan to include the Piara Waters West (Warton Road) Urban Precinct;

Proposals 2, 3 and 5

- B. Amend Clause 3.6.3 (8) (e) of Schedule 9B by inserting the words “land acquisition” following the words “100% of the total cost to construct sporting and community facilities, including”, and inserting the words “where applicable in the West Piara Urban Precinct identified in MRS Amendment 1369/57, and in Harrisdale within the area generally bounded by Ranford Road, Wright Road, Reilly Road and Skeet Road.” following the

words “abutting proposed primary schools”;

- C. Amend Clause 3.6.3 (8) (f) of Schedule 9B by deleting all of the words that follow “A contribution as defined in Infrastructure Cost Schedule to the total cost to construct a senior multiple purpose sporting oval” and replacing these words with the following:

“and acquire land where applicable as follows:

- (i) adjoining each of the public primary schools where applicable minus contributions from the Department of Education when they become available for ovals shared with public primary schools;
- (ii) a senior multiple purpose sporting oval in the West Piara Urban Area identified in MRS Amendment 1369/57;
- (iii) a senior multiple purpose sporting oval in Harrisdale within the area generally bounded by Ranford Road, Wright Road, Reilly Road and Skeet Road; and
- (iv) a senior multiple purpose sporting oval on Lot 48 Nicholson Road”.

Proposal 4

- D. Amend Clause 3.6.3 (10) by deleting the words “Conservation Category” from the heading of the clause;
- E. Amend Clause 3.6.3 (10) by adding the following: “(c) Contribution towards the costs of acquisition and/or betterment of the rehabilitated wetland UFI 7176 (as amended) located on various lots within the West Piara Waters Area”;

Proposal 6

- F. Amend Clause 3.6.3 (10) by adding the following: “(b) Contribution towards the costs of acquisition and/or betterment of the rehabilitated wetland UFI 14880 (as amended) located on Lot 200 on DP 415389 Skeet Road, Harrisdale”;

Proposal 7

- G. Amend Clause 3.4.2 of Schedule 9B by adding the word “base” following the words “based on a” and adding the words “and where applicable, an additional Cost Contribution Per Lot” following the words “Cost Contribution Per Lot”
- H. Amend Clause 3.4.2 (a) of Schedule 9B by inserting the word “base” between the words “The” and the words “Cost Contribution Per Lot”, and inserting the words “of Infrastructure which is subject to the base Cost Contribution as specified in the Infrastructure Cost Schedule” following the words “Net Common Infrastructure Costs”;
- I. Amend Clause 3.4.2 (a) (i) of Schedule 9B by inserting the word “base” following the words “A = gross cost of” and inserting the words “as prescribed in the Infrastructure Cost Schedule” following the words “estimated future costs.”;
- J. Amend Clause 3.4.2 (a) (i) of Schedule 9B by adding the words “where the

base cost contribution per lot applies” following the words “B = payments made to date by owners of land who subdivide or develop land within the Development Contribution Area”

- K. Amend Clause 3.4.2 (a) (i) (1) of Schedule 9B at the third dot point by deleting all of the words that follow “of 14.6 lots per hectare” and replacing these words with the following words “for the Area equivalent of the land holding of an owner after 28 October 2014 onwards and prior to the gazettal of Amendment No.115; and;”;
- L. Amend Clause 3.4.2 (a) (i) (1) of Schedule 9B by adding a fourth dot point to follow the second dot point which reads as follows “- the lots produced at the density rate prescribed in the Infrastructure Cost Schedule from gazettal of Amendment No.115; or;”;
- M. Amend Clause 3.4.2 (b) of Schedule 9B by inserting the word “base” following the word “The”, inserting the words “where the base cost contribution per lot rate applies as specified in the Infrastructure Cost Schedule” following the words “Cost Contribution payable by each owner of land in the Development Contribution Area”, and inserting the word “base” following the words “is calculated by multiplying the number of freehold lots produced from the owner’s land by”;
- N. Amend Clause 3.4.2 by adding the following provisions to follow (b):

“(c) The additional Cost Contribution Per Lot is determined by first deriving the Net Common Infrastructure Costs of Infrastructure which is subject to the additional Cost Contribution as specified in the Infrastructure Cost Schedule:

(i) $A1 - B1 = C1$

Where:

A1 = gross cost of Common Infrastructure Works being the total of fixed actual and estimated future costs as prescribed in the Infrastructure Cost Schedule, which will be based on costs estimated no more than 12 months in advance. Such estimates may be based on an average for each Common Infrastructure work cost and shall recognise all factors affecting the development of the relevant Development Contribution Area and associated constraints the local government will encounter in the provision of the Common Infrastructure Works. This shall include (but not be limited to) variable market conditions and the nexus between the time frame of development and provision of Common Infrastructure Works.

B1 = payments made to date by owners of land who subdivide or develop land within the Development Contribution Area where the additional cost contribution per lot applies calculated on the basis of whichever is the lesser of:

- (1) the lots produced at the density rate prescribed in the Infrastructure Cost Schedule from gazettal of Amendment 115;

or

- (2) the actual number of lots produced by the land holding of an owner;

C1 = Common Infrastructure work costs;

and then dividing the Common Infrastructure work costs by the subdivision potential of the balance of the Area of the Development Contribution Area remaining unsubdivided where the additional cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No.3 and Clause 5A4.4, and multiplying that area by the density rate prescribed in the Infrastructure Cost Schedule.

- (ii) **$C1 \div D1 = E1$**

Where:

D1 = the number of lots to be produced to achieve the density rate prescribed in the Infrastructure Cost Schedule for the area equivalent of the unsubdivided balance area of the Development Contribution Area where the additional cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No.3 and Clause 5A4.4;

E1 = the additional Contribution Cost Per Lot.

- (d) **The additional Cost Contribution payable by each owner of land in the Development Contribution Area where an additional rate applies as specified in the Infrastructure Cost Schedule, is calculated by multiplying the number of freehold lots produced from the owner's land by the additional Contribution Cost Per Lot.;**

- O. Renumber Clause 3.4.2 Clause (c) to Clause (e) accordingly;**

Proposal 8

- P. Amend Clause 3.4.2 (a) (i) (2) of Schedule 9B by inserting the word “where the base cost contribution per lot rate applies” following the words “C = Common Infrastructure work costs; and then dividing the Common Infrastructure work costs by the subdivision potential of the balance of the Area of the Development Contribution Area remaining unsubdivided”, and deleting the word “14.6” following the words “excluding those land uses in Clause 3.3 of Development Contribution Plan No.3 and Clause 5A4.4, and multiplying that area by”, and inserting the following words “the density rate prescribed in the Infrastructure Cost Schedule.”;**
- Q. Amend Clause 3.4.2 (a) (i) (2) of Schedule 9B by deleting the words “14.6 lots per hectare” following the words “D = the number of lots to be produced to achieve”, and replacing this with the following words “the density rate prescribed in the Infrastructure Cost Schedule.”, and inserting the words**

“where the base cost contribution per lot rate applies,” to follow the words “for the area equivalent of the unsubdivided balance area of the Development Contribution Area”

Proposal 9

- R. Amend Clause 5A.3.3 of TPS No.4 by adding the words “and/or development” after the word “subdivision” where this word occurs; and
- S. Amend Clause 5A.3.4 of TPS No.4 by adding the words “and/or development” after the word “subdivision” where this word occurs.
2. The amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):
- The amendment relates to amending a Development Contribution Plan.
3. Refer the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the *Planning and Development Act 2005*.
4. Forward the Amendment to the WAPC to obtain consent to advertise the Amendment as proposed.
5. Should the EPA advise that the amendment does not require assessment and the WAPC grants consent to advertise the Amendment, advertise the amendment for no less than 60 days.
6. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.
7. Should the WAPC require any minor modifications prior to advertising, authorise the CEO and Mayor to execute the modified amendment documents.

Moved Cr J H Munn
MOTION CARRIED

(6/0)

COUNCILLORS' ITEMS

Nil

6.1 - WUNGONG PLANNING FRAMEWORK

As previously reported to Council in August 2020 DevelopmentWA has advised that s.57 of the *MRA Act* cannot be used to normalise its planning framework in Wungong as originally intended.

- This constraint necessitates a scheme amendment/s being made to City's Town Planning Scheme prior to normalisation, using s.58 of the *MRA Act*: this scheme amendment process was previously followed for the Champion Drive, Forrestdale Business Park East and West of Rail Precincts. There is likely to be:
 - one scheme amendment for Wungong dealing with Developer Contribution Plan (DCP) matters; and
 - at least one more applying zonings and structure plan/environmental provisions, etc.
- There are a number of pre-requisites to initiating the scheme amendment/s for Wungong, which are briefly described below and are the subject of ongoing discussion and work by the parties:
 - The Metropolitan Region Scheme Amendment for Wungong needs to be finalised, to ensure consistency in terms of zonings and reservations: Council considered this Amendment at its Ordinary Meeting of 23 November 2020 and the resulting submission is awaiting WAPC consideration.
 - The Environmental Protection Authority has flagged its intention to use the local scheme amendment process to address any current environmental requirements that were not addressed by the previous environmental review in Wungong. DevelopmentWA engaged an environmental consultant to carry out a 'gap analysis' that is expected to identify the relevant requirements. The City has been awaiting the outcome of that consultant's report in order to inform the drafting of the scheme amendments, however further environmental work may be necessary prior to the drafting of scheme amendments.
 - The *Wungong Flood Modelling and Drainage Study Report* which was circulated by DevelopmentWA in December 2020 documents a substantial shortfall in flood storage, should the current development approach continue, particularly during the 1% AEP (annual exceedance probability) event. The resolution of this issue may necessitate modification of the existing planning framework at a regional or district level, which should occur prior to normalisation. The matter has been raised by the City as part of its submission to the WAPC on the Wungong MRS Amendment.
 - The review of DevelopmentWA's Developer Contribution Plan needs to be completed before the content of the City's DCP can be determined and incorporated into a scheme amendment for Council's consideration. The City is awaiting consideration by DevelopmentWA of its submission on the Wungong DCP.

6.2 - SWIMMING POOL INSPECTOR, NICK NICHOLLS

The Executive Director Development Services advised Committee of the recent passing of Mr Nick Nicholls, the City's Swimming Pool Inspector for over 20 years. Mr Nicholls had recently retired, he will always be remembered as a professional colleague with key industry experience and knowledge demonstrated over the past 20 years at the City and excellent customer service.

6.3 - DEVELOPMENT SERVICES DIRECTORATE

The Executive Director Development Services provided an update on the increasing heavy workload in the Directorate with the Government incentives and upturn in activity. The Planning Applications currently being processed include: new shopping centres, South Metro Tafe Campus, major distribution centres, new school on Nicholson Road, Balannup / Skeet Road Precinct rezoning amendment and Warton Road Precincts in Piara Waters rezoning amendments.

MEETING DECLARED CLOSED AT 8:18 PM

DEVELOPMENT SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
15 MARCH 2021		
ATT NO.	SUBJECT	
1.1 FINAL ADOPTION - AMENDMENT 89 - TPS NO.4 - HOUSING DENSITY CODE MODIFICATIONS EAST OF CHALLIS AND SHERWOOD TRAIN STATIONS		
1.1.1	Local Planning Strategy - Housing Strategy Map	
1.1.2	Location and Proposal Plan - Amendment No.89	
1.1.3	Schedule of Submissions - Amendment No.89	
1.1.4	Amendment No.89 - Proposed Scheme Text (with modifications)	
1.1.5	TPS No.4 - Amendment No.89 - Existing and Proposed Zoning Plan	
2.1 RECONSIDERATION OF CONDITION OF DEVELOPMENT APPROVAL - PROPOSED CHILD CARE - LOTS 30 AND 99 (36) JULL STREET, ARMADALE		
2.1.1	Notice of Determination - Approved by Council - Lot 30 (36) Jull Street, Armadale	
2.1.2	Approved Site Plan - Lot 30 & 99 Jull St, Armadale	
2.1.3	Approved Elevation Plan 1 - Lot 30 & 99 Jull St, Armadale	
2.1.4	Approved Elevation Plan 2 - Lot 30 & 99 Jull St, Armadale	
2.1.5	Proposed Tree Removal - Lot 30 & 99 Jull St, Armadale	
2.1.6	Approved Floor Plan - Lot 30 & 99 Jull St, Armadale	
2.1.7	Approved Roof Plan - Lot 30 & 99 Jull St, Armadale	
2.1.8	Approved Demolition Plan - Lot 30 & 99 Jull St, Armadale	
2.1.9	Original Building Plan - Lot 30 & 99 Jull St, Armadale	
3.1 ROAD NAMING - ANSTEY ROAD, FORRESTDAL		
3.1.1	Schedule of Submissions - Renaming of Anstey Road, Forrestdale	
4.1 PROPOSED AMENDMENT NO.115 TO TOWN PLANNING SCHEME NO.4 - NORTH FORRESTDAL DEVELOPMENT CONTRIBUTION PLAN NO.3 MAJOR REVIEW PHASE 1		
4.1.1	Amendment 115 - TPS 4 Proposed modifications (with modifications)	
4.1.2	Amendment 115 - TPS 4 Proposed modifications (final version)	
4.1.3	Special Control Area Map 3 - Amendment 115	
4.1.4	Draft Infrastructure Cost Estimate Schedule (refer separate Attachment)	

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

CITY OF ARMADALE

MINUTES

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

PRESENT:

Cr JH Munn CMC (Chair)
Cr C A Campbell JP (Deputy Chair)
Cr E Flynn
Cr K Busby
Cr G Nixon

APOLOGIES:

Cr H T Jones (Leave of Absence)
Cr Silver (Leave of Absence)
Cr C Frost
Cr R Butterfield

OBSERVERS:

Cr S Peter
Cr M Northcott
Cr G Smith

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Mr N Kegie	A/Executive Director Community Services
Mr M Hnatojko	Executive Manager Corporate Services
Mr B D'Lima	Manager Information and Communications Technology (to 7.23pm)
Mr K Yeoh	Manager Financial Services
Ms V Lu	Financial Accountant
Mr J Gamage	Assistant Accountant
Mr M Tapscott	Manager Engineering Design
Mrs A Owen-Brown	A/Executive Assistant Corporate Services

PUBLIC:

Nil

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Cr M S Northcott Recommendation number CS14/03/21 – 3.1 Skeletal Path Network Plan – Stage 3

Cr G Smith Recommendation number CS17/03/21 – New Armadale TAFE Campus Progress Report

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Corporate Services Committee Meeting held on 16 February 2021 be confirmed.

Moved Cr K Busby

MOTION CARRIED

(5/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

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

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CORPORATE SERVICES COMMITTEE

16 MARCH 2021

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1.1 - LEAVE LIABILITY PLAN

WARD : ALL
FILE No. : M/63/21
DATE : 2 February 2021
REF : MH
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- The latest statistics for annual leave and long service leave for year end 2020 and end of February 2021 have been provided
- The number of staff with outstanding leave has remained steady however it is prudent to now take a revised approach to reduce excess accrued liabilities
- Recommend that Council notes the annual and long service leave reduction plan that will be implemented
- Recommend that Council be presented a further report on leave balances in October/November 2021, in conjunction with the FY21 Annual Financial Report.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.3.1 Prepare and implement short to long term financial plans.

4.3.1.3 Investigate, monitor and report on key financial ratios.

Legal Implications

Local Government (Long Service Leave) Regulations; and in conjunction City of Armadale Enterprise Agreement 2016

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The annual budget provides for changes in leave accruals. Generally an increase in liability through wage growth is offset by the interest earned on leave liability provisions held in the City's cash reserves. Reduction of leave via cash payments does not cost the City any more, as the funds for this payment have already been provided for.

As at 30 June 2020 the City's financial statements indicated the liability for employee leave was \$8.27M. This amount is fully cash backed in the reserve account.

Consultation

Human Resources

Executive Leadership Team

McLeods Barristers and Solicitors

BACKGROUND

The Corporate Business Plan KPI 4.3.2.2 "Ensure that the City's leave liability is appropriately covered and actively managed" requires the City to have a plan in order to manage the annual and long service leave liabilities of staff.

In March 2019, Council was provided with a report on the status of the City's employee leave liability.

The issue of excess annual leave accruals was last discussed by the Audit Committee on 5 August 2020 as part of the Interim Audit Findings. The Committee and subsequently the Council on 10 August 2020 resolved to increase the initial rating provided for excess annual leave accruals from minor to moderate.

The key document to define what constitutes excess annual leave accruals is the City of Armadale Enterprise Agreement 2016 (Enterprise Agreement). This document permits staff to defer annual leave for a maximum 3 years (12 weeks) if formal approval is received.

COMMENT**Leave Accruals**

The matter of leave accruals has been raised in past audits over a number of years and there is a Corporate Business Plan KPI to prepare a plan to address leave liabilities. Managing leave accrual balances (both annual and long service leave) is considered important to minimise risks associated with:

- health and safety concerns with staff members not taking their annual entitlements;
- key staff not being rotated, a preventive control against fraud; and
- increased employee costs to the City given salary rises and increments that may occur over time.

Whilst individual plans for taking annual leave have been made, there has not to date been one overarching corporate plan prepared. This report culminates in the preparation of such a leave plan for the whole organisation.

There has been underinvestment in the existing corporate business systems and management reporting capability in the past. Consequently the visibility of leave liability for managers has been limited. This issue is being directly addressed through improvement to both the existing systems and data sets and will be completely resolved with the implementation of the new business system.

Annual Leave

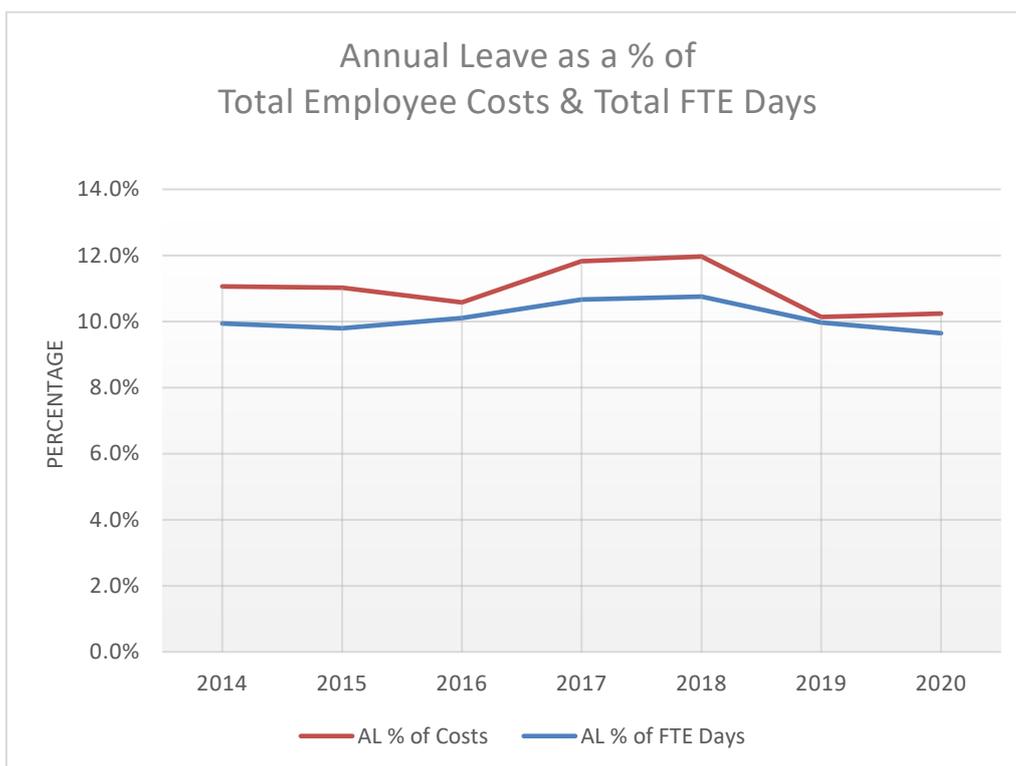
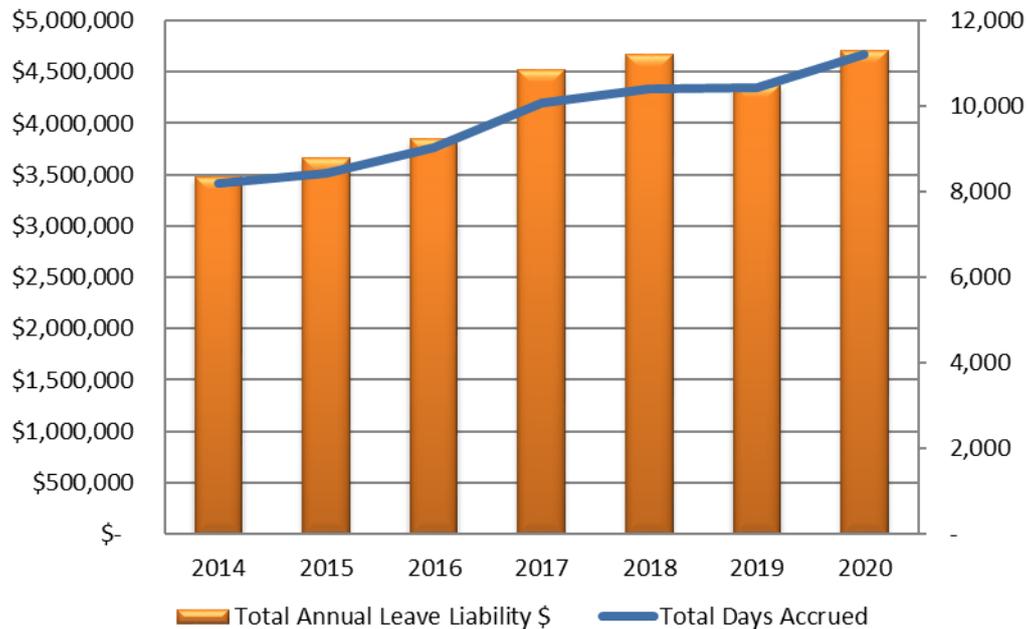
The table below illustrates the number and percentage of the total permanent and part time employees at 30 June 2020 and the end of February 2021 Year to Date (YTD) in excess of 60 days of annual leave. Currently, nineteen (19) (4.2%) of the total 447 Full-Time Equivalent (FTE) employees remain above that threshold, the same number in total as at 30 June 2020.

Annual Leave	2018		2019		2020		2021 (YTD)	
	# Staff	% Staff						
< 0 days *	21	5.0%	18	4.1%	5	1.1%	17	3.8%
0-20 days	180	43.0%	216	48.6%	223	48.0%	232	51.9%
21-40 days	147	35.1%	136	30.6%	161	34.6%	120	26.8%
41-60 days	47	11.2%	56	12.6%	57	12.3%	59	13.2%
60-80 days	14	3.3%	12	2.7%	12	2.6%	14	3.1%
> 80 days	10	2.4%	6	1.4%	7	1.5%	5	1.1%
TOTAL	419	100%	444	100%	465	100%	447	100%

* Purchased Leave or Leave in Advance

The following charts provide a perspective on the total annual leave liability at the end of the recent financial years. In a general sense, overall staff numbers and pay rates (except for 2020) have been increasing which has led to an increase in the total dollar leave quantum as evidenced in the first chart. The second chart provides more perspective on the annual leave position of the City as both the percentage to total employee costs and to total FTE days has decreased and stabilised in comparison with the period 2016 to 2018.

Annual Leave (\$)



Annual leave is generally managed, cognisant of:

- impending retirement,
- future holiday commitment (for example an overseas trip),
- long term personal commitments (for example, building a house, taking care of a sick family member), or
- special circumstances, considered on a case by case basis.

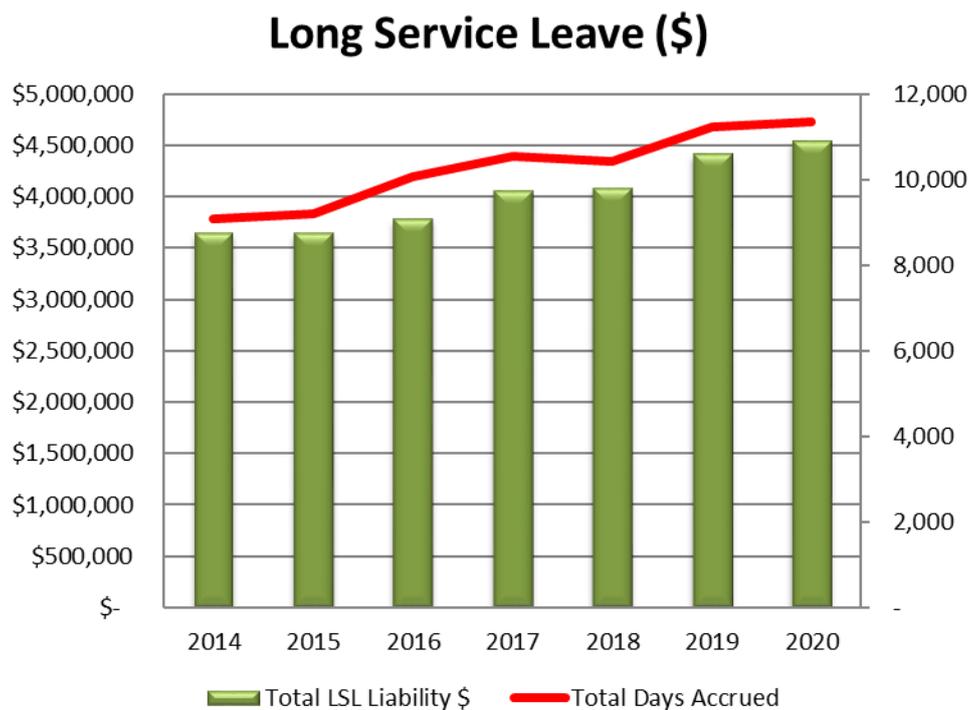
Irrespective, the data indicates that management of annual leave is a matter that requires continued senior management attention each year with immediate action on the staff members who have balances that are outside of the Enterprise Agreement maximum threshold of 60 days or 12 weeks.

Long Service Leave

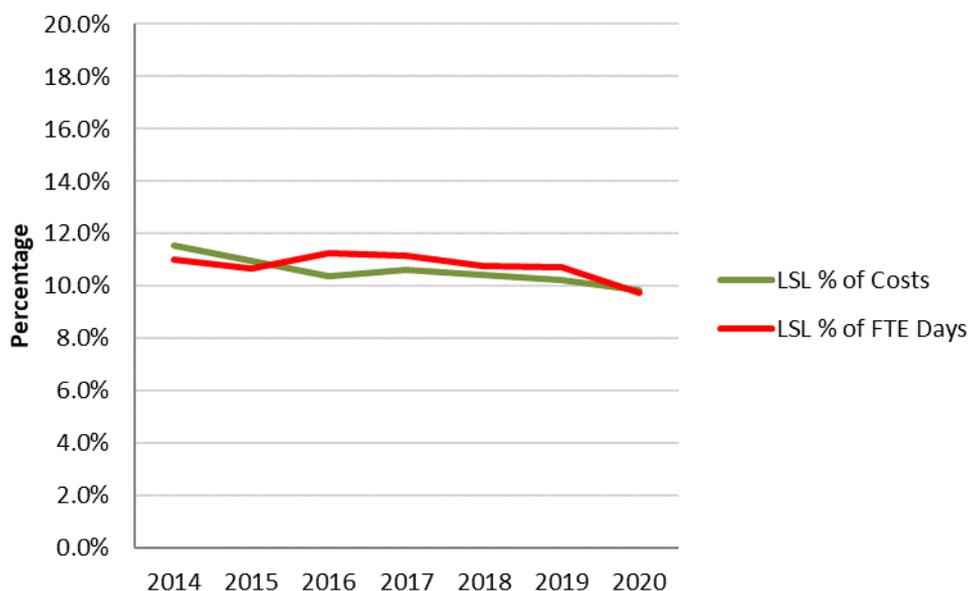
A similar scenario presents for the City's long service leave liability. As at June 30 2020, seven (7) employees are above 14 year's service worth of accrued leave which increases to nine (9) at February 2021. This equates to 2.0% of the total 447 FTE employees.

Long Service Leave	2018		2019		2020		2021 (YTD)	
	# Staff	% Staff						
< 7 years	327	78.0%	330	74.3%	352	75.7%	346	77.4%
7 - 10 years	49	11.7%	69	15.5%	77	16.6%	64	14.3%
10 - 12 years	23	5.5%	28	6.3%	18	3.9%	14	3.1%
12 - 14 years	8	1.9%	6	1.4%	11	2.4%	14	3.1%
14-16 years	7	1.7%	6	1.4%	4	0.9%	4	0.9%
>16 years	5	1.2%	5	1.1%	3	0.6%	5	1.1%
TOTAL	419	100%	444	100%	465	100%	447	100%

The following charts provide a perspective on the total long service leave liability:



Long Service Leave as a % of Total Employee Costs & Total FTE Days



Annual Leave Plan

The leave balances for staff have accumulated over time based on a range of factors. There has been no formal plan for the reduction of excess annual leave (i.e. over 12 weeks) when it occurs and this is now required in order to ensure that the City is operating in accordance with the Enterprise Agreement and to reduce the total liability to the City. Specifically, the Enterprise Agreement stipulates that:

annual leave, unless deferral approval is received, should be taken within six months of it becoming due.

On face value and in isolation, nineteen (19) staff out of 447 (4.2%) who have excess leave would not be considered as a major non-conformance. In terms of the level of officer with excess leave, nine are at coordinator level or above, with the balance at the general officer/labourer level.

Executive Level	2
Management Level	4
Coordinator Level	3
Officer Level	10
TOTAL	19

In day terms, the nineteen (19) staff range from just over the 60 day mark to two (2) staff who have 90 days accumulated. As at February 2021, the City needs 239 combined days of annual leave reduced immediately in order to meet the intent of the Enterprise Agreement. The value of this leave is approximately \$741k.

The City has received legal advice on its ability to direct employees to take excess annual leave and this has been considered in the formulation of an annual leave reduction plan (the 'Plan') elements listed below.

With the number of staff with excess leave being in place for a number of years now, formal intervention and a leave reduction plan will be implemented.

The Plan is based on improved and regular reporting, written and agreed leave plans and a commitment to backfill roles. The individual elements of the Plan are as follows;

- Monthly reports of excess leave are to be provided to Executive Directors and tabled monthly at Executive Meetings for review;
- The Enterprise Agreement clause, where formal approval is required to defer leave beyond six months after it became entitled, will be strictly enforced;
- Staff who are over the twelve (12) weeks accrued maximum need to resolve the differential back to the twelve (12) weeks maximum allowed by June 30, 2021;
- The Executive Director/CEO of the particular employee over the maximum accrual is to determine a written plan in conjunction with the employee to deal with the reduction of the differential noting that further leave will also be accrued up unto June 30 – the plan will include the covering and replacement of the role for the period of leave to be taken where necessary;

The extinguishing of the differential may be a combination of cashed out leave and/or some leave taken. Previously it was considered that employees could only cash out two weeks leave per annum. Subsequently the legal advice has indicated that it is possible for employees to receive more than 2 weeks cashed out leave per annum as long as they have at least 4 weeks leave remaining and that at least 2 weeks annual leave is taken in conjunction with the cashed out leave i.e. instead of a staff member being limited to one period of 10 days on double pay per year, they could have more than one 10 day period of leave on double pay provided they are able to meet all of the other conditions of the Enterprise Agreement clause dealing with Cashing Out of Annual Leave. This will be a key part of the plan to reduce leave and is already provided for in the employee leave liabilities provisions in the City's Statement of Financial Position.

- In the event of the majority of the differential being cashed out, the employee will still be required to take a minimum of 4 weeks actual annual leave within the next 12 months to ensure the occupational health and safety benefits are received and to ensure the maximum allowable leave of 12 weeks is not breached again;
- The current employees who have accumulated between 6 weeks and 12 weeks will be tabled every quarter to ELT for review in order to ensure the 12 week maximum is not breached and that formal plans are put in place for the taking of the leave.

Long Service Leave Plan

There is no definition of excess long service leave in the Enterprise Agreement. The *Local Government (Long Service Leave) Regulations* stipulate that the employer cannot direct that the employee takes the leave within the first six months of becoming entitled to it but it does state that the leave should be taken at the earliest practicable date.

As indicated in the previous table nine (9) staff are currently considered by senior management to have excess long service leave accruals.

The plan to reduce this excess leave accrued will be put on hold until the annual leave excess reduction plan has been determined and implemented with the target date being 30 June 2021. This is to ensure business continuity for the operations of the City can be assured in the event a number of key staff are required to take annual leave in the short term.

The listing of staff who have accumulated more than one term of long service leave will be tabled at ELT and reviewed quarterly. The Executive Director/CEO concerned will need to establish a written plan for each of these employees within the next 12 months.

It is noted that due to the portability of Long Service Leave under the *Local Government (Long Service Leave) Regulations 1996*, in some instances, the accrued leave has occurred with other Local Governments. In these cases, the City is able to claim monies off these Local Governments for the accrued amount, but at the rate of pay when the employee left the preceding Local Government.

CONCLUSION

The overall accrual of Annual Leave and Long Service leave has remained comparatively stable in the last few years, however it is an issue that should be managed. In order to provide good management of the leave liability, formal review and follow up of individual accruals by senior management is required.

A formal written plan for each employee will be finalised for the reduction of excess annual leave back to 12 weeks maximum by 30 June 2021 by the respective Executive Director/CEO.

A formal monitoring and review program will be implemented immediately and will occur monthly and/or quarterly depending on the type of leave.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CS11/3/21

That Council:

- 1. notes the annual and long service leave reduction plan that will be implemented; and;**
- 2. be presented a further report on leave balances in October/November 2021, in conjunction with the FY21 Annual Financial Report.**

Moved Cr K Busby
MOTION CARRIED

(5/0)

**

1.2 - REVIEW OF 2020/21 ANNUAL BUDGET

WARD : ALL
FILE No. : M/66/21
DATE : 2 February 2021
REF : MH
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- This Report presents a review of the 2020/21 Annual Budget based on actuals and commitments for the first six months of the year and forecasts for the remainder of the financial year.
- Recommend that the Review Report together with the recommendations contained therein, be approved.

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

4.3 Financial Sustainability

4.3.1 Prepare and implement short to long term financial plans.

Legal Implications

Local Government (Financial Management) Regulations 1996 – Review of Budget – Reg 33A

Local Government Act 1995 – Annual Budget – Section 6.8

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The net change resulting from the proposed budget variations and amendments is an improvement to the budget of \$13,000. This is within tolerable levels. It is anticipated at this time that the City will finish the financial year +/- \$500,000, or a 0.4% variation to the

balanced budget position. The Council Resolution CS3/2/21 dated 22 February 2021 to part correct the identified FY21 budget overall deficit has been included in the review numbers.

Consultation

Executive Leadership Group (ELT)

COMMENT

Prudent management of the City's Annual Budget includes a full review of the City's progress mid-way through the financial year.

In addition, Regulation 33A of the *Financial Management Regulations* states:

33A. Review of budget

(1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*

(2A) *The review of an annual budget for a financial year must —*

(a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*

(b) *consider the local government's financial position as at the date of the review; and*

(c) *review the outcomes for the end of that financial year that are forecast in the budget.*

(2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*

(3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

(4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

Presented as an Attachment is the Report titled "*Review of Budget for the period ended 31 December 2020*" presenting and explaining the Review process and findings.

Aspects to note about the attached Report are summarised as follows:

1. The Report, which has been prepared from estimates submitted by each of the Directorates and reviewed by the Management Executive, seeks to identify and quantify:
 - The forecast year-end major variances to the adopted budget with the sum of those variances to budget giving a forecast year-end surplus/deficit;
 - The Report then makes recommendation as to what action should be taken to address that change in year-end position.
2. The review process has been undertaken having regard for:
 - Actual revenues and expenses for the first 6 months together with committed expenses;
 - Forecast revenues and expenditures for the remaining 6 months of the year;
 - The anticipated year-end carry forwards for works and projects that are forecast to be either in progress or yet to commence.

3. The Report

- The net change resulting from the budget variations is an improvement to the budget of \$13,000;
- It is anticipated that the City will finish the financial year +/- \$500,000, or a 0.4% variation to the balanced budget position;
- Provides explanatory comment on the forecast variances to the Budget;
- Provides projects and works likely to be carried forward.

ATTACHMENTS

1. [↓](#) Mid Year Review for the period ending 31 December 2020

RECOMMEND

CS12/3/21

That Council:

1. Pursuant to Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, adopts* the attached Report titled *Review of Budget for the Period Ended 31 December 2020*;
2. Pursuant to Section 6.8 of the *Local Government Act 1995*, authorises* the following amendments to the 2020/21 Annual budget as presented and explained in the attached Report titled *Review of Budget for the Period Ended 31 December 2020*.

ABSOLUTE MAJORITY RESOLUTION REQUIRED**Moved Cr G Nixon
MOTION CARRIED****(5/0)**

2.1 - PANEL OF PRE-QUALIFIED SUPPLIERS PPS/1/21 - WET AND DRY HIRE OF PLANT

WARD : ALL
FILE No. :
DATE : 04 March 2021
REF : KA/EV
RESPONSIBLE MANAGER : Executive Director
Technical Services

In Brief:

- A Request for Applications to Join a Panel of Pre-Qualified Suppliers was recently advertised for PPS/1/21 – Wet and Dry Hire of Plant.
- 13 applications were received by the specified closing time.
- This report recommends that Council not accept any of the submitted applications.

Tabled Items

Nil.

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

2.3.1 Apply best practice design and construction methodologies for the provision of infrastructure

2.3.2 Ensure maintenance activities address required levels of service

Legal Implications

Assessment of legislation indicates that the following is applicable:

- Section 3.57 *Local Government Act 1995* – Tenders for providing goods or services
- Part 4 Division 3 *Local Government (Functions and General) Regulations 1996* – Panels of pre-qualified suppliers.

Council Policy/Local Law Implications

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

- Council Policy ADM 19 – Procurement of Goods and Services

Budget/Financial Implications

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

Consultation

Inter-Directorate.

BACKGROUND

Panel of Pre-Qualified Suppliers PPS 1/21 for the Wet and Dry Hire of Plant was advertised in the 13 February 2021 edition of the West Australian newspaper, on the City's website, in a notice which was displayed on the Administration Centre, Armadale, Kelmscott and Seville Grove Libraries' public notice boards and on Vendor Panel.

The scope of works requires suitably qualified and resourced contractors to provide wet and dry equipment rental comprising plant equipment, tools and accessories to sites within the City for a period of three (3) years commencing 19 April 2021.

DETAILS OF PROPOSAL

Council approval is sought to reject all of the submitted applications to join panel of pre-qualified suppliers *PPS/1/21 Wet and Dry Hire of Plant*, for the reasons detailed within this report.

COMMENT

The advertising period closed at 2.00pm on 3 March 2021. Applications were received from:

	Applicant's Name
1.	Aussie Earthworks Pty Ltd
2.	WA Diesel Services Pty Ltd
3.	Tutt Bryant Hire
4.	Stabilco Pty Ltd
5	Sherrin Rentals Pty Ltd
6	MMM (WA) Pty Ltd
7	Enviro Plant Hire Pty Ltd
8	DJ MacCormick Contractors
9	Curry Power Pty Ltd
10	Conplant Pty Ltd
11	Coates Hire Operations Pty Ltd
12	Brooks Hire Services Pty Ltd
13	Allwest Plant Hire Australia Pty Ltd

No applications were received after the close of deadline.

The evaluation panel proceeded to assess the applications against the compliance criteria. During the evaluation process, it quickly became apparent that a number of the respondents had not all acknowledged receipt of all of the addenda that were provided during the advertising process.

The City utilises the Vendor Panel platform to manage information regarding tenders, EOI's and applications to join panels of pre-qualified suppliers. Any company wishing to submit a response to an advertised Tender, EOI or Panel is required to register their interest and download the relevant documentation from the platform.

The City then utilises the platform to communicate any updates regarding the advertised documentation. Utilising the Vendor Panel platform enables the City to ensure that all applicants who have registered an interest receive the same information, in the same manner at the same time, assisting the City in ensuring the procurement process is fair, equitable and complies with all relevant legislation.

In the case of PPS/1/21, following the initial advertising of the documentation, a number of the companies who had registered their interest submitted further queries clarifying the scope of the works advertised. The responses to these clarifications were issued to all companies who had registered their interest via the issuing of addenda to the tender documentation.

Receipt of all addenda are required to be acknowledged by all applicants when making a submission. In this regard each applicant is required to provide copies of the addenda

received and are to have signed each copy acknowledging receipt as part of the returnable schedule.

There were three addenda issued in total, all of which were distributed via the Vendor Panel platform. The first addendum was uploaded to the platform and distributed to applicants, however due to a previously unknown peculiarity in the way Vendor Panel processes this documentation relating to the file naming conventions, the second addendum uploaded replaced addendum one, rather than being listed as its own separate addendum on the platform.

While all companies who submitted an application would have received a notification that a new document had been uploaded, it is not possible to confirm that they all accessed the first addendum prior to it being replaced by the second addendum.

The City has now amended its process to take into account the file naming conventions peculiar to Vendor Panel to ensure this does not re-occur.

The requirements for inviting persons to apply to join a panel of pre-qualified suppliers are set out within Part 4 Division 3 of the *Local Government (Functions and General) Regulations 1996* – Panels of pre-qualified suppliers.

Regulation 24AD states as follows:

24AD. Requirements when inviting persons to apply to join panel of pre-qualified suppliers

- (1) If a local government decides to establish a panel of pre-qualified suppliers of particular goods or services, persons are to be publicly invited to apply to join the panel.*
- (2) Statewide public notice of the invitation to apply to join a panel of pre-qualified suppliers is to be given.*
- (3) The local government must, before applications to join a panel of pre-qualified suppliers for particular goods or services are publicly invited, determine in writing the criteria for deciding which applications should be accepted.*
- (4) A notice under subregulation (2) is to include —*
 - (a) a brief description of the goods or services that persons on the panel of pre-qualified suppliers will be expected to supply; and*
 - (b) particulars identifying a person from whom more detailed information about the proposed panel of pre-qualified suppliers of particular goods or services may be obtained; and*
 - (c) information as to where and how applications to join the panel of pre-qualified suppliers may be submitted; and*
 - (d) the date and time after which applications to join the panel of pre-qualified suppliers cannot be submitted.*
- (5) In subregulation (4)(b) a reference to detailed information about a proposed panel of pre-qualified suppliers of particular goods or services includes a reference to —*
 - (a) the local government's written policy referred to in regulation 24AC(1)(a); and*
 - (b) such information as the local government decides should be disclosed to those interested in applying to join the panel; and*

- (c) detailed specifications of the goods or services that pre-qualified suppliers on the panel will be expected to supply; and*
 - (d) the criteria for deciding which applications to join the panel should be accepted; and*
 - (e) an explanation of how the panel will operate; and*
 - (f) whether or not the local government intends to purchase the goods or services exclusively from pre-qualified suppliers on the panel; and*
 - (g) a statement to the effect that there is no guarantee that the local government will purchase goods or services from pre-qualified suppliers on the panel; and*
 - (h) the period for which the panel will be established; and*
 - (i) the number of pre-qualified suppliers the local government intends to put on the panel.*
- (6) After a notice has been given under subregulation (2), a local government may vary the information referred to in subregulations (4) and (5) by taking reasonable steps to give each person who has sought detailed information about the proposed panel or each person who has submitted an application, as the case may be, notice of the variation.*

[Regulation 24AD inserted: Gazette 18 Sep 2015 p. 3809-10.]

As detailed within Regulation 24AD(6) after the panel has been advertised, the City is required to take all reasonable steps to ensure that any changes made to the information provided as set out within sub regulations (4) and (5) is made available to anyone who has sought detailed information about the proposed panel. In this case, that is all companies who have registered their interest in PPS/1/21 via the Vendor Panel platform.

Given the responses received to PPS/1/21, it seems likely that not all of the companies who registered their interest received all of the addenda. The City has contacted Vendor Panel in an effort to confirm if the information was received and accessed by all applicants. Vendor Panel has advised that it cannot establish whether or not all applicants had viewed the first addendum before it was removed from the system.

As the City is unable to guarantee that the additional information was received and due to the nature of the error, it is possible that the process undertaken is not in full compliance with Regulation 24AD(6) of Part 4 Division 3 of the *Local Government (Functions and General) Regulations 1996* – Panels of pre-qualified suppliers.

Pending Council's approval, it is therefore intended to not accept any of the submissions received and to re-advertise *Panel of Pre-Qualified Suppliers PPS 1/21 Wet and Dry Hire*.

CONCLUSION

Applications to join a Panel of Pre-Qualified Suppliers for Wet and Dry Hire of Plant were recently invited with 13 applications being received. During the early stages of the evaluation process, it became apparent to the evaluation panel that it seemed likely not all of the applicants had received all of the documentation issued. A review of the document distribution process was then undertaken which has revealed that it is likely some applicants did not receive all of the addenda.

Taking into account the requirements of Regulation 24AD(6) of Part 4 Division 3 of the *Local Government (Functions and General) Regulations 1996* – Panels of pre-qualified suppliers, it is recommended that Council not accept any of the applications submitted, and

note that the invitation to join a panel of pre-qualified suppliers will be re-issued, with amendments to the documentation distribution procedures made as detailed within this report.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CS13/3/21

That Council, in regard to Panel of Pre-Qualified Suppliers PPS/1/21 for Wet and Dry Hire of Plant, not accept any of the submitted applications, and advise the applicants accordingly.

**Moved Cr G Nixon
MOTION CARRIED**

(5/0)

3.1 - SKELETAL PATH NETWORK PLAN - STAGE 3

Councillor Northcott disclosed that she lives in close proximity to one of the streets listed in the Skeletal Path Network Plan – Stage 3. As a consequence, she advised that there may be a perception on the basis of her non-financial interest that her impartiality on the matter may be affected. Councillor Northcott left the meeting at 7.29pm.

WARD : ALL
FILE No. : M/101/21
DATE : 10 February 2021
REF : MT/TN/YA
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- The City’s capital investment in footpaths is currently guided by the Armadale Path Network Development Plan - Skeletal Path Network Plan - Stage 2 (SPN2).
- The City has successfully completed the majority of high ranking paths in SPN2, however the City has received requests to construct many paths that were not considered in SPN2.
- To enable the Skeletal Path Network Plan - Stage 3 to be developed, a multi criterion assessment was approved by Council to enable the assessment and ranking of all footpaths identified as missing links.
- This report recommends that Council note the Skeletal Path Network Plan – Stage 3, as attached to this report, which includes the construction of a footpath on Peaceful Vista in Harrisdale within the program, as requested in the petition presented to Council on 26 October 2020.

Tabled Items

Nil.

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

2.3 Well Managed Infrastructure

2.3.1 Apply best practice design and construction methodologies for the provision of infrastructure.

2.3.1.1 Implement a best practice project management approach to the planning and delivery of infrastructure.

2.3.2 Ensure maintenance activities address required levels of service.

2.3.2.1 Review best practice maintenance activities.

2.3.2.2 Ensure balance is maintained between levels of service and affordability.

Legal Implications

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

Council Policy/Local Law Implications

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

Budget/Financial Implications

The adoption of the recommendation contained in this report has no immediate financial implication; funding for the delivery of new paths has been included in the Long Term Financial Plan.

Consultation

- Intra Directorate
- Councillors
- Executive Leadership Team.

BACKGROUND

The City's footpath network comprises 565km of footpaths and shared paths. However there are many missing path sections that if connected, would enhance the usability and connectivity of the City's existing path network. Improving the path network by constructing missing path links, improves the lives and social connectivity of the local community by promoting walking and cycling.

The Skeletal Path Network Plan – Stage 2 (SPN2) has been successful in delivering 21.2km of missing path links since 2015. The SPN2 adopted scoring system determined the ranking of the projects, which in turn guided the priority order of construction, with the final program being determined each year by Council during its budget deliberations.

The City regularly receives requests for the construction of footpath sections, many of which are not included in SPN2, one of which is a petition that was received at the Ordinary Council Meeting held on 26 October 2020, requesting construction a footpath on Peaceful Vista, Harrisdale.

With the increase in demand and usage of path infrastructure and the fact that the majority of SPN2 paths have been completed, it is an opportune time to update the Skeletal Path Network Plan.

A report on the City's proposed *Skeletal Path Network Plan – Stage 3* (SPN 3) was presented at the 7 December 2020 Technical Services Committee meeting. When the matter was considered, it was resolved to recommit the report to the March 2021 Technical Services Committee meeting to allow for a review of the scoring criteria and to allow time for Councillors to review the network gaps/extensions identified and provide any comments for consideration (T60/12/20 refers).

Following Councillor feedback, a report on the City's proposed *Skeletal Path Network Plan – Assessment Criteria* was presented at the 01 February 2021 Technical Services Committee meeting. The report proposed an updated set of criteria to allow for the appropriate assessment, scoring and ranking of all identified missing link footpaths.

Council endorsed the criteria as presented in the report, with a minor change in scoring of the duplication criteria (T77/2/21 refers):

“That Council endorse the Skeletal Path Network Plan assessment criteria as detailed in this report, to prioritise annual path capital investment; with the following amendments:

- *Duplication criterion ‘Existing footpath on one side’ score to be amended from -5 to -10.”*

Following Council's endorsement of the assessment criteria, this report presents the Skeletal Path Network Plan – Stage 3 – for Council's information and also details the assessment of the request contained within the petition that a footpath be installed on Peaceful Vista, Harrisdale.

DETAILS OF PROPOSAL

An extensive review of all footpaths in the City was carried out to identify all missing path links. A total of 700km of paths were identified for potential construction. This was completed by comparing the existing path network to the City's path hierarchy.

Missing path sections were then identified where the path link would enhance and improve the existing path network or resolve existing safety issues. From the identified 700km, 102km have been identified as missing path sections. Given the large extent of missing paths identified, there is a requirement to apply a scoring system to enable prioritisation of footpath investment, in order to achieve maximum value for money.

In all, 619 missing path links were assessed and scored using the endorsed Skeletal Path Network Assessment Criteria as provided in Attachment 1.

Following the assessment and scoring of the 619 missing path links, path projects were created by combining path sections that would serve to complete a walking link or would improve the walkability of an area when combined. For example, the footpath sections of Tara Way, Reeves Court and Deakin Court in Kelmscott (Figure 2) were combined, as

together they increase the connectivity to the Clifton Hills Primary School. As individual path sections, they would not produce the same pedestrian connectivity.



Figure 2: Example of combining links into a path project

Combining paths together to form projects is an improvement to the methodology of SPN2 which assessed and ranked individual path sections. This resulted in the construction of missing path links being less effective due to the delay or omission of connecting paths.

ANALYSIS

The full list of ranked/prioritised projects is provided in the Skeletal Path Network Plan – Stage 3 as shown in Attachment 2.

Projects that can be delivered via development or road upgrades have been removed from the list, given that they can be delivered via alternative means to municipal funding. In the case of infill development, the City requires developers to Contribute Cash in Lieu (CIL) funding for the development of footpaths in the designated area at a later date. An approximate 12.6km of key missing links was determined to be able to be delivered via external grant funding or development or the City's footpath Cash-in-lieu (CIL) scheme.

As the timing of the installation of these footpaths will be determined by grant acquisition or the rate of development in the associated areas, it is not possible to provide a definitive construction program at this stage, however a list of these paths is detailed in Attachment 3.

In total, 89.1km of missing paths have been identified and are proposed to be delivered as 202 separate path projects. It is expected that at the current funding levels identified in the Long Term Financial Plan, the first 11 projects as identified in Table 1 below, would be able to be completed over the next five years.

Table 1: *Estimated five year footpath program based on current Long Term Financial Plan expenditure of approximately \$1.24M over a five year period*

Project ID	Project Name	Suburb	Estimated Cost (\$)
FP-SG-03	Firetail Ct/Petrel Cl/Skua Gr	Seville Grove	150,640
FP-KS-29	John Dunn Memorial Park	Kelmscott	85,400
FP-CAM-21	Camillo Rd/Westfield Heron Reserve	Camillo	114,450
FP-KS-09	Clifton St	Kelmscott	61,250
FP-KS-10	Page Rd 1	Kelmscott	95,900
FP-SG-14	Strawberry Dr 2	Seville Grove	102,200
FP-KS-05	Tara Way/Reeves Ct/Deakin Ct	Kelmscott	89,600
FP-CAM-09	Banksia Rd/Community Dr/O'Brien Pl	Camillo	127,680
FP-KS-44	Pearson St/Spencer Rd/Waltham Rd	Kelmscott	116,970
FP-MR-05	South Western Hwy 1	Mount Richon	129,150
FP-A-08	Pine Tree Cl	Armadale	34,440
FP-CAM-04	Delamere Way/Becket Ct	Camillo	93,240

The City's budgeted expenditure on the footpath program over the last five years amounts to an average of \$500K per annum.

The draft Long Term Financial Plan currently being considered by Council, includes the following allocations for the footpath construction program over the next four years:

Financial Year	\$
2021/22	\$100,000
2022/23	\$100,000
2023/24	\$460,000
2024/25	\$580,000
Total	\$1,240,000

As detailed above, the allocation in years 2021/22 and 2022/23 is significantly less than that in later years. This is due to the requirement to accommodate the renewal of a number of the City's existing footpath assets.

Annual depreciation costs for footpaths is 2% of construction costs (based on a 50 year life), and therefore for every \$100,000 worth of new footpath construction, an additional \$2,000 per annum is required for asset depreciation. Additional maintenance costs for sweeping and minor repairs are also required when the footpath network is expanded. For every \$100,000 of new footpath construction, an additional \$460 per annum is required for maintenance activities. Annual maintenance and depreciation costs for every \$100,000 of new footpath construction therefore totals \$2,460, or 2.46%. The expenditure anticipated in the LTFP over the next four years would add \$30,500 per annum on maintenance and depreciation.

With regard to the petition detailed earlier in this report, a footpath on the western verge of Peaceful Vista between Greenshank Road and Songbird Link was assessed and is included in the Skeletal Path Network Plan – Stage 3, ranked number 18. If current levels of funding are to be maintained, then this footpath would be constructed in approximately year six of the program.

CONCLUSION

The improvement of path infrastructure and the promotion of cycling and walking contributes to the safety and livability of the City. Improving the path network by constructing key missing path links will improve the lives and social connectivity of the local community by promoting active transport as a preferential transport mode over driving.

Council, at its meeting of 8 February 2021 adopted the Skeletal Path Network Plan Assessment criteria, which will guide the priority order of footpath construction under SPN 3, with the final program being determined each year by Council during its budget deliberations.

The full list of ranked projects to date is provided in the Skeletal Path Network Plan – Stage 3 (Attachment 2) for Councillors information.

It is recommended that Council note the attached skeletal path Network Plan –Stage 3, and with regard to the petition received at the 26 October 2020 Ordinary Council meeting; note the inclusion of a footpath on Peaceful Vista, Harrisdale, within SPN 3 and inform the petition convener of the paths inclusion accordingly.

ATTACHMENTS

1. SPN3 - Assessment Scoring Criteria
2. SPN3 - Project Prioritisation List
3. SPN3 - CIL, Development and Grant Funded Paths

RECOMMEND

CS14/3/21

That Council:

1. **Note the attached Skeletal Path Network Plan – Stage 3 as identified in Attachment 2 of this report, which prioritises annual path capital investment based on Council’s adopted *Skeletal Path Network Plan Scoring Criteria*.**
2. **Note that the requested footpath on Peaceful Vista, Harrisdale is ranked at number 18 on the plan; and inform the Peaceful Vista footpath petition convener as to the project’s assessment and inclusion in the program accordingly.**

Moved Cr E J Flynn
MOTION CARRIED

(5/0)

Cr Northcott returned to the meeting at 7.38pm.

**3.2 - PROPOSAL FOR THE CITY OF ARMADALE TO ACCEPT VESTING,
MANAGEMENT AND RESPONSIBILITY FOR RESTORATION OF ST. FRANCIS
XAVIER CHURCH - LOT 560 (10) THIRD ROAD, ARMADALE**

WARD : MINNAWARRA
FILE No. : M/1/21PR48276
DATE : 25 February 2021
REF : SW
RESPONSIBLE : EDDS
MANAGER

In Brief:

- The St. Francis Xavier Church was constructed in 1912 and has exceptional heritage significance.
- The Church exists on one corner of Lot 560 (10) Third Road, Armadale, which is the site where the new Armadale Courthouse and Police Station are being constructed.
- A condition of planning approval for the Courthouse and Police Station requires that heritage studies and restoration works to a value of \$600,000.00 be undertaken on the Church.
- In order to satisfy that condition of planning approval, the WA Police Force has presented this proposal to the City regarding vesting, management and restoration of the Church.
- Recommend that Council:
 - Advise the WA Police Force of Council's decision.

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 Value and celebrate our diversity and heritage

2.2.2 Protect and enhance the character of the City's spaces and places

Legal Implications

Planning and Development Act 2005

Council Policy/Local Law Implications

Local Heritage Survey

Budget/Financial Implications

Costs associated with restoration and ongoing maintenance are discussed in the report.

Consultation

1. WA Police
2. Intra-Directorate

DETAILS OF PROPOSAL

The City has received correspondence from the WA Police Force offering to:

- Excise the Church from Lot 560, onto its own Crown Reserve for “Community Purposes” with the Reserve vested in the City for management; and
- Transfer \$600,000 to the City for restoration of the Church building.

In return for the abovementioned actions being carried out, the City would then accept the obligations of the revised JDAP Development Condition No.17 regarding the restoration of the Church to the above value.

The ‘existing church’ site shown on the site plan approved by the JDAP was approximately 664m². The reserve now proposed by WA Police has a different configuration to the JDAP plan but the lot size remains similar, at 650m². The proposed lot boundary excludes a retaining wall which is proposed to ‘bound’ the site.

The Department of Finance has also advised that the most appropriate tenure would be for the subject portion to be excised from Reserve 52657 and a new Reserve created for the purpose of ‘Community purposes’ or ‘Community centre’ with a Management Order being granted to the City, including the power to lease for any term not exceeding 21 years subject to the Minister for Lands consent. Any proposed lease or licence must be used in a manner that is consistent with the reserve purpose, noting reserved land should not be used for a commercial purpose. However, the Department has advised that a café could be considered if it is ancillary to the proposed community use. In these cases, the Management Order would include a reserve fund condition to ensure any funds derived from the reserve are put back into the upkeep and maintenance of the reserve and buildings, which would provide some assistance to the City in maintaining the heritage asset.

The Department of Finance has advised that in order to obtain the Church site as a freehold lot, the City would be required to pay market value for the land. That proposal would also require agreement from the existing Management Body being WA Police.

BACKGROUND

Councillor Item

At its meeting on 14 December 2020, Council considered a Councillor item on the future use of the Church. Council resolved that the matter should be investigated and a report will be presented at a future Corporate Services Committee meeting.

Site Description

Lot 560 is a sloping 1.3668ha site within the Armadale Strategic Metropolitan Centre that is bounded on three sides by Thomas Street, South Western Highway and Third Road. Lot 560 is also known as Reserve 52657, and is set apart for the purpose of ‘Police Purposes and Court Complex’ with a Management Order to the Minister for Police.

The new Armadale Courthouse and Police Station is under construction on the lot and the St. Francis Xavier Church sits on the south-eastern corner of the site. The City has been advised that the Church is surplus to the WA Police’s requirements.

The Church has a total floor area of approximately 193m² comprising several different rooms including a kitchen. The heritage values and current condition of the Church are discussed in further detail below.

The South Western Highway frontage does not provide any vehicle or pedestrian access to the Church given access restrictions and the difference in ground levels. All access is via Thomas Street. The Church has a crossover to Thomas Street but no on-site car parking bays remain: there are some on-street parallel parking bays in Thomas Street.

Heritage Values

The St. Francis Xavier Church was constructed in 1912. The City’s 2020 Local Heritage Survey (LHS) ‘Statement of Significance’ describes the church as follows:

“The St Francis Xavier Church, a face brick ecclesiastical building in the Federation Romanesque style of architecture, has cultural heritage significance for the following reasons:

- *The place has aesthetic value as a rare example of an ecclesiastical building designed in the Federation Romanesque style of architecture in the district.*
- *The place has historic value as the first Roman Catholic Church in Armadale.*
- *The place has social value to members of the Armadale Roman Catholic Parish when it was used as a church.*

Management Category 1 - Level of Significance Exceptional”.

A full copy of the Place Record Form is included in the Attachments.

The Heritage Council of Western Australia reviewed the Church in 2003 to consider whether it should be placed on the State's Register of Heritage Places. It was determined at that time that the Church was not of State heritage significance. Category 1 is the top listing of Heritage significance in the LHS and the City has been advocating for its protection and restoration for over 10 years.

Metropolitan Region Scheme

The majority of the subject site is zoned Central City Area under the Metropolitan Region Scheme however there is a portion of the land, abutting South Western Highway, which is reserved for Primary Regional Roads. The Church sits partly within the Central City Area zone and partly within the Primary Regional Roads Reservation. This Reservation is discussed later in the report.

Town Planning Scheme No.4

The majority of Lot 560 is currently zoned Strategic Regional Centre / R80 / Restricted Use No.8 with the balance being the abovementioned Primary Regional Roads Reservation.

Amendment No.103 to Town Planning Scheme No.4 (TPS No.4) seeks to align TPS No.4 with the Armadale Strategic Metropolitan City Centre Structure Plan that was adopted by Council in August 2018. Under proposed Amendment No.103, Lot 560 would be zoned Strategic Regional Centre / R-AC0, with the existing Restricted Use having been removed.

Advertising of Amendment No.103 concluded on 3 July 2020 and in August 2020 Council subsequently adopted the amendment without modification and recommended that the Hon Minister for Transport and Planning grant final approval. In December 2020, the City received advice that the Minister requires that certain modifications be made to the Amendment No.103 which will be the subject of a report to Council.

2016 Condition Assessment Report

In 2016 the WA Police commissioned a Condition Assessment Report for the Church. The report was based on a visual inspection only and stated that:

“Should re-use of the building be considered, given a number of the constraints present during our site inspection we would recommend that further inspection work should be undertaken”

The 2016 BG&E Report (attached) estimated that the cost of repair works would be in the order of \$250,000, however the scope of those repair works did not include bringing the building up to a standard suitable for use as a public building.

JDAP Planning Approval

At its meeting of 29 April 2019, the State Government Joint Development Assessment Panel (JDAP) conditionally approved the development of a new Courthouse and Police Station on Lot 560. The approved application made provision for the retention of St. Francis Xavier Church but did not integrate it with the new development: there will be a level difference physically separating the two with at least one retaining wall and carparking is being constructed around the Courthouse, but is not intended to serve any uses operating within the Church building.

Condition 17 of the JDAP planning approval was relevant to the Church:

“A Heritage Impact Assessment, in a form approved by the Heritage Council of Western Australia, shall be undertaken by a qualified professional in regard to the St. Francis Xavier Church, prior to completion of works on site and submitted to the WAPC/City of Armadale. Conservation works required by the Heritage Impact Assessment shall be commenced, to the extent that the funds are appropriated by Parliament and committed from time to time, by the applicant/developer within 12 months of the funding becoming available”.

State Administrative Tribunal Review

The applicants lodged a review to the State Administrative Tribunal (SAT), with the applicant specifically requesting a review of Conditions 6 and 17.

In order to facilitate the reconsideration and partially fulfil the requirements of Condition 17, the City was provided with a Heritage Impact Assessment (HIA) dated June 2019 for the proposed works associated with the development application, which concluded that the Church would not be affected. With regard to potential future works for the Church, the attached HIA outlined the following issues as being of relevance to the Church’s heritage status (specifically noting these did not form part of the Development Application):

“While inspecting the site a number of matters were noted for future action and these are not included in the development application but should be considered in the future as part of determining future use proposals. The following items were noted: -

- *Graffiti removal;*
- *Conservation of brick walls including: repointing with lime-based mortar, replacing damaged bricks like for like;*
- *Replacement of timber fascias, barge boards & conservation of all joinery generally;*
- *Reroofing including replacement of sheeting in corrugated heritage galv in short sheets;*
- *New rainwater goods- replace with ogee gutters and circular downpipes;*
- *Removal of hard surfaces that are hard up against the building;*
- *Removal of close tree growth, weeds and a tidy up of the landscaping generally;*
- *Pest inspections & treatment;*
- *The vestry is a later addition and may be considered for removal to suit a new use if required.*
- *Removal of asbestos cement linings & replacement;*
- *Reduction of ground levels around the perimeter to below damp-proof course;*
- *Reinstatement of doors;*

- *Reinstatement of steel framed windows & conservation of remaining stained-glass fan lights;*
- *Repair & reinstatement of timber floors & subfloors;*
- *Removal of intrusive fixtures & fittings;*
- *Repair of internal finishes;*
- *Conservation of timber ceiling lining;*
- *Repainting previously painted surfaces”.*

It was noted at the time that the budgeted funds of \$600,000 would likely be insufficient to complete all of the abovementioned repairs and some of these tasks would therefore need to be prioritised over others. In addition, the list only addresses the building and other uncosted infrastructure and services would need to be provided to support its re-use. For example, the Courthouse and Police Station proposal contains no parking, landscaping or external works serving the Church building.

On 1 October 2019 the JDAP issued revisions to the two conditions, in accordance with a SAT decision, with Condition 17 now reading:

“A Heritage Impact Statement shall be undertaken by a qualified professional in regard to the St. Francis Xavier Church, prior to completion of works on site to the specification of the Heritage Council of Western Australia. In relation to the St. Francis Xavier Church, the applicant/land owner is to:

- a) *carry out heritage works on the Church to the value of \$600,000 or such lesser budget as agreed by the Western Australian Planning Commission in consultation with the City of Armadale, prior to occupation of the Police and Court Complex;*
- b) *prepare a concept plan for the future use of the Church; in consultation with the City of Armadale to the satisfaction of the Western Australian Planning Commission”.*

2020 Building Condition Audit

In October 2020, Cardno was engaged by the City to undertake a Building Condition Audit, the outcome of which is summarised below with additional information provided by the City’s officers to complete the costings:

- The building was found to be in poor to fair condition overall. Internally the church was found to be in very poor condition.
- Almost all building services (electrical, mechanical and hydraulic) have been removed or severely vandalised. Anything remaining is not suitable for re-use.
- A cost estimate to return the building to a serviceable condition is around \$570,000. This figure does not external works, or any additional facilities that would be required to make the building suitable for use as a public building (e.g. additional toilet facilities, accessibility etc.)
- A cost estimate for external works (landscaping, retaining walls, external lighting) is approximately \$200,000.
- Allowance for additional toilets, accessibility etc is approximately \$200,000
- Total refurbishment budget \$1,000,000

ANALYSIS

Proposed Land Tenure

The City is keen to ensure that the land tenure does not preclude the potential to lease the church for a compatible use, such as a café (without it being limited to being ancillary to a community use), that would generate an income to offset the initial additional upgrade costs and then ongoing maintenance costs. As such it would be preferable to receive the lot in freehold title or alternatively under a vesting or management order that would permit such flexibility.

Utility of Proposed Site

The on-street carparking on Thomas Street does not serve the Church building exclusively, and its availability for uses associated with the Church would depend on its use by other, surrounding uses as well. The constraints of the 650m² site would likely prevent the construction of on-site carparking.

Financial Considerations

The Francis Xavier Church comprises approximately 193.1m² internal areas.

Kitchen	16.9
Main Hall and altar area	155.4
Entry	4.8
Toilet	16
Total Area (m2)	193.1

The estimated replacement value is in the vicinity of \$1.1M. To operate the premises as a public building and ensure sufficient funds for maintenance and asset renewal, the City will need to provision:

Total Annual Maintenance / Operating Cost	\$66,055
Total Annual Renewal Cost	\$24,335
Total Annual Cost	\$93,390

The estimated Annual Maintenance / Operating Cost comprises the following:

- \$20,000 – cleaning 4 days a week
- \$16,055 – low level landscaping maintenance
- \$10,000 – reactive maintenance on old facility
- \$10,000 – planned maintenance and statutory costs
- \$7,000 – utility costs
- \$3,000 – security and monitoring

The City's Parks Department have advised that Council could consider different levels of service associated with maintaining the grounds of the Church site, these include:

- low service level - \$16055/annum = 26 services/annum;
- medium service level - \$24505/annum; or
- high service level - \$38025/per annum

In order to reduce the financial impact of accepting the building, the City could hire, rent or lease the facility. The majority of the costs listed above would become the responsibility of a

lessee or would be factored into a rental payment. This would assist with managing the operating costs and provide some funds to be set aside in the asset renewal reserve to cover the future renewal requirements of the building.

Potential Use of Church Building

The Community Services Directorate has provided the following comments on potential community use of St Francis Xavier Church.

Typically this sized facility would be suitable for activities for up to 150 people and could be hired out on a casual basis or hired to regular users, or it could be used by one or two community groups or community based service providers under a lease or licence.

There are significant parking restrictions on the site with no parking on site and very little close by street parking which would limit the building's appeal as a hire facility. In addition there are two other hire facilities in the CBD that are not fully utilised. These are the Armadale District Hall which has three hireable spaces; the Main Hall, Kim Fletcher Room and Supper Room, and the Minnowarra Chapel. Given the current underutilisation of these two facilities there is no apparent demand for a third hireable facility in the CBD for casual or regular bookings.

A number of existing community groups have been in contact with the City about facilities that could be available for exclusive use, in or close, to the Armadale CBD. These include the Armadale Society of Artists, Armadale Mens Shed and Armadale Gymnastics Club. However, previous discussions with these groups indicate that they require significantly more space than is available at the church. The lack of parking is also likely to impact the desirability of the building for these and other participation based community groups.

The most likely community use for the building would be to house community based not for profit organisations providing services complementary to the functions of the Justice Precinct. These could include counselling and other support services. It could be that the building is configured to include number of consulting rooms and administrative spaces. The number of people using the building at any time would be significantly less than if it was used for participation based activities, which would alleviate concerns regarding parking.

In the event that the building was to be used for community support services a Registration of Interest (ROI) process could be implemented to determine the types of services that might wish to operate from the building. The ROI process would involve:

- Advertising in the community newspaper, on the City's website and on social media;
- Promoting the ROI directly to community groups through the City's community directory and through other networks;
- Holding an open day to show prospective organisations through the building;
- Assessing the ROIs against identified community need and benefit; and
- Recommending the outcome of the ROI process to Council.

MRS Primary Regional Road Reservation

As mentioned above the Church sits partly within the Primary Regional Roads Reservation of the Metropolitan Region Scheme. The applicant outlined as part of the development application that Main Roads Western Australia (MRWA) has indicated that the existing lot boundary represents the full extent of land required for future upgrades to the South Western Highway, however the Primary Regional Roads Reserve has not been reconciled in the MRS

by the Western Australian Planning Commission to reflect this. An indicative plan has been prepared of the area affected by the revised road widening by officers for information purposes at this stage and the City has recently been provided with a limited site survey for the land to determine the actual location of the Church. There remains a level of risk that MRWA could revisit that position in the future, which may impact the Church.

OPTIONS

The options include Council:

1. Supporting for the creation of the Crown Reserve for Community Purposes (include accepting the Management Order) and budget to restore the building for a community use, including revenue from WA Police and additional funding from the City and accept Management with the power to lease.
2. Declining to accept the Management of the Crown Reserve/church by the City and support the WA Police being granted a 12 month extension to undertake the required works to JDAP Condition No.17 and provide assistance with finding a suitable tenant.
3. Seeking the Church to be transferred to the City as a freehold lot and budget as per Option 1 above.

CONCLUSION

Redevelopment of Lot 560 for the Courthouse and Police Station has provided \$600,000.00 in funding for preservation of the St Francis Xavier Church and generated this discussion about the future tenure of the Church. The proposal as presented has substantial benefits in terms of heritage outcomes but requires the City to assume responsibility for the restoration and contribute a further \$400,000.00 in order to make the building fit for future use. The City has a sound record of recently restoring a heritage building. The transfer of the land as a freehold lot is the most appropriate approach and provides the City the most opportunity to recover any proposed expenditure. The building could be leased as an additional community facility, however there is currently little demand for a bookable community space. Community based not for profit organisations providing services complementary to the functions of the Justice Precinct would be more likely and suitable. The City would also assume ongoing management/maintenance costs associated with the site and require new budget allocations to undertake these responsibilities.

ATTACHMENTS

1. Proposed Site Plan - St Francis Xavier Church
2. Proposed Floorplan - St Francis Xavier Church
3. Local Heritage Survey - Place Record Form

RECOMMEND

CS15/3/21

That Council:

- 1. Request the transfer of the land and Church to the City as a freehold lot without the requirement to contribute market value for the land to enable the City to lease the building for a compatible use and to recover some of the costs from the City's contribution to upgrading, maintaining and preserving the heritage building.**
- 2. If the transfer of the land as a freehold lot is not supported by the State Government, then support the creation of the Crown Reserve for Community Purposes and accept the Management Order with power to lease.**
- 3. Consider for inclusion in the draft 2021/22 budget the revenue to be received and expenditure required to restore and maintain the building for use, including revenue from WA Police and additional funding from the City.**

**Moved Cr C A Campbell
MOTION CARRIED**

(5/0)

3.3 - RISK MANAGEMENT SYSTEM DEVELOPMENT

WARD : ALL
FILE No. : M/151/21
DATE : 25 February 2021
REF : FW
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- This report presents an update on the development of the City's Risk Management System
- Recommend that Council note the Risk Management System Development Report

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.1.2 – Make decisions that are sounds, transparent and strategic

Legal Implications

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —

- (a) risk management; and*
- (b) internal control; and*
- (c) legislative compliance.*

Council Policy/Local Law Implications

ADM25 – Risk Management Policy

Budget/Financial Implications

Nil

Consultation

Executive Leadership Team

BACKGROUND

This report has been developed in response to the draft Corporate Business Plan Key Performance Indicator for 2020/21 to “Report to Council on the further development of the City’s Risk Management System”. This is aligned with following draft Corporate Business Plan action:

4.1.3.3 Develop the City's Risk Management System with a view to performing commensurate with accredited standards

DETAILS OF PROPOSAL

The attached report outlines the requirements of the international standards for Risk Management and Business Continuity Management and provides an overview of alignment of the City’s systems.

This includes a review of the achievements and improvements achieved during 2020 with a particular focus on the strategies implemented to respond to the COVID-19 pandemic.

A maturity assessment was undertaken to guide the development of strategies to be implemented using a staged approach over three (3) years. Opportunities for improvement and an outline of the strategies are included in the report.

CONCLUSION

A review of the City’s risk management system considering the guidelines from relevant international standards has been completed. A staged program for development has been proposed over a three year period.

ATTACHMENTS

1. Risk Management System Development - March 2021 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

RECOMMEND

CS16/3/21

That Council note the Risk Management System Update report.

**Moved Cr G Nixon
MOTION CARRIED**

(5/0)

3.4 - NEW ARMADALE TAFE CAMPUS PROGRESS REPORT

Councillor Smith disclosed that he owns property on one of the streets in the vicinity of the TAFE campus. As a consequence, he advised that there may be a perception on the basis of his non-financial interest that his impartiality on the matter may be affected. Councillor Smith left the meeting at 7.50pm.

WARD : MINNAWARRA
FILE No. : M/152/21
DATE : 25 February 2021
REF : LP
RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- This report provides Council with an update on the progress of the new Armadale TAFE campus.
- Project is on-track with site analysis and detail design being prepared by April 2021, tender scheduled for September 2021 with construction starting in December 2021. Practical completion is expected by June 2023.
- The Department of Training and Workforce Development are exempt from the requirement to obtain Development Approval under City's Town Planning Scheme. However the plans were presented to the City's Design Review Panel in February 2021.
- Application and determination will be under the Metropolitan Region Scheme by the Joint Development Assessment Panel (JDAP).
- Recommend that Council receives the Armadale TAFE campus progress report

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

The City of Armadale Strategic Community Plan and Corporate Business Plan set out outcomes and strategies that underpin Council's future directions which are Community, Environment, Economy and Leadership. The following outcomes are in line with the development of the new Armadale TAFE campus:

Community

1. The range and quality of services offered within the area plays a key role in making Armadale a preferred place to live by fostering community pride, safety and healthy lifestyles.
 - 1.3 The community has the services and facilities it needs.

Environment

2. The level of care afforded to our natural environment and the way land and physical infrastructure is planned, provided and maintained.
 - 2.5 Quality Development Outcomes.

Economy

3. A strong economy that improves employment opportunities and also provides regional services, facilities and infrastructure.
 - 3.1 Encourage Infrastructure and Investment.

Leadership

4. Effective leadership and professional governance, together with efficient administration of Council resources.
 - 4.1 Visionary Civic leadership and sound Governance.

Legal Implications

Local Government Act 1995

Planning and Development Act 2005

Council Policy/Local Law Implications

City of Armadale Local Planning Scheme No 4 - Strategic Regional Centre/R-AC0

Development Contribution Area 2 – Drainage Levy

Metropolitan Regional Scheme -Central City Area

Armadale Activity Centre Plan

Economic Development Strategy 2018 -2022

Advocacy Strategy 2019

Budget/Financial Implications

Construction of the new \$22.6 million Armadale TAFE campus is a WA Government funded project. The WA Department of Finance is the Project Sponsor with the Department of Training and Workforce Development being the Project Manager.

It is important to acknowledge that the City has a role to play in ensuring the public realm surrounding the new campus is at a complementary standard including footpaths, verges, signage and roads. This will be determined as detailed design comes to light in the near future.

Consultation

Advocating for a new inner-city TAFE campus has been a priority of the City of Armadale for several years guided by its Strategic Community Plan, Activity Centre Plan, Economic Development and Advocacy Strategies.

Construction of this new campus is a major achievement. It is the result of not only consulting and advocating, but building and strengthening working relationships with key decision making organisations. These are the WA Department of Training and Workforce Development, Southern Metropolitan TAFE, State and Federal MPs and other advocacy bodies such as the Growth Areas Perth & Peel (GAPP).

The Department of Training and Workforce Development is exempt from the requirement to obtain Development Approval under the City's Town Planning Scheme. However plans were presented to the City's Design Review Panel in February 2021. Application and determination will be under the Metropolitan Region Scheme by the Joint Development Assessment Panel (JDAP).

BACKGROUND

It has long been recognised that Armadale has a lower than metropolitan average cohort achieving Year 12 in High School, lower than metropolitan average access to tertiary education, higher than average youth unemployment and high levels of socio and economic disadvantage.

As a region, Armadale has a high need for vocational training programs to provide pathways into skilled jobs. The construction of a purpose-built TAFE campus located within the Armadale City Centre will boost residents' access to higher education and in turn improve employment opportunities.

In July 2020, the WA Premier Hon Mark McGowan and the Minister for Education and Training Hon Sue Ellery announced the WA Government's biggest ever investment in TAFE as part of the State Recovery Plan.

A \$229.2 million *Rebuilding our TAFEs Plan* was released which includes funding to upgrade campuses, provide free short courses and slash fees for a range of existing courses.

The infrastructure upgrades will include:

- A new \$22.6m Armadale TAFE campus which will consolidate the campus in one, state-of-the-art location.
- A major \$32m upgrade for Balga TAFE, overhauling the ageing campus with a new multistorey building to replace 22 transportable classrooms, along with providing training in building and construction, community services and general education.

- \$17.6m for a new trade training workshop and labs for light automotive training at the Kendrew Crescent TAFE campus in Joondalup.
- \$17m upgrade to Albany TAFE.
- \$22m upgrade to South Hedland TAFE.
- \$2m upgrade to Northam TAFE.
- \$5m for a new classroom block at Roebourne TAFE campus.
- \$25 million for free short courses to upskill thousands of Western Australians.
- \$32 million for the expansion of the Lower Fees, Local Skills program.
- \$4.8 million for the Apprenticeship and Traineeship Re-engagement Incentive.

This record infrastructure spend complements other initiatives to rebuild WA's training sector to support displaced workers, women and youth, and provide training for emerging skills needed in the community.

DETAILS OF PROPOSAL

Following the WA Government's announcement, the WA Department of Training and Workforce Development was appointed as the Project Manager of the construction of the new campus.

In September 2020, Armstrong Parkin were appointed as lead architects. A dedicated project team was also established which is responsible for delivering this facility. The City of Armadale has initiated communications and an ongoing working relationship with this team given the high priority of this landmark development.

The proposed Armadale TAFE campus comprises of a five-storey landmark building which will provide industry relevant training and revitalise the local area. The purpose-built facility will provide a high-quality environment for people to learn skills for growing and emerging industries.

The 6,269m² site is located at the corner of Church Avenue and Whitehead Street with the main entry / access point being on Whitehead Street.

Vocational education and training delivered to secondary students will be a strong focus to help address jobs for local young people. It is understood that some courses will focus on manufacturing, technology, automation, freight and logistics, in addition to current qualifications in business, community services, childcare and education support.

The facilities will include:

- 5 storey landmark building with main access via Whitehead Street.
- Expected capacity is up to 600 students with approximately 50 FTEs.
- Reception and class rooms with electronic learning focus (connect with other campuses).
- Onsite 57 car parking bays plus on-street parking.
- State-of-the-art learning areas, end of trip facilities, and student hub.
- Staff facilities and terrace on the top level including office space.
- Student break-out spaces, study and meeting rooms.
- Childcare and training facilities.
- Jobs and Skills Centre.

SITE LOCATION



It is important to note that the City owns a vacant block of land north of the new TAFE site. There is the potential for the City and the State to negotiate obtaining ownership of this site for future expansion of the new TAFE campus at a later stage. The opportunity exists to consider a land swap between the City’s site and where the current Courthouse is located on 109 Jull Street which is owned by State Government.

The Armadale TAFE campus project is currently on-track with detailed design presently being finalised and should be completed in April 2021. At this stage, the tender for this project is scheduled for September 2021. Site analysis and further due-diligence is underway with construction of the new campus anticipated to start in December 2021. Practical completion is expected by June 2023.

Projects estimated timeline

Stage	2021											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Site analysis / due-diligence	█											
Review with CoA for JDAP	█	█										
Schematic Design Report	█	█										
DA Submission			█									
Design Development Report				█								
EOI for Artist & Artist Brief				█								
Engage Artist					█							
Contract documentation				█	█	█	█					
BOQ				█	█	█	█	█				
Issue for Tender									█	█	█	
Contract Award												█
Practical Completion	June 2023											
Final Completion	June 2024											

Note: Indicative timeline only. Extract from information provided by the Department of Training Workforce Development.

COMMENT

Given there are currently 27 primary and 12 high schools in the City of Armadale, it has long been acknowledged that its City Centre is in clear need of pathways and improved access to higher education services for its younger citizens.

The 18 to 24 year old cohort (7,218) in the City of Armadale accounts for 9% of the current population, and will grow by an additional 5,377 by 2041. This rapidly growing demographic requires access to higher education facilities locally to reach its full potential and contribute to a sustainable community.

At the moment, TAFE training delivery in Armadale is dispersed across three ageing leased premises located in the City Centre. The new Armadale TAFE campus will consolidate the delivery of training services. This new inner-city campus will provide a first-class learning environment and will encourage young people in the area to gain skills in job growth areas which will result in long-term jobs.

Construction of the new TAFE will unlock local jobs, while the opening of this new facility will have positive flow on benefits for local small business, with more student capacity at the site.

ANALYSIS

This new major development assists in increasing inner-city activity by not only generating jobs during construction but by also accommodating over 600 students and approximately 50 FTEs on a daily basis once completed. This increase in activity will directly support the local economy. It is important to note the positive flow-on effect on indirect employment generated by supporting industries to the campus.

A major local higher education facility will contribute towards reducing the youth unemployment rate (currently at 27%). It will assist the high levels of social and economic disadvantage (SEIFA) by providing people with the skills needed to gain employment.

Armadale's population growth of around 3.5% per annum will continue with the regional catchments of Byford and Mundijong in the Shire of Serpentine Jarrahdale also growing rapidly, at an annual rate of over 6%.

The 5 to 17 year cohort will account for 19% of our projected total regional population of over 200,000 by 2036.

Education is the City's third largest industry by employment (2,849 jobs in 2019/20) and third largest by "value-add" (\$222.1 million - representing 10.4% of GRP).

Education & Training has been the top growth area in Armadale in terms of jobs creation with an increase of 1,315 jobs in the last 20 years (85%). The vast majority of these new jobs have been based at primary and secondary schools.

Local facilities that accommodate local students minimise the reliance on vehicles and long distance travel, therefore minimising greenhouse carbon emissions. Additionally, it further encourages the use of public transport given the proposed site is walking distance from Armadale Train Station.

OPTIONS

The City of Armadale has discussed with the Department of Workforce Development the potential land swap between the current courthouse site at 109 Jull Street and the City-owned site next to the new TAFE in order to future-proof the new campus for further expansion.

No resolution nor commitment has been reached at this point in time.

Furthermore it is important to note that the City owned building on 145 Jull Street, where the current South Metropolitan TAFE holds a lease with the City could also be vacant in 2023 when the new campus is completed.

145 and 109 Jull Street are key strategic sites for the City of Armadale part of the City's Civic Precinct.

CONCLUSION

Securing a new inner-city TAFE campus has been a priority of the City of Armadale for several years guided by its Strategic Community Plan, Activity Centre Plan, Economic Development and Advocacy Strategies.

This major milestone achievement is the result of strong working relationships with key organisations such as the WA Department of Training & Workforce Development, Southern Metropolitan TAFE, State and Federal MPs and other advocacy bodies such as the Growth Areas Perth & Peel (GAPP).

A higher education facility in the City Centre is crucial to creating designated pathways for people from the surrounding region, to gain better access to higher education, and to provide aspirational learning opportunities for the region's lower socio-economic areas.

Construction of the new campus will unlock local jobs, while the opening of the campus will have positive flow on benefits for local businesses, with more student capacity at the site. This project represents a step forward towards strengthening Armadale's position as a Strategic Metropolitan Centre of the South Eastern corridor.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CS17/3/21

That Council receives this progress report on the construction of the new Armadale TAFE campus.

**Moved Cr K Busby
MOTION CARRIED**

(5/0)

Cr Smith returned to the meeting at 7.51pm.

3.5 - QUALITY MANAGEMENT SYSTEM DEVELOPMENT

WARD : ALL
FILE No. : M/153/21
DATE : 25 February 2021
REF : FW
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- This report presents an update on the development of the City's Quality Management System
- Recommend that Council note the Quality Management System Development report

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.2.2 – Implement business plans and practices that improve service delivery

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

1. Executive Leadership Team

BACKGROUND

This report has been developed in response to the Corporate Business Plan Key Performance Indicator for 2020/21 to “Report to Council on the development of the City’s Quality Management System”.

This is aligned with following Corporate Business Plan action:

- 4.1.3.4 *Develop the City's Quality Management System with a view to performing commensurate with accredited standards*

DETAILS OF PROPOSAL

The attached report outlines the requirements of the international standards for Quality Management and provides an overview of alignment of the City’s systems.

This includes a review of the achievements and improvements achieved during 2020 with a particular focus on the development of the business process management program.

The implementation of a Quality Management System however includes broader aspects than process mapping and is considered a mid to long term objective for the City. As such, the implementation of the requirements will be staged over a five year initial period. The City is currently in the development phase, establishing the foundations. The first stage actions have been identified in the report for implementation over the next 12 months.

CONCLUSION

A review of the City’s quality management system considering the guidelines from relevant international standards has been completed. A staged program for development has been proposed over a five year period with details on first stage actions provided.

ATTACHMENTS

1. Quality Management System Development Report - March 2021

RECOMMEND

CS18/3/21

That Council note the Quality Management System Update report

Moved Cr E J Flynn
MOTION CARRIED

(5/0)

**

1.1 - BUSINESS RECOVERY ACCOUNT - REQUEST FOR FUNDING ALLOCATION

WARD : ALL
FILE No. : M/175/21
DATE : 10 March 2021
REF : MH
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- To mitigate a number of business continuity and other risks, the City's Corporate Services require a short term resources (4 FTE for 12 months) to address work backlogs, audit response actions and an increase in short term demands.
- Funding for the short term resources may be appropriately sourced from the Business Recovery Account
- Recommend that Council:
 1. Agrees to allocate \$388,000 from the Business Recovery Account to equally fund a staff resource for Governance (procurement), Finance and Human Resources (payroll) and Organisational Development for a period to 12 months;
 2. Establishes a Business Recovery Reserve Fund for the purpose of setting aside funds for Business Recovery responses approved by the Council; and
 3. Amends the 2020/2021 budget accordingly.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4.2 An innovative and progressive organisation

4.2.2 Recruit and develop a skilled and competent workforce

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The Business Recovery Account was established with \$900,000.

To date, the Council has approved \$40,000 for the provision of a contract Rates Officer position for a period of 6 months (CS/37/8/20) and a \$125,000 provision for the implementation of ICT Security Projects (CS/9/2/21).

The remaining balance of the Business Recovery Account is \$735,000.

If the Council supports the report recommendation, \$347,000 will remain in this account.

Consultation

Executive Leadership Team

BACKGROUND

Business Recovery Account

To recover the backlog and manage the residual impacts of the COVID-19 Pandemic responses, the 2020/21 Annual Budget provides for the establishment of a Business Recovery budget. This budget is funded from FY20 surplus funds brought forward, and has a remaining provision of \$735,000 within the CEO Administration area.

Approval for the allocation of funds from the Business Recovery budget operates on a month by month basis, via the Corporate Service Committee with approval for expenditure from this account required by Council.

The proposal is to access Business Recovery funds for short term staff appointments to deal with a number of risks faced by the City, including service delivery risks (business continuity, quality, response), Occupational Health and Safety risks (workload, change management, leave management etc.) financial risks (project costs) and integrity risks (audit recommendations). The recommendation is to fund four twelve month, full time equivalent positions to address a backlog of works, and to restore service capability that responds to the needs of the organisation. This will also enable capacity for staff to take leave, who have been covering vacant positions.

DETAILS OF PROPOSAL

Human Resources

The City's current payroll system is manual, labour intensive and in need of urgent upgrade. Critical improvements are being implemented in order to ensure the continuity of the payroll service and to sustain sufficient resources to continue to respond to business area requests regarding employee agreements, employee leave, employee performance and the HR system development. Funds for an additional senior payroll officer are required for twelve months, which will ensure service continuity and response times are maintained whilst the improvements are designed, tested and implemented.

Organisational Development

The City is at a critical stage where effective engagement and communication with employees is needed to deliver the transformation required to effectively and efficiently service a larger, diverse community. This will be achieved through embedding the corporate change program, which includes integrated planning, investment in people, culture, business systems and technology, service delivery reviews, moving towards performance excellence and also through the implementation of specific organisational development strategies such as Activity Based Working, values alignment, diversity and inclusion.

There a large number of changes being progressed simultaneously and it is essential that resources are allocated to helping staff understand the nature, rationale and impact of these changes to ensure that these initiatives are implemented as soon as practicable.

Governance & Contracts Procurement

Three officers recently resigned from the City's contracts procurement service area to take up promotional opportunities. Presently, seconded officers are assisting with the workload, however this will likely have a flow on effect to other departments.

Procurement is a key support service for those areas of the business responsible for the delivery of the 2020/21 capital program, in particular the City Parks business area, which has a substantial capital works budget this year. Current remaining team members have not been able to take substantial annual leave in order to refresh throughout this period and to continue to support the implementation of the procurement functionality of the new corporate business system.

Financial Services

A vacancy in the Executive Manager position has been managed through the secondment of an experienced officer within the organisation, however due to the workload during the preparation of the FY20 annual financial statements, the subsequent audits and the late accounting standard changes in 2020, the department has a number of backlog issues.

In addition, the upcoming annual budget (which is also undergoing a business improvement process), the end of year process and a change in the external auditor adds to this backlog workload. The latter will place an additional load on the Team, as a new auditor will need to undertake a familiarisation and risk assessment of the organisation.

This service area has a number of legacy systems and processes which have not been reviewed for some time. A change program to progressively deal with some of the processes continues, but now over an expanded timeframe.

The Team will be gearing up for a Go Live of the Corporate Business System later this year, and their workload will exceed their capacity. Similar to Governance, substantial annual leave will likely have to be delayed even further if the short term resourcing needs are not addressed.

Summary

It is proposed that four (4) new staff resources are sourced for a short term contract of up to 12 months to be funded from the Business Recovery Budget. These short term positions will assist manage risks across the service areas of Human Resources (payroll), Organisational Development, Financial Services and Governance & Procurement.

The funds required for these appointments has been assessed within a salary range up to \$91,460, plus superannuation and other on costs. A provision of \$97,000 for each FTE is required. The total cost will therefore be \$388,000 if fully expended.

As these resources will span two financial years, it is recommended that the funds be placed in a Reserve for the purpose of Business Recovery, such that the respective amounts can be transferred to and from the reserve for the FY21 and FY22 years respectively.

OPTIONS

1. Council could agree to the allocation of funds from the Business Recovery account, which will facilitate continuity of services and response times, the clearing of current backlogs, progression of audit response actions, and ; or
2. Not agree to the funding allocation which will place leave a number of risks faced by the City as a high level.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CS19/3/21

That Council:

- 1 **AGREES to allocate \$388,000 from the Business Recovery Budget to equally fund a staff resource for Governance, Finance, Organisational Development and Human Resources for a period of up to 12 months;**
2. **Pursuant to s6.11(1) of the *Local Government Act 1995*, ESTABLISHES a Business Recovery Reserve Fund for the purpose of setting aside funds for Business Recovery responses approved by the Council.**
3. **Pursuant to s6.8 of the *Local Government Act 1995*, AMENDS* the 2020/2021 budget as follows:**

Decrease in Operating Expenditure

Business Recovery Account	\$388,000
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Increase in Operating Expenditure

Governance Employee Costs FY21	\$17,200
Finance Employee Costs FY21	\$17,200
Human Resources Employee Costs FY21 (first two months of appointment)	\$17,200
Organisational Development Employee Costs FY21 (first two months of appointment)	\$17,200

Reserve Transfers

Transfer to the Business Recovery Reserve	\$319,200
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(set aside the balance to draw upon in FY22 for the remaining ten months)

ABSOLUTE MAJORITY RESOLUTION REQUIRED

Moved Cr K Busby
Seconded Cr E J Flynn
Opposed Cr G Nixon
MOTION CARRIED

(4/1)

COUNCILLORS' ITEMS

Nil

CHIEF EXECUTIVE OFFICER'S REPORT

1. COVID-19 Recovery

New Directions have been released for WA to move to Phase 4b Restrictions effective Monday 15 March. This will allow Local Governments to increase patronage for community facilities to 75 percent where there is fixed seating.

The 2sqm rule remains for venues such as Libraries, Recreation Centres and indoor and outdoor swimming pools.

Arrangements have been put in place for bookings on the basis of the 75% capacity for our community facilities ensuring that the contact tracing system is maintained (SafeWA QR codes).

Events with over 500 people are still subject to a COVID Event Plan. Anzac Day events are capped at a maximum of 10,000 people with the organiser needing to submit a COVID Event Plan.

COVID-19 vaccinations are now being rolled out to DFES volunteers including Bush Fire Brigades with personnel invited to register to attend the clinic set up at the PCEC Perth.

WA Health continues to open additional vaccination clinics in the Perth metropolitan area over the coming weeks.

2. Business As Usual

SE Corridor Councils Alliance Meeting (SECCA)

Purpose: To transform the South-East Corridor by advancing social, economic and environmental sustainability through collective action.

On 17 February 2021 I attended the SE Corridor Councils Alliance Meeting at the Town of Victoria Park. Matters relating to the four portfolios – Environment & Infrastructure, Community, Economic Development & Planning and Corporate Services were discussed. The Alliance will be advocating for higher level infrastructure in the SE Corridor including improved transport, health and education infrastructure.

SE Metropolitan Zone Meeting

On 17 February attended the SE Metropolitan Zone meeting which was hosted by the City of Armadale.

Four Year Budget Workshops

A total of 3 Four Year Budget Workshops have been held on 9 February, 23 February and 11 March to facilitate discussions with Councillors around the range of financial strategies to guide the allocation of resources to City services, capital investment and debt repayment/cash reserving. Following a general consensus on the high level strategies a number of subsequent workshops are planned for March/April to refine these financial strategies through the FY22 annual budget process.

Streamline WA Steering Committee

On Wednesday 24 February attended the Streamline WA Steering Committee meeting via Microsoft Teams.

SE Corridor Councils Alliance (SECCA) Economic Development & Planning Portfolio Meeting

As the Coordinating CEO for SECCA's Economic Development & Planning portfolio, facilitated a meeting on 3 March at the City with SECCA's Economic Development & Planning Executives and Managers.

EXECUTIVE DIRECTOR'S REPORT

Nil

MEETING DECLARED CLOSED AT 8.30PM

CORPORATE SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
16 MARCH 2021		
ATT NO.	SUBJECT	
1.2 REVIEW OF 2020/21 ANNUAL BUDGET		
1.2.1	Mid Year Review for the period ending 31 December 2020	
3.1 SKELETAL PATH NETWORK PLAN - STAGE 3		
3.1.1	SPN3 - Assessment Scoring Criteria	
3.1.2	SPN3 - Project Prioritisation List	
3.1.3	SPN3 - CIL, Development and Grant Funded Paths	
3.2 PROPOSAL FOR THE CITY OF ARMADALE TO ACCEPT VESTING, MANAGEMENT AND RESPONSIBILITY FOR RESTORATION OF ST. FRANCIS XAVIER CHURCH - LOT 560 (10) THIRD ROAD, ARMADALE		
3.2.1	Proposed Site Plan - St Fancis Xavier Church	
3.2.2	Proposed Floorplan - St Fancis Xavier Church	
3.2.3	Local Heritage Survey - Place Record Form	
3.5 QUALITY MANAGEMENT SYSTEM DEVELOPMENT		
3.5.1	Quality Management System Development Report - March 2021	

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

CHIEF EXECUTIVE OFFICER’S REPORT

22 MARCH 2021

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1. REPORTS

- 1.1 CITY OF ARMADALE WASTE PLAN.....159
- 1.2 COUNCILLORS INFORMATION BULLETIN - ISSUE NO 5/2021170

ATTACHMENTS172

1.1 - CITY OF ARMADALE WASTE PLAN

WARD : ALL
FILE No. : M/17/21
DATE : 8 January 2021
REF : JL/SW/RM
RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- The City is required to submit a Waste Plan endorsed by Council to the Department of Water and Environment Regulation by 31 March 2021.
- This report recommends that Council endorse the Waste Plan for submission to the Department of Water and Environment Regulation.

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

- 2.4 Best Practice Waste Management
- 2.4.1 Apply effective waste collection methodologies
 - 2.4.2 Maximise recycling opportunities
 - 2.4.3 Improve waste disposal practices
 - 2.4.4 Apply efficient waste administration

Legal Implications

Waste Avoidance and Resource Recovery Act 2007

40. Waste plans

- (1) *In this section —*
plan for the future means a plan made under the Local Government Act 1995 section 5.56.
- (2) *A local government may include within its plan for the future a waste plan outlining how, in order to protect human health and the environment, waste services provided by the local government in the relevant district will be managed to achieve consistency with the waste strategy.*
- (3) *The waste plan may include —*
 - (a) *population and development profiles for the district;*
 - (b) *an assessment of significant sources and generators of waste received by the local government;*
 - (c) *an assessment of the quantities and classes of waste received by the local government;*
 - (d) *an assessment of the services, markets and facilities for waste received by the local government;*
 - (e) *an assessment of the options for reduction, management and disposal of waste received by the local government;*
 - (f) *proposed strategies and targets for managing and reducing waste received by the local government;*
 - (g) *proposed strategies and targets for the efficient disposal of waste received by the local government that cannot be recovered, reused or recycled;*
 - (h) *an implementation programme that identifies the required action, timeframes, resources and responsibilities for achieving these strategies and targets;*
 - (i) *such other matters as may be prescribed by the regulations.*
- (4) *The CEO may by written notice require a local government to include within its plan for the future a waste plan outlining how, in order to protect human health and the environment, waste services provided by the local government will be managed to achieve consistency with the waste strategy.*
- (5) *The notice may specify a reasonable period within which the waste plan must be included in the plan for the future.*
- (6) *The CEO may, on the request of a local government and at the expense of that local government, prepare a draft waste plan for that local government.*

41. CEO's powers in relation to waste plan

- (1) *If the CEO is of the opinion that a waste plan should, but does not, include a matter referred to in section 40(3), the CEO may, by written notice, require the local government to modify the waste plan to include that matter.*
- (2) *Before giving a notice to a local government under subsection (1) the CEO —*
 - (a) *must consult with the local government and have regard to its views; and*

- (b) *if the local government so requests, must consult with the Waste Authority and have regard to its views.*
- (3) *A local government must comply with the notice as soon as is practicable.*
- (4) *If the local government does not comply with the notice issued under section 40(4) or under subsection (1), the CEO may serve notice in writing on the local government —*
 - (a) specifying the relevant notice and the manner in which the local government has failed to comply with it; and*
 - (b) advising the local government that the CEO intends to deal with the matter under section 42.*
- (5) *A local government aggrieved by a notice given to the local government under subsection (4) may apply to the State Administrative Tribunal for a review of the notice.*

42. CEO may prepare or modify waste plan

- (1) When a notice has been served on a local government under section 41(4), the CEO may, after consulting and having regard to the views of the Waste Authority and the local government, take all such steps and prepare all such documents as are necessary to ensure compliance with the notice referred to in section 40(4) or 41(1), as the case requires, as if the CEO were the local government.*
- (2) A waste plan, or modification of a waste plan, for a local government prepared under this section has effect as if it were part of a plan for the future made by the local government.*
- (3) All costs, charges and expenses incurred by the CEO in the exercise of any powers conferred by subsection (1) may be recovered from the local government as a debt due to the Crown or may be deducted from any moneys payable by the Crown to the local government.*
- (4) A local government aggrieved by a waste plan, or modification of a waste plan, prepared under this section may apply to the State Administrative Tribunal for a review of the plan or modification.*

43. Effect of waste plan

- (1) *The CEO must have regard to the waste plan of a local government when exercising a function under this Act or any other Act that affects the operation of the waste plan.*
- (2) A local government must perform its functions in respect of waste management in accordance with its waste plan as existing from time to time.*

44. Report on waste plan

- (1) The CEO may require a local government to submit a report to the CEO on the implementation of its waste plan.*
- (2) *The CEO may require the local government to include in the report information about any or all of the following matters —*
 - (a) the quantities of waste of each of the classes identified in the waste plan —*
 - (i) collected or otherwise received by the local government and its contractors; or*

- (ii) *reused or recycled by the local government or transferred to other parties for reuse or recycling; or*
 - (iii) *held in stockpiles; or*
 - (iv) *disposed of to landfill;*
 - (b) *the number of premises serviced;*
 - (c) *changes made during the reporting period to the nature of the waste services provided;*
 - (d) *complaints lodged with the local government under section 71 and actions taken by the local government in response;*
 - (e) *any other matters specified in the waste plan;*
 - (f) *such other matters as the local government considers appropriate.*
- (3) *A local government aggrieved by a requirement under this section may apply to the State Administrative Tribunal for a review of the requirement.*

71. Services to be provided in accordance with waste plan or permit

- (1) *A waste service in respect of local government waste provided by a local government must be carried out —*
- (a) *in accordance with section 43(2); and*
 - (b) *to the satisfaction of the CEO and, in the case of services carried out by a contractor on behalf of a local government, the local government.*
- (2) *If—*
- (a) *a waste service is not carried out in accordance with subsection (1); or*
 - (b) *local government waste is not collected in accordance with a condition of a waste collection permit to collect that waste,*
- and, by reason of that failure, waste has accumulated on premises, the occupier of the premises may lodge an oral or written complaint with —*
- (c) *the local government in the case of services provided, or that had been undertaken to be provided, by the local government or its contractor; or*
 - (d) *the CEO in the case of services provided, or that had been undertaken to be provided, by the holder of a waste collection permit.*
- (3) *If a complaint is lodged —*
- (a) *under subsection (2)(c), the local government must give written notice of the complaint to the contractor (if any) by whom the services were, or should have been, provided; or*
 - (b) *under subsection (2)(d), the CEO must give written notice of the complaint to the holder of the waste collection permit by whom the services were, or should have been, provided.*
- (4) *If—*
- (a) *a complaint is lodged under subsection (2)(c) with a local government in respect of waste services it provided, or had undertaken to provide, itself; and*
 - (b) *the requisite service has not been provided and the cause of complaint removed within 48 hours of the lodging of the complaint; and*

- (c) *the Chief Health Officer, by notice in writing given to the CEO, declares that the failure to provide the requisite service and remove the cause of complaint has the potential to pose a risk to human health,*

the local government commits an offence.

Penalty: a fine of \$10 000.

(5) *If—*

- (a) *notice is served under subsection (3) on a contractor or holder of a waste collection permit; and*
- (b) *the requisite service has not been provided and the cause of complaint removed within 48 hours of service of the notice under subsection (3); and*
- (c) *the Chief Health Officer, by notice in writing given to the contractor or holder of the waste collection permit, declares that the failure to provide the requisite service and remove the cause of complaint has the potential to pose a risk to human health,*

the contractor or holder of the waste collection permit, as the case requires, commits an offence.

Penalty: a fine of \$10 000.

Waste Avoidance and Resource Recovery Regulations 2008

20. Waste plans

For the purposes of section 40(3)(i) of the Act the following matters are prescribed—

- (a) *an assessment of the significant sources of waste generated by the operations of the local government;*
- (b) *an assessment of the quantities and classes of waste generated by the operations of the local government;*
- (c) *an assessment of the services, markets and facilities for waste generated by the operations of the local government;*
- (d) *an assessment of the options for reduction, management and disposal of waste generated by the operations of the local government;*
- (e) *proposed strategies and targets for managing and reducing waste generated by the operations of the local government;*
- (f) *proposed strategies and targets for the efficient disposal of waste generated by the operations of the local government that cannot be recovered, reused or recycled;*
- (g) *an implementation programme that identifies the required action, timeframes, resources and responsibilities for achieving these strategies and targets.*

Local Government Act 1995

6.2. Local government to prepare annual budget

- (2) *In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of—*
- (a) *the expenditure by the local government; and*
 - (b) *the revenue and income, independent of general rates, of the local government; and*
 - (c) *the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.*

Council Policy/Local Law Implications

The City's Strategic Waste Management Plan (SWMP) was adopted by Council on 9 March 2020 - T11/3/20. To assist elected members, relevant extracts from the SWMP related to FOGO have been provided (see **Confidential Attachment 1**).

Budget/Financial Implications

The potential financial implications of the introduction of a FOGO system were noted by Council on 14 December 2020 – T64/12/20. To assist elected members, an extract from the report has been provided (see **Attachment 2**).

Consultation

- Inter Directorate
- IW Projects (Waste and Landfill Consultant).

BACKGROUND

Under s 40(2) of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act), a local government may include within its plan for the future a waste plan outlining how waste services will be managed to achieve consistency with the State's waste strategy. Under s.40(4) of the WARR Act, the CEO of the Department of Water and Environmental Regulation (DWER) can provide written notice to require a local government's waste plan to outline how it will achieve consistency with the State's waste strategy.

If the CEO of DWER is of the opinion that a waste plan does not contain a matter referred to in s.40(3) of the WARR Act then under s.41(1) the CEO may issue a notice to the local government requiring them to modify their waste plan. If a local government does not comply with a notice issued under s.40(4) or s.41(1) of the WARR Act then the CEO can issue a further notice under s.41(4) specifying the manner in which the local government has failed to comply and can advise the local government that it will be dealt with under s.42 of the WARR Act. Under s.41(5) a local government can appeal to SAT a notice issued by the CEO under s41(4).

When a s.41(4) notice has been issued, then under s.42(1) the CEO may prepare a waste plan for the local government and recover the costs of this from the local government under s.42(3). A local government aggrieved by such a waste plan, or modification to a waste plan prepared under s.42(1), may appeal to SAT under s.42(5) of the WARR Act. Under s.42(2) a waste plan prepared under this section has effect as if it were part of a plan for the future made by the local government.

Under s.43(2) of the WARR Act a local government must perform its waste management function in accordance with its waste plan and may be required under s.44(1) to submit report to the CEO on the implementation of its waste plan. It is not clear however, whether the City commits an offence for not complying with its waste plan and what penalty or actions could be taken against a local government.

Section 6.2(2) of the *Local Government Act 1995* requires local governments to have regard to their plans for the future (which include waste plans made under section 40 of the WARR Act) in the preparation of their annual budgets.

On 7 November 2019 the CEO of DWER issued a notice (**see Attachment 3**) to the City of Armadale to prepare a waste plan under section 40(4) of the WARR Act that outlines how, in order to protect human health and the environment, waste services provided by the local government will be managed to achieve consistency with the Waste Strategy. The City of Armadale's final waste plan, as adopted and endorsed by the City of Armadale's Council for inclusion in the plan for the future (Final Waste Plan), was to be submitted by 30 September 2020. On 1 May 2020, in light of the impacts of COVID-19, the deadline for submission of the City of Armadale's Council adopted and endorsed final waste plan for inclusion in its plan for the future was extended until 31 March 2021, with the City of Armadale's first annual report on the implementation of its waste plan now due on 1 October 2022 for the 2021-22 financial year (**see Attachment 4**).

Further in a letter to the CEO of the Rivers Regional Council on 11 February 2021, the CEO of DWER advised the following:

As you are aware, under the notice I issued under section 40(4) of the WARR Act in November 2019, local governments are required to prepare a waste plan that demonstrates how the waste services they provide will be managed to achieve consistency with the Waste Strategy. When determining whether to endorse Council-approved waste plans, I must consider whether plans:

- *are consistent with the Waste Strategy; or*
- *demonstrate a clear path for achieving consistency within the timeframes in the Waste Strategy.*

For instance, to demonstrate consistency with the Waste Strategy FOGO target, I would expect to see evidence of actions, milestones and timeframes to feasibly support the implementation of FOGO by 2025. This may include a plan for implementing initiatives that will inform or precede the intended implementation of FOGO, for example:

- *the implementation of three-bin garden only (GO) source separation systems (for local governments currently operating two-bin kerbside collection systems);*
- *objective assessments and open fair consultation with residents on how the local government can achieve consistency with the Waste Strategy consultation to inform implementation of FOGO; and/or*

- *actions taken to manage existing contract commitments to allow transition to FOGO (for example, existing waste to energy contracts).*

To support my decision making it will be important that waste plans set out the decision-making pathways and steps that will be taken to meet the Waste Strategy targets, including the FOGO target, with the timeframes for member Council decisions.

The Waste Strategy also includes the target that from 2020 only residual waste will be used for energy recovery, consistent with the policy approach developed through the work of the Environmental Protection Authority and Waste Authority almost 10 years ago.

I consider that local governments operating a three bin better practice garden organics (GO) system prior to 2025 will be able to divert residual waste material to waste to energy and be consistent with the Waste Strategy. From 2025 onwards local governments will need to provide a FOGO service to maintain their consistency with the Waste Strategy if they intend to send material to a waste to energy facility.

Local governments report annually on the implementation of their waste plans from 1 October 2022. In my assessment of these reports, I will consider whether waste plans continue to demonstrate consistency with the Waste Strategy and that genuine progress is being made towards achieving the Waste Strategy targets. This will inform my decision as to whether continued endorsement of each plan is appropriate.

As I mentioned in the meeting, sections 41 and 42 of the WARR Act provide me with powers to prepare or modify waste plans that do not meet the requirements under sections 40(3) and 40(4) of the WARR Act. It is however my strong preference to work with local governments to resolve any issues and inconsistencies in the first instance.

As such, the City's draft Waste Plan includes initiatives that will inform or precede the implementation of FOGO and actions taken to manage existing waste to energy contract commitments to allow transition to FOGO, even though FOGO has not been included as an action in the City's adopted Strategic Waste Management Plan (SWMP).

The costs of implementing a GO or FOGO system have not been included in the City's draft 4 year budget, nor were they included in the financial projections of future waste charges that formed part of the SWMP.

DETAILS OF PROPOSAL

The purpose of this report is for Council to endorse the City's Waste Plan (see **Attachment 5**) prior to submitting it to the DWER.

The waste plan is structured according to the template provided by DWER and is set out as follows:

Part 1

1. Introduction

The waste plan covers three objectives in the Waste Strategy, namely *Avoid, Recover* and *Protect*.

2. Integrated planning and reporting

This section provides information regarding the aspects of waste that are included in the City's Strategic Community and Corporate Business Plans.

3. Objective 1 - Avoid (Assist Western Australians generate less waste)

This section looks at waste generation rates and the reduction required to contribute to the State's waste generation reduction targets:

2025: 5% reduction in municipal solid waste (MSW) generation per capita, measured against 2014/15 as the baseline year.

2030: 10% reduction in MSW generation per capita, measured against 2014/15 as the baseline year.

4. Objective 2 - Recover (Assist Western Australians recover more value and resources from waste)

Where waste generation is unavoidable, efforts should be made to maintain the circulation of materials within the economy.

This section provides the overall recovery rate for the City compared to Waste Strategy targets and the State average. This is broken down into the proportion of the recovery which was materials recovery (reuse, reprocessing or recycling) or energy recovery.

5. Objective 3 - Protect (Assist Western Australians protect the environment by managing waste responsibly)

The objective is to protect the environment by managing waste responsibly, with targets for achieving better practice, reducing litter and illegal dumping. The Waste Strategy sets a target that by 2030 all waste is managed by and/or disposed to better practice facilities; by 2030 move towards zero illegal dumping and zero littering.

6. Waste management tools

6.1. Waste services

The City's data relating to the waste collected, recovered and landfilled is presented in Table 10 of the Waste Plan. Reviewing this data when developing Part 2 – Implementation Plan, provides the City with:

- an understanding of how different systems are performing (eg. recovery levels)
- insight to the possible need for any new collection systems or infrastructure
- a timeline and capacity of any new collection systems or facilities required to meet the changing needs of the City.

6.2. Waste infrastructure

This section reports on the number, type, capacity and location of key existing local government owned and/or operated waste and resource recovery infrastructure and will assist in understanding the future need for different facility types.

6.3. Policy and procurement – Contracts

Information on the City's existing waste contracts is detailed in Table 14 of the Waste Plan. When reviewing services it provides an opportunity to evaluate how they are performing and to identify any opportunities for improvement, review or renegotiation.

6.4. *Behaviour change programs and initiatives*

Communication and engagement with waste generators and managers underpins many local government waste management activities and are vital in driving behaviour change needed to achieve the objectives and targets of the Waste Strategy.

In this part of the Waste Plan, change programs and initiatives refers to activities that increase awareness, skills and knowledge; provide consistent messaging; help people to use waste infrastructure; and encourage the adoption of specific, positive waste behaviours and attitudes.

This section includes an opportunity for the City to assess and understand what programs have worked and what has not and can be used to inform future actions.

Information on the City's existing waste behaviour change programs or initiatives are detailed in Table 18 of the Waste Plan.

7. **Summary**

The purpose of Part 1 of the Waste Plan is to consolidate information about current waste management practices, to enable the City to assess and identify:

- current waste management performance
- alignment between current waste management practices and the Waste Strategy
- strengths and successes, as well as gaps and opportunities for improvement.

Table 20 of the Waste Plan provides waste management priorities for the short, medium and long term; and translates these priorities into actions in Part 2 – Implementation Plan (Table 21).

Part 2

Implementation Plan

The Implementation Plan outlines the actions which the City will take in future years to contribute to the achievement of the relevant Waste Strategy targets and objectives.

CONCLUSION

The City is required to submit a Waste Plan to DWER by 30 March 2021 that is endorsed by Council. The CEO of DWER requires that the City's Waste Plan demonstrates how waste services will be managed to achieve consistency with the State's Waste Avoidance and Resource Recovery Strategy 2030 (circulated separately). The City committed to a contract with the Kwinana Waste to Energy Facility based on the State's previous Waste Strategy. In the absence of sourcing any additional residual waste, implementing FOGO will result in financial penalties for the City as it will not be able to meet its contractual obligations with respect to minimum waste tonnages for the Waste to Energy Facility. The implementation of FOGO will come at a substantial cost to residents, adding an estimated \$68 - \$95 to their total rate bill each year, or the equivalent of a 3.5 - 4.85% increase in rates. The financial modelling of the City's waste charge within the SWMP did not include the introduction of FOGO. Similarly, the City's draft 4 year budget does not provision for the introduction of FOGO.

The City's draft Waste Plan includes initiatives that will inform or precede the implementation of FOGO, and actions taken to manage existing waste to energy contract commitments to allow transition to FOGO, even though FOGO has not been included as an action in the City's adopted SWMP. However, the City could choose to not include such actions and progress the matter on appeal to SAT. This action is not recommended without obtaining legal advice.

ATTACHMENTS

1. Attachment 1 - Extracts from the City's SWMP on FOGO (Confidential) - *This matter is considered to be confidential under Section 5.23(2) (e ii) of the Local Government Act, as it deals with the matter, if disclosed, would reveal information that has a commercial value to a person*
2. [↓](#) Attachment 2 - Extract from Council Report of 14 December 2020 on FOGO System
3. [↓](#) Attachment 3 - DWER CEO First Notice
4. [↓](#) Attachment 4 - DWER CEO Extension Notice
5. [↓](#) Attachment 5 - Draft Waste Plan

RECOMMEND

That Council endorse the City of Armadale Waste Plan as attached to this report.

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 5/2021

WARD : ALL
FILE No. : M/174/21
DATE : 10 March 2021
REF : MC
RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 5/2021 to be received by Council

Strategic Implications

The following general information and memorandums were circulated in Issue No 5/2021 on 18 March 2021.

COMMENT

Correspondence & Papers

NIL

Information from Human Resources

Employee Movements

Information from Technical Services

Outstanding Matters and Information Items

Various Items

Monthly Departmental Reports

Technical Services Works Program

Information from Community Services

Outstanding Matters & Information Items

Report on Outstanding Matters

Community Grants

Library Upcoming Events

Community Planning

Community Development

Recreation Services

Library and Heritage Services

Ranger & Emergency Services

Information from Corporate Services

Nil

Information from Development Services

Nil

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

That Council acknowledge receipt of Issue 5/2021 of the Information Bulletin

CHIEF EXECUTIVE OFFICER'S REPORT		
ATTACHMENTS		
22 MARCH 2021		
ATT NO.	SUBJECT	PAGE
1.1 CITY OF ARMADALE WASTE PLAN		
1.1.2	Attachment 2 - Extract from Council Report of 14 December 2020 on FOGO System	173
1.1.3	Attachment 3 - DWER CEO First Notice	179
1.1.4	Attachment 4 - DWER CEO Extension Notice	183
1.1.5	Attachment 5 - Draft Waste Plan	185

CITY OF ARMADALE WASTE PLAN
Extracts from the Council Report of 14 December 2020 on FOGO

FOGO System

The introduction of a kerbside FOGO collection system is one of the primary initiatives of the Waste Authority's *Waste Avoidance and Resource Recovery Strategy 2030* as the Waste Authority is actively encouraging all metropolitan local governments to implement a FOGO system. A *Better Bins Plus: Go FOGO* funding program was announced by the Waste Authority on 5 May 2020. The purpose of the program is to encourage local governments to provide a three bin system (general waste, comingled recycling and organic/green waste) to support greater source separation and higher recovery. The *Better Bins Plus* funding rate per household is \$23 for 2021/22 and reduces year on year to \$15 for 2025/26. There is currently no funding from the Waste Authority beyond 2025/26. The degree to which further encouragement is rolled out is yet to be determined and may be a system of financial penalties such as the implementation of additional waste levies to encourage participation in the FOGO system.

There is an existing waste levy on waste to landfill; however, there is also the possibility for the introduction of a waste levy on non-residual waste to WtE facilities. Non-residual waste being waste that have not been subject to recycling or reuse processes.

With the City's commitment to the Kwinana WtE facility, which includes a minimum 'committed tonnes', there is the possibility that the City may incur a cost increase irrespective of whether the City implements a FOGO system, either via a waste levy or committed tonnes 'penalty'. The committed tonnes 'penalty' is the payment to WtE based on contractually committed tonnes of waste to WtE without actual waste delivered to the facility.

DETAILS OF PROPOSAL

Impact of a Waste Levy on Waste to Energy (WtE)

With the impending opening of the two approved WtE facilities in the Perth metropolitan area, there will be an approximate 700,000 tonnes per year reduction in landfill tonnage and hence a consequential reduction in landfill levy of \$49M (based on the current \$70/t levy rate) for the state government. The Waste Authority is also actively encouraging the implementation of FOGO systems across all metropolitan local governments. The more FOGO systems that are implemented, the more waste is diverted from landfill and consequently, less landfill levy is paid.

With the state government diverting 75% of the landfill levy to general revenue, there will be a significant shortfall in state revenue as a result of the commencement of WtE and the implementation of FOGO collection systems as they both divert waste from landfill. It is likely that the state government will look at available options to optimise revenue from the waste levy system, which is highly likely to include an impact on WtE facilities.

With there being no clear direction from the Waste Authority/state government on the future of the waste levy, any consideration of a future impact is simply speculation, but could however provide insight into the possible impact on the City and its ratepayers if a waste levy was introduced on non-residual waste sent to WtE facilities.

For the City, the likely impact of the introduction of a waste levy on WtE would be pressure to implement a FOGO kerbside collection system to enable it to pay the lowest WtE levy rate possible. However, this will then reduce the City's ability to meet its committed tonnes at the WtE facility and increase its reliance on the Rivers Regional Council to top up its committed tonnage. The challenge

CITY OF ARMADALE WASTE PLAN
 Extracts from the Council Report of 14 December 2020 on FOGO

will be if all/most of the RRC member councils also implement a FOGO system, there is likely to be a substantial drop in the available non-committed tonnage to the RRC and hence, the City may end up in a situation where it needs to source committed tonnage from other non RRC local governments or simply pay the penalty for a shortfall in committed tonnes. In addition to the above concern regarding committed tonnes, the City may have a higher WtE facility gate fee, which could possibly include a waste levy.

At this time it is speculation as to the possible mechanism for the implementation of a waste levy on WtE facilities. The following provides a number of scenarios over a range of levy rates and is based on the City paying a levy on all of its kerbside general waste but not the WtE waste generated from the Armadale Landfill and Recycling Facility transfer station, as this is deemed as being residual waste after sorting and separation of recyclable materials. The City currently generates approximately 27,321t/year of kerbside general waste.

Table 1: Different WtE Levy Scenarios

Impact of Different WtE Levy Scenarios		
WtE Waste Levy on non-residual waste	Cost to the City	Cost to ratepayer
\$10/t	\$273,210/yr	\$7.64/yr
\$20/t	\$546,420/yr	\$15.28/yr
\$30/t	\$816,630/yr	\$22.93/yr
\$70/t	\$1,912,470/yr	\$53.50/yr

**Based on 35,750 ratepayers*

Table 1 provides an indication of what the impact to the ratepayers of the City could be for different values of possible WtE Levy. These numbers are currently speculative as there is no indication of what these would be.

As a comparison, the WtE committed tonne ‘penalty rate’ is \$130/t. Penalty rate being the rate that the City has to pay to WtE for undelivered committed waste per tonne and is equal to the normal rate for delivered waste.

If half of the kerbside general waste was diverted from the WtE facility as a result of the implementation of a FOGO system; and the City incurred the full penalty rate of \$130 per tonne on these diverted tonnes, it would cost the City \$1,775,865 per annum – detailed as follows:

Scenario	Tonnes of Waste Diverted	Penalty Amount Per Tonne	Total Penalty
FOGO Implemented - 50% Waste diverted from to WTE	13,660	\$130	\$1,775,865

However, were a WtE Levy to be imposed, any diversion from WtE to FOGO would result in a lesser cost in the WtE Levy, and there is logically some point where these two opposing costs reach a balance. This balancing point is largely determined by the WtE Levy rate which may be applied.

If the City did not implement a FOGO system, at this point in time it is assumed that 100% of the City’s waste sent to WtE would be subject to a Waste levy, as it would be unsorted and considered non-residual.

CITY OF ARMADALE WASTE PLAN
 Extracts from the Council Report of 14 December 2020 on FOGO

This would mean that the City would pay a levy on the full amount of waste (27,321 tonnes per annum).

Therefore, a waste levy on non-residual waste to WtE would need to be incurred at a minimum of \$65/t in order to balance out the cost to the City of incurring the committed tonnage penalty, detailed as follows:

Scenario	Tonnes of Waste Generated Per Annum	Assumed Levy Amount per Tonne	Total levy payable per Annum
100% Waste to WTE	27,321	\$65	\$1,775,865

However, the degree to which the City will be exposed to a shortfall in committed tonnage will depend on how the RRC is able to balance out the overall committed tonnes amongst the regional council members. There is also the option for the City to contract with other local governments to contribute to the City’s committed tonnes to significantly reduce or eliminate the City’s exposure to the committed tonnes penalty. However, as previously stated in this report, each of the RRC local governments will be experiencing a similar shortfall on implementation of FOGO and the WtE plants themselves will be actively competing for any remaining tonnage in the market from other local governments.

The Impact of a FOGO System

The impact of a FOGO collection system to the local community is twofold. The first being the impost of participating in the system and the second being the financial cost imposed by the City as a result of the implementation of a FOGO collection system.

Typically, with the implementation of a FOGO system there is a 50% reduction in the quantity of general waste being generated, with this material now being placed in the FOGO bin. This assumed reduction is commensurate with the results of a recent waste audit conducted by the City, where 65% of the waste in the current general rubbish bin was identified as organic materials. Of the 65%, 15% was considered unsuitable for FOGO as it contained contaminants that could not be processed under a FOGO system. (The main contributors in this regard being nappies and packaged food).

With the FOGO bin (green lid) now containing the putrescible food material, this becomes the bin that is collected weekly and the general waste bin (red lid) is consequently collected fortnightly, on the alternative week to the recycling bin (yellow lid).

The following assumptions have been made when analysing the possible impact of the implementation of a FOGO collection system on the City and its ratepayers:

- 50% of the general waste tonnage will be diverted to FOGO.
- With the rollout of a third bin, those residents that currently pay for a second general waste bin will no longer need these extra bins and hence, the City will lose this current revenue stream of \$407k/yr, which will add to the overall cost of implementing the FOGO system.
- Direct haulage of collected FOGO to a processing facility within 80 km of the centroid of the City and not going via a waste transfer station (30km), as the additional cost of disposal at the transfer station justifies the additional travel time to a processing facility.

CITY OF ARMADALE WASTE PLAN
Extracts from the Council Report of 14 December 2020 on FOGO

Community participation activities when implementing a FOGO system include:

- Being receptive to waste education activities promoted by the City.
- Adjustment to food processing arrangements in the kitchen to ensure that food waste is separated from other waste materials generated in the kitchen.
- Maintaining two waste bins in the kitchen/home – space consideration.
- The use of biodegradable bin liners for food waste in the kitchen/home – reduced contamination.
- A choice of three Mobile Garbage Bins (MGB) within which to dispose of material – more margin for error by the resident – ongoing waste education required.
- Three MGB's to store within the household – space consideration.
- Greenwaste is simpler than food waste, as this is simply a matter of selecting the correct bin within which to place the greenwaste. Greenwaste is typically not generated with other waste types, hence less confusion.
- Additional responsibility to reduce residue in each bin – placing the right 'waste' in the right bin.
- The requirement to place an additional MGBs out on the kerbside – two bins presented each week.
- Having an additional pass of a waste truck along the street.
- The additional cost incurred by the implementation of a FOGO system.

The community already manages a two bin system involving putting two bins out on the kerbside on a fortnightly basis. With the introduction of a FOGO system there will be a requirement to put two bins out every week. There is no additional space required on the kerbside for the third bin it is just that there will always be two bins out on the kerbside each week.

The cost impact of implementing a FOGO collection system will include:

- A reduction in the quantity of general waste being generated and hence saving in current kerbside collection costs, predominantly from the change from weekly to fortnightly collection
- The cost of implementing a new kerbside collection specifically for the FOGO material:
 - Additional vehicles
 - Additional bins
 - Additional collection
 - FOGO disposal or processing cost
 - Waste education activities
- In theory, a reduction in general waste disposal cost at the WtE facility as approximately 50% less waste will go to WtE.
- A reduction in current annual revenue associated with some residents having a second general waste bin, as it is assumed that these residents will no longer require the additional bin once a FOGO (third bin) system has been rolled out.
- Unique to the City (and the other RRC members) is the potential impact on committed tonnes to the Kwinana WtE facility. In the event that the RRC or other local government collaboration is unable to cover the City's shortfall in committed tonnes, then the City will not get the benefit of a reduced WtE disposal charge, as it will be required to pay the full committed tonnage disposal cost, irrespective of the quantity of waste diverted to the FOGO system
- There is the possibility that DWER will implement a waste levy on non-residual waste to WtE facilities. In this event the City would save or at least have a reduced waste levy following the introduction of a FOGO system. The quantum of this saving will depend on the rate of a possible waste levy on WtE.

CITY OF ARMADALE WASTE PLAN
Extracts from the Council Report of 14 December 2020 on FOGO

To assess the cost of the implementation of a FOGO system to the City, the base case scenario is where the City sends all of its kerbside waste to the WtE facility. The cost to the City of implementing a FOGO system will simply be the relative comparison against the anticipated base scenario cost in comparison to the anticipated FOGO system cost.

Table 2: Factors that influence the cost comparison

Service	Comments	Cost reduction/ increase
Waste Collection (Rubbish Bin)	<ul style="list-style-type: none"> ▪ Less tonnage collected (FOGO portion removed) ▪ From weekly to fortnightly collection ▪ Reduced number of collection vehicles required ▪ Less WtE disposal fee 	\$1.775M - Reduction
WtE	<ul style="list-style-type: none"> ▪ Committed Tonnage 'penalty' for waste diverted to FOGO 	\$1.775M - Increase
FOGO	<ul style="list-style-type: none"> ▪ Additional vehicle required – six vehicles required, four from waste collection and two new vehicles (\$250k/yr/vehicle operating) (\$880,000 capital amortised over 5 yrs = \$176k/yr) ▪ New MGBs required, including rollout (\$1.573M, amortised over 15 yrs = \$105k/yr) ▪ New community waste education effort (\$75k, amortised over 15 yrs = \$5k/yr) ▪ Ongoing community education (\$20k/yr) ▪ FOGO disposal fee (\$1.161M/yr) Assumed \$85/t gate fee x 13,660 tonnes based on industry estimates ▪ Ongoing bin replacement/maintenance/ growth (\$50k/yr) ▪ Loss of revenue from Ratepayers that currently have an additional general waste bin, as this will no longer be required (\$407k/yr). 	\$2.427M - Increase
WtE – Waste Levy	Possible waste levy on WtE for non-residual waste if no FOGO system implemented. (Currently unknown, but @ \$10/t = \$273k/yr; @ \$20/t = \$546k/yr; @ \$70/t = \$1.912M).	

The cost to implement a FOGO system is illustrated in Table 3 below.

Table 3: Implementing FOGO

Service or Charge	Cost to the City per year	Cost to the Ratepayer per year
FOGO (\$2.427M - \$1.775M)	\$652,000	\$18.24
WtE charge on committed waste diverted to FOGO	\$1,775,000	\$49.65
Total	\$2,427,000	\$67.89

CITY OF ARMADALE WASTE PLAN
 Extracts from the Council Report of 14 December 2020 on FOGO

Should the City incur a waste levy for WtE on top of the implementation of FOGO the cost scenario is illustrated in Table 4 below, with both the Waste Levy at \$10 per tonne and \$70 per tonne scenario's applied, to give the full range of the potential cost. However this scenario is considered less likely in the short term as the state government are not currently looking to apply a levy on residual waste.

Table 4: Implementing FOGO & WtE Waste Levy

Service or Charge	Cost to the City per year	Cost to the Ratepayer per year
FOGO (\$2.427M - \$1.775M)	\$652,000	\$18.24
WtE charge on committed waste diverted to FOGO	\$1,775,000	\$49.65
Waste Levy (WtE) @ \$10/t - \$70/t [50% diversion]	\$136,605- \$956,235	\$3.82 - \$26.75
Total	\$2,563,605 - \$3,383,235-	\$71.71 - \$94.64



Government of **Western Australia**
Department of **Water and Environmental Regulation**

Our ref: DWERDG725/19
Enquiries: (08) 6364 7000

Ms Joanne Abbiss
Chief Executive Officer
City of Armadale

Via email: info@armadale.wa.gov.au

Dear Ms Abbiss

***NOTICE TO PREPARE A WASTE PLAN UNDER SECTION 40(4) OF THE
WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007***

Under section 40(4) of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act), the Chief Executive Officer (CEO) of the department principally assisting the Minister for Environment in the administration of the WARR Act may by written notice require a local government to include within its plan for the future a waste plan outlining how, in order to protect human health and the environment, waste services provided by the local government will be managed to achieve consistency with the *Western Australian Waste Avoidance and Resource Recovery Strategy 2030* (Waste Strategy).

Waste Strategy and waste plans

In line with this, the Waste Strategy includes a headline strategy to “*Implement local government waste plans, which align local government waste planning processes with the Waste Strategy.*”

Waste plans will provide a link between the targets and objectives of the Waste Strategy and local government waste management activities.

The purpose of waste plans is to:

- align local government waste management activities with the Waste Strategy;
- map current performance and establish a benchmark to achieve Waste Strategy targets;
- monitor progress on local government achievement of Waste Strategy targets; and
- design programs and activities which will support the implementation of waste plans.

Who prepares a waste plan?

All local governments and regional local governments (commonly referred to as regional councils) located in the Perth metropolitan region and Peel region (Perth and Peel regions), and major regional centres that provide waste services, are required to develop waste plans for the 2020-21 financial year, and perform their functions in respect of waste management in accordance with their waste plans.

CEO gives notice requiring a waste plan

Consistent with the above, I, Mike Rowe, in my capacity as CEO of the Department of Water and Environmental Regulation (DWER), hereby give notice that the City of Armadale is required to prepare a waste plan under section 40(4) of the WARR Act. The City of Armadale's final waste plan, as adopted and endorsed by the City of Armadale's Council for inclusion in the plan for the future (Final Waste Plan), must be submitted to me by 30 September 2020.

Section 6.2(2) of the *Local Government Act 1995* requires local governments to have regard to their plans for the future (which include waste plans made under section 40 of the WARR Act) in the preparation of their annual budgets.

Content of a waste plan

The City of Armadale's waste plan must outline how, in order to protect human health and the environment, waste services provided by the local government will be managed to achieve consistency with the Waste Strategy.

Under section 40(3) of the WARR Act the waste plan may include:

- (a) population and development profiles for the local government district;
- (b) an assessment of significant sources and generators of waste received by the local government;
- (c) an assessment of the quantities and classes of waste received by the local government;
- (d) an assessment of the services, markets and facilities for waste received by the local government;
- (e) an assessment of the options for reduction, management and disposal of waste received by the local government;
- (f) proposed strategies and targets for managing and reducing waste received by the local government;
- (g) proposed strategies and targets for the efficient disposal of waste received by the local government that cannot be recovered, reused or recycled;
- (h) an implementation programme that identifies the required action, timeframes, resources and responsibilities for achieving these strategies and targets; and
- (i) such other matters as may be prescribed by the regulations.

The above listed information is included in the waste plan templates to be completed by the City of Armadale, which consists of two documents:

1. Templates: *Part 1 – Services and performance* and *Part 2 – Implementation plan* (one Excel document).
2. Self-assessment checklists for Part 1 and Part 2 (one editable PDF).

The email this notice is attached to also includes your waste plans resource kit. This consists of a Guidance Document and the City of Armadale's personalised template.

You have the option to submit the City of Armadale's draft waste plan to DWER for feedback prior to final submission for adoption and endorsement by the City of Armadale's Council for inclusion in the plan for the future. The draft waste plan must be submitted by 1 April 2020. Feedback from DWER on the draft waste plan will be provided within 30 days of its receipt.

CEO power to modify or prepare a waste plan

The City of Armadale's Final Waste Plan will be assessed by DWER. Under section 41(1) of the WARR Act, if, following this assessment, I am of the opinion that your local government's waste plan should, but does not, include a matter referred to in section 40(3), I may by written notice require the City of Armadale to modify the waste plan to include that matter. Prior to giving this notice, I must consult with the City of Armadale and have regard to its views, and if asked by the City of Armadale, consult with the Waste Authority and have regard to its views.

Under section 41(3) of the WARR Act, the City of Armadale must comply with the section 41(1) notice as soon as is practicable.

Note that under section 41(4) of the WARR Act, a contravention of this notice given under section 40(4) of the WARR Act, or a notice given under section 41(1), may result in me serving a notice in writing on the City of Armadale –

- (a) specifying the relevant notice and the manner in which your local government has failed to comply with it; and
- (b) advising your local government that I intend to deal with the matter under section 42.

Under section 42 of the WARR Act, if the local government does not comply with the CEO of DWER's notices under sections 40(4) and 41(1) of the WARR Act, the CEO may serve notice in writing on the City of Armadale advising it that the CEO intends to prepare or modify a waste plan for a local government according to the notices, as if the CEO were the local government. This may occur after the CEO consults and has regard to the views of the Waste Authority and your local government.

This waste plan or its modification prepared by the CEO of DWER has effect as if it were part of a plan for the future made by the local government. All costs, charges and expenses incurred by the CEO in this process may be recovered from the local government as a debt due to the Crown or may be deducted from any moneys payable by the Crown to the local government.

Requirement to report

Pursuant to section 44 of the WARR Act, I require reporting on the City of Armadale's implementation of the waste plan on an annual basis. The first report is due on 1 October 2021, for the 2020-21 financial year. Further information on reporting can be found in Appendix C of the Guidance Document contained within the resource kit.

Right of review

Under sections 41(5), 42(4) and 44(3) of the WARR Act respectively, the City of Armadale has the power to apply to the State Administrative Tribunal for a review of:

- a notice given under sections 41(4) of the WARR Act;
- a waste plan prepared or modified by the CEO under section 42; or
- a requirement given by the CEO for the local government to report on its implementation of the waste plan under section 44(1).

More information on the process is provided in the attached frequently asked questions. Should you require further information, please enquire at wastepans@dwer.wa.gov.au.

I very much value our relationship with local government and I look forward to working with the City of Armadale to collaborate on improving waste management across the State.

Yours sincerely



Mike Rowe
DIRECTOR GENERAL

7 November 2019



Government of **Western Australia**
Department of **Water and Environmental Regulation**

Our ref: DWERDG308/20
Enquiries: Ph (08) 6364 7000

Ms Joanne Abbiss
Chief Executive Officer
City of Armadale

Email: info@armadale.wa.gov.au

Dear Ms Abbiss

NOTICE OF EXTENSION OF DEADLINES FOR WASTE PLANS UNDER THE WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007

On 7 November 2019, in my capacity as CEO of the Department of Water and Environmental Regulation, I gave notice under section 40(4) of the *Waste Avoidance and Resource Recovery Act 2007* that the City of Armadale was required to prepare a waste plan to include within its plan for the future.

The notice set out the requirements for the City of Armadale's waste plan, including how, in order to protect human health and the environment, waste services provided by the local government will be managed to achieve consistency with the Western Australian *Waste Avoidance and Resource Recovery Strategy 2030*, and the deadlines for submitting and annually reporting on these.

In light of the COVID-19 pandemic and impact that this has had on local government operations, and further to the notice given by me on 7 November 2020, I now give notice of the following extensions to the waste plans deadlines:

- City of Armadale's Council adopted and endorsed final waste plan for inclusion in its plan for the future is to be submitted to me by **31 March 2021**;
- City of Armadale's draft waste plan may be submitted for review and feedback prior to finalisation by **30 September 2020**; and
- City of Armadale's first annual report on the implementation of its waste plan is now due on **1 October 2022** for the 2021-22 financial year.

Further information related to the deadline extension is provided in the attached document. Should you have any further questions, please enquire at wastepans@dwer.wa.gov.au.

I look forward to working with the City of Armadale on improving waste management across the State.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mike Rowe'.

Mike Rowe
DIRECTOR GENERAL

1 May 2020

ISSUES RELATED TO WASTE PLANS DEADLINE EXTENSION AND POTENTIAL COVID-19 IMPACTS

Currently submitted draft or final waste plans

If your local government has already submitted its draft or final waste plan and still wants the Department of Water and Environmental Regulation (DWER) to assess it according to the timeframes set out in the *Guidance document: Local government waste plans* (see below), DWER will support this.

Alternatively, if your local government wishes to withdraw its draft or final waste plan and resubmit it in line with the new waste plans deadlines, DWER will support this.

The Waste Plans team will shortly be in contact with local governments that have submitted draft or final waste plans to determine how they wish to proceed.

Timeframes for DWER to provide feedback on draft and final waste plans

The timeframes for DWER to provide feedback on draft and final waste plans remain unchanged. DWER is still committed to providing feedback on draft waste plans within 30 days of receipt and on final waste plans within 60 days of receipt.

Will special circumstances be taken into account in managing the submission and assessment of waste plans? For example, it may be difficult for local governments to predict with any certainty their ability to implement services in the short to medium term – will this uncertainty be acknowledged in their planning approaches?

I will be seeking to be as flexible as possible in my response to clearly identified constraints being faced by local governments in light of COVID-19. To enable this flexibility, I ask that local governments communicate any issues early and very clearly with my staff in the first instance.

Important resources

Guidance document: Local government waste plans is available from:
<https://www.der.wa.gov.au/images/documents/your-environment/waste/Waste%20Plans%20Guidance.pdf>

Further assistance

Please contact wasteplans@dwer.wa.gov.au

Local government waste plan City of Armadale

Part 1 - services and performance

1.0 Introduction

Part 1 of the City of Armadale waste plan establishes the City's waste profile and baseline information in relation to the objectives and targets set out in the Waste Avoidance and Resource Recovery Strategy 2030 (Waste Strategy):

Avoid - Western Australians generate less waste.

Recover - Western Australians recover more value and resources from waste.

Protect - Western Australians protect the environment by managing waste responsibly.

Where data was available, the Department of Water and Environmental Regulation (DWER) has pre-filled sections of Part 1. If any of the pre-filled information is incorrect, please amend accordingly and advise of the changes.

Please take the time to ensure that you complete each section, where relevant. In some tabs, you may need to scroll down to ensure that you have not missed any sections.

Part 1 - Services and performance

2.0 Integrated planning and reporting

All local governments plan for the future¹ through the development of strategic community plans and corporate business plans. Waste plans form part of local government integrated planning and reporting as an issue-specific informing strategy.

Table 1: Links between plan for the future and waste management (Please complete the table, even if the answer is "waste isn't mentioned in our SCP or CBP")

Strategic Community Plan	
Title:	Strategic Community Plan - City of Armadale 2020 - 2030
Came into force:	Anticipated to be adopted at Council Meeting on 22 March 2021
Date of next review:	Currently under review
Waste-related priorities:	Includes environmental outcome 2.4 Sustainable waste management: 2.4.1 The City will provide a contemporary, responsive and affordable waste management service to the community that balances environmental, social and financial sustainability outcomes 2.4.2 Critically evaluate the impact of the State Waste Strategy on the City and its residents
Corporate Business Plan	
Title:	Draft City of Armadale Corporate Business Plan 2020 - 2025
Came into force:	TBA
Date of next review:	Currently under review
Waste-related priorities:	Outcome 2.4 Sustainable Waste Management 2.4.1 The City will provide a contemporary, responsive and affordable waste management service to the community that balances environmental, social and financial sustainability outcomes. 2.4.1.1 Present for adoption by Council the Strategic Waste Management Strategy. 2.4.1.2 Ensure the City's Waste Collection Service is competitive in terms of level of service and cost. 2.4.1.3 (a) Manage the City's landfill sites safely and the development of the new public transfer area; (b) assess the sustainability of subsidiary recycling functions; (c) the impact of the City's use of the Kwinana Waste to Energy Facility on the closure of the landfill and the plan for post closure management. 2.4.1.4 Review the potential impact of the introduction of the Container Deposit Scheme and collection points within the City. 2.4.1.5 Consider options for the future collection and treatment of green waste generated within the City. 2.4.1.6 Consider options for the future collection and treatment of hard waste generated within the City. 2.4.1.7 Ensure there is transparency of the waste budget, capital expenditure, reserve management and the City's annual waste charge to rate payers. 2.4.1.8 Deter proactively and respond promptly to littering and illegal dumping throughout the City. 2.4.1.9 Monitor continuously the transition of the Rivers Regional Council to Regional Subsidiary and the subsequent management of the Waste to Energy Contract. 2.4.2 State Waste Strategy. 2.4.2.1 Provide a detailed analysis of the financial cost and physical impact on homes and streetscapes of the mandatory introduction of FOGO. 2.4.2.2 Review the impact of the introduction of Waste Plans including the requirements related to the State Waste Strategy. 2.4.2.3 Advocate to ensure that the state landfill levy is not applied to waste delivered to the Kwinana Waste to Energy Plant.

¹ "Plan for the future" means a plan made under section 5 56 of the Local Government Act 1995 and Division 1 and 3 of Part 5 of the Local Government (Administration) Regulations 1996.

Part 1 - Services and performance

3.0 Avoid

Avoidance of waste generation is the preferred waste management option in the waste hierarchy. This section looks at waste generation rates and the reduction required to contribute to the state’s waste generation reduction targets - **2025**: Reduction in MSW generation per capita by 5%, **2030**: Reduction in MSW generation per capita by 10%.

Reviewing this data is a critical element of waste planning as it can show how waste generation has changed, identify potential reasons for changes and indicate areas to target in *Part 2 – Implementation plan* (Table 21).

Table 2: City of Armadale population, households and waste generation compared with state averages and targets for 2025 and 2030

(Local government to review prefilled data)

	Actual			Targets		
	2014-15 (baseline)	2015-16	2016-17	2017-18	2024-25	2029-30
Population ⁽¹⁾	79,952	82,450	85,124	87,798	105,464	119,415
Households ⁽¹⁾	29,612	30,537	31,527	32,518	39,060	44,447
Total domestic waste generated ⁽²⁾	46,707	57,272	56,086	52,898		
Waste generation per capita/year (kg) ⁽²⁾	584	695	659	602	555	526

(1) Source (except 2014-15): Western Australia Tomorrow Population Report No. 11 <https://www.dph.wa.gov.au/information-and-services/land-supply-and-demography/western-australia-tomorrow-population-forecasts>. Population for 2014-15 from Western Australia Tomorrow Population Report No. 10. Population for intercensal years extrapolated. Households estimate using 'Average people per households' from 2016 ABS Census Quickstats.

(2) Source: Local Government Census data - domestic waste

Additional comments *(local government to insert any additional comments that may be applicable)*

Part 1 - Services and performance
4.0 Recover

Where waste generation is unavoidable, efforts should be made to maintain the circulation of materials within the economy. Table 3 gives the overall recovery rate for your local government compared to Waste Strategy targets and the state average. This is broken down into the proportion of the recovery which was materials recovery (reuse, reprocessing or recycling) or energy recovery. The Waste Strategy includes a target that from 2020, energy should only be recovered from residual waste (see *Guidance Document – Table 1*, for more information).

Table 3: City of Armadale population, households and recovery rate compared with state averages and targets for 2020, 2025 and 2030

(LG to review the pre-filled data and amend/update if necessary. Add additional comments if necessary.)

	2014-15	2015-16	2016-17	2017-18	2020 target	2025 target	2030 target
Population ⁽¹⁾	79,952	82,450	85,124	87,798			
Households ⁽¹⁾	29,612	30,537	31,527	32,518			
Overall recovery % ⁽²⁾	36%	37%	43%	39%	65%	67%	70%
Materials recovery	36%	37%	43%	39%	>80%	>80%	>80%
Energy recovery	0%	0%	0%	0%	<20%	<20%	<20%
Perth metro average ⁽³⁾	36%	38%	40%	41%			

(1) Source (except 2014-15): Western Australia Tomorrow Population Report No. 11 <https://www.dph.wa.gov.au/information-and-services/land-supply-and-demography/western-australia-tomorrow-population-forecasts>. Population for 2014-15 from Western Australia Tomorrow Population Report No. 10. Population for intercensal years extrapolated. Households estimated using 'Average people per households' from 2016 ABS Census Quickstats.

(2) Source: Local Government Census data - domestic

(3) Source: Waste Authority data fact sheets <http://www.wasteauthority.wa.gov.au/programs/data/data-fact-sheets/>

Additional comments (local government to insert any additional comments that may be applicable)

Energy Recovery -

In the Waste Strategy 2030 Action Plan the following statement is made:

2.3 Plan for three bin FOGO system roll out

In consultation with local government, develop a plan for the phased introduction of three bin FOGO kerbside collection systems in Perth and Peel, including coverage requirements, processing and infrastructure needs, market scoping and development, mechanisms for transition from non-FOGO two and three bin services, and flexibility to allow for contractual transition.

Given the extremely high levels of social disadvantage experienced throughout the City of Armadale, the community simply does not have the financial capacity to implement FOGO and meet the penalty costs of failing to comply with its contractual commitment with regard to the Kwinana WtE facility (Avertas Energy). It will be necessary for DWER to extend the "flexibility to allow for contractual transition" stated in the Waste Avoidance and Resource Recovery Action Plan 2030 as the City works progressively toward achieving alignment with the Waste Strategy.

Part 1 - Services and performance			
5.0 Protect			
Objective 3 of the Waste Strategy is to protect the environment by managing waste responsibly, with targets for achieving better practice, reducing litter and illegal dumping. By 2030 all waste is managed by and/or disposed to better practice facilities, by 2030 more towards zero illegal dumping and zero littering.			
5.1 Better practice			
Adoption of better practice approaches to waste management is an important way in which local government can better protect the environment from the impacts of waste, and contribute to achievement of the targets under objective 3 of the Waste Strategy. See Guidance Document - 5.0 Better practice. Table 4 for a summary of the Waste Authority's current and planned better practice facilities.			
Table 4: Better practice approaches and programs underway in the City of Auckland			
Waste management activity/service	Waste Authority better practice guideline or program	Date of adoption/implementation	Comment
The City of Auckland has recently completed the development of a Strategic Waste Management Plan (SWMP), which sets out ambitious waste management activities for the next five years to ensure that the City attains a best practice approach to future waste management activities. Refer to the enclosed City of Auckland Strategic Waste Management Plan 2020 to 2025.	Attainment of best practice approaches	Mar-20	The City continues with the implementation of the activities described in the SWMP. Actions from the SWMP are also included in the City's Strategic Community and Corporate Business Plan for the next 4 years.
Drop-off facilities and services	Currently under development: Better Practice Reuse Shop Guidelines	Feb-21	1. Complete the development of the Auckland Council and Shopping Facility waste transfer station - this will enable better sorting and recycling of dry residual waste to be sent to WTE. 2. Develop Shop arrangements for sorting and presenting items for sale along with assistance criteria. 3. Launch coordination strategy (volunteers - minimise waste to landfill and maximise resource recovery).
Kerbside waste services	Water Bin Kerbside Collection Guidelines 2019	Ongoing	1. Standardisation of kerb-side services and use of greater recycling content on bins for all new build bins. 2. Investigate the feasibility of implementing an 'organic' kerbside collection system.
Verge-side waste services	Waste Authority Position Statement on Source Separation, Better Practice Verge-side Collection	Ongoing	1. Mats, subgrids and mattresses are separated from general waste. 2. Introduction of a binless mattress collection - collection will be for best mattresses per household year. From 1 July 2020 mattresses are no longer accepted during bulk verge collections. 3. Plans to review current collection systems with a view to improve source separation and resource recovery. 4. The City has been a leader in the reduction of verge waste with the inclusion of problematic waste items for single along with the introduction of limited time for placement on the verge prior to collection commencing.
Litter	NABIA Adopt-a-Spot	2017	1. NZO for Adopt-a-Spot litter collection program with support from local project steering of the City.
Illegal dumping	DIVERS Illegal dumping program and pollution watch hotline		1. Collaboration directly with external stakeholders to implement targeted strategies to combat illegal dumping. 2. Part of Auckland Regal Dumping Working Group.
Household Hazardous Waste Facilities	HOWY Program managed by WATGA		New voider disposal and storage to follow best practice guidelines.
Local waste laws and policies	WATGA template waste local law and guidance, WATGA Guidelines for Waste Management Plans		1. Currently preparing for adoption of a local law. 2. Updating Waste Management Planning Guidelines for developers.
Contingency Plans	WATGA Local Waste Management Arrangements for Emergency Events		Business continuity for Waste Services during the different stages of COVID-19.
Behaviour Change Programs and Initiatives	WasteSorted communications toolkit, WATGA Bin Tagging Program, KAN Litter Campaigns, Plastic Free July		1. Use of wasteSorted communications toolkit in communications. 2. Continued implementation of the Bin Tagging program after trial program demonstrated marked changes in recycling behaviour in the sample areas. 3. Support of the inclusion and promotion of a litter-free environment. 4. Support Plastic Free July through Switch Your Thinking and formal (Event) Council participation from 2021.
5.2 Litter			
The data in Table 5 was reported by your local government in the 2017-18 local government census. Additional information to be provided by the local government in Table 6 if available.			
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Response and comments	Table 6: Additional information		
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Part 1 - Services and performance
6.0 Waste management tools

6.1 Waste services

Local government data relating to the waste collected, recovered and landfilled is presented in Table 10. It is important to review this data when developing Part 2 – Implementation Plan, as it can:

- provide an understanding of how different systems are performing (e.g. recovery levels)
- highlight the need for any new collection systems or infrastructure
- identify the timing and capacity of any new collection systems or facilities required to meet the changing needs of local governments.

In working towards alignment with the Waste Strategy, the local government should focus on the materials resources with the greatest potential to support the objectives and targets of the Waste Strategy.

NB: DWER is currently developing a range of better practice guidelines. Better practice rates will need to be updated as the guidelines are released.

Table 10: Significant sources and generation of waste in 2017-18 (LJ to Access pre-filled tabs and amend/update if necessary. Add additional comments if necessary)

Service/Sources	Tonnes collected	Tonnes recovered	Recovery rate	Better Practice rate	Target rate 2025	Target rate 2030
Kerbside	total waste	26,460	-	-	-	-
	commingled recyclables	7,070	5,988	18%	%	-
	green waste	-	-	-	-	-
	FOGO	-	-	-	-	-
Verge/road	green waste	3,513	3,513	70%	%	-
	hard waste	2,378	624	-	-	-
	total waste	104	-	-	-	-
Drop off	green waste	3,242	3,242	77%	%	-
	hard waste	10,192	7,135	-	-	-
	hazardous waste	-	-	-	-	-
Public place	total waste	-	-	40%/01	%	-
	commingled recyclables	-	-	-	-	-
Special event	total waste	-	-	40%/01	%	-
	commingled recyclables	-	-	-	-	-
Commercial	total waste	-	-	40%/01	na	-
	commingled recyclables	-	-	-	-	-
Local government waste	paper/cardboard	-	-	-	-	-
	illegal dumping clean up	130	-	-	-	-
	street sweepings	-	-	-	-	-
	networks	-	-	0%	%	-
	other C&D activities	-	-	-	-	-
	residue from	-	-	-	-	-
other	-	-	-	-	-	
TOTAL	83,038	20,863	28%			

Source: Local Government Census Data 2017/18

Additional comments: Local governments to insert any additional comments that may be applicable

In 2018/19, there was a change to the method of calculating the drop-off tonnes recovered. The value of 7,135 tonnes is based on an assumption that 70% of the drop-off waste is recycled and 30% goes to landfill. In the 2018/19 Waste Census, the City calculated this value from weighbridge data for recyclable materials removed from site. This resulted in 32% recycling and 68% waste to landfill. The value above has not been amended as this is the value that was stated in the 2017/18 Waste Census. The City will need to incorporate all data related to City operations into future data collection as not all City generated waste crosses over the weighbridge.

Table 11 provides space for the local government to include bin audit information for kerbside waste services. If available, Bin audits can help local governments understand the material composition in kerbside bins, highlight where additional efforts are required to increase performance and assist in planning for future service options such as FOGO collection. See Appendix for full breakdown of composition categories

Table 11: Compositional audit data for kerbside waste services (Complete if data is available. Add additional comments if necessary)

General waste bin	
Yield per household (kg/hi/week)	17.7
Per capita (kg/per capita/week)	6.6
Audit year	2020
Composition	
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	17.4
Organics (organics, wood/timber, textiles, earth)	65.6
Hazardous (medical, sanitary hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	6.6
Other (electronic waste, miscellaneous)	10
Recycling bin	
Yield per household (kg/hi/week)	3.1
Per capita (kg/per capita/week)	1.2
Audit year	2020
Composition	
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	81.5
Organics (organics, wood/timber, textiles, earth)	8.67
Hazardous (medical, sanitary hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	1
Other (electronic waste, miscellaneous)	8
Garden organics or FOGO bin	
Yield per household (kg/hi/week)	NA
Per capita (kg/per capita/week)	
Audit year	
Composition	
Recyclables (paper, cardboard, plastics, steel, aluminium, glass)	
Organics (organics, wood/timber, textiles, earth)	
Hazardous (medical, sanitary hygiene, nappies, chemicals, paint, batteries, fluorescent tubes, light bulbs, oil, building material)	
Other (electronic waste, miscellaneous)	

Part 1 - Services and performance
6.0 Waste management tools
6.2 Waste infrastructure

The number, type, capacity and location of key existing local government owned and/or operated waste and resource recovery infrastructure is required to understand the future need for different facility types. **This section is not relevant to local governments that do not own/operate waste facilities.**

Table 12: Current waste and resource recovery infrastructure operated by the local government. (LO to complete the table)

Facility name (and licence number if applicable)	Facility Type	Location	Managed by	Licence category and approved production or design capacity	Material type	Service/activity	Remaining Capacity (if applicable)	Anticipated Closure (year)
Armadale Landfill and Recycling Facility L6964 (also referred to as the Hopkinson Road Waste Management Facility)	Landfill, recycling, recovery, reuse shop	145 Hopkinson Road, Hilbert	The City	Category 62 Category 64 Category 61 Category 57 <100,000 tpa	Mixed waste	Landfill	Landfill airspace = 470,000 m3	2027/28
						Recycling		
					Transfer Station	Recovery		
					Landfill	Reuse Shop		
					Liquid Waste (Paintback)	E-Waste		
					Tyres	HWW		
Roleystone Green Waste Site L6954	Category 62 transfer station	Lot 3906 Springsdale Road, Roleystone	The City, via a contractor	Category 62 >5,0000 tpa	Green waste	Receival	N/A	Ongoing
						Mulching		
						Removal		
Other								

Table 13 provides space for local governments to provide information about planned waste and resource recovery infrastructure, if relevant.

Table 13: Planned waste and resource recovery infrastructure. (LO to complete the table)

Location	Managed by	Licence category and approved production or design capacity (if known)	Waste type	Service/activity	Estimated operation start date

Additional comments (local government to insert any additional comments that may be applicable)

Part 1 - Services and performance

6.0 Waste management tools

6.3 Policy and procurement

6.3.1 Contracts

Information on your local government's existing waste contracts should be detailed in Table 14. When reviewing services, it is a good opportunity to evaluate how they are performing, opportunities for regional collaboration and to identify any opportunities for improvement, review or renegotiation.

Table 14: Existing waste management contracts (LG to complete the table)

Contractor	Services	Notes/comments
Avertas Energy (Kwinana WIE)	WIE facility receipt of selected mixed waste	Project currently in construction phase. Operation commencement anticipated in February 2022.
SUEZ Recovery & Recycling	Kerbside Recycling collection and processing of commingled recyclables	
	If required, collection of general waste and recycling from MUDs requiring alternative collection vehicles	
	Waste collections from Council facilities requiring special collection services	
West Tip Waste Control	The collection and delivery to the Armadale Landfill of hard and bulk vergeside waste, commonly referred to as Junk Collection	
Sims Metal	Recycled Metal collection and recycling of scrap metal accumulated at the landfill site	
Soft Landing	Mattress collection and recycling	Collection from Armadale Landfill and Recycling Facility and a booked collection system for residential properties
ToxFree (Cleanaway)	Hazardous Household Waste collection and recycling/disposal	
David Sherrard	Roleystone Green Waste Facility Supervision - Contractor	
Sims E-Waste	Recovery of E-Waste from the Armadale Landfill and Recycling Facility	

6.3.2 Waste local laws and policies

Information on your local government's existing local laws, strategies or policies that may complement/support this waste plan and contribute to the Waste Strategy objectives should be detailed in Table 15.

Table 15: Existing waste-related local laws, strategies and policies (LG to complete the table)

Type of local law, strategy or policy	Name of local law, strategy or policy	Came into force	Comments
Local Law	Local Law relating to the Removal of Refuse, Rubbish and Disused Materials	24-Jul-81	Law to do with forcing landowners or occupiers to clean up their property. More to do with property aesthetics and neighbourhood value and not overly relevant to improved waste management activities.
Strategic Plan	Strategic Community Plan 2020 to 2030		Strategic environmental outcome considerations relating to Sustainable Waste Management: • The City will provide a contemporary, responsive and affordable waste management service to the community that balances environmental, social and financial sustainability outcomes. • Critically evaluate the impact of the State Waste Strategy on the City and its residents.
Strategic Plan	Strategic Waste Management Plan	9-Mar-20	
Local Law	City of Armadale Health Local Laws 2002	2002	Law related to the collection, disposal and removal of refuse from premises and disposal sites, ownership of receptacles and their use.

6.3.3 Land use planning instruments

Information on your local government's existing local planning instruments which contribute to the management of waste should be detailed in Table 16.

Table 16: Existing waste-related land use planning instruments related to waste management (LG to complete the table)

Local Planning Strategy	TITLE:	City of Armadale Local Planning Strategy - Town Planning Scheme No. 4	
	ENDORSED BY WAPC:	2016	
	NEXT REVIEW DUE:		
	Is waste considered and reflected in the Local Planning Strategy?	YES	Please provide details below: The strategy was amended in 2006 to include consideration for the waste services needs of multiple unit dwellings or grouped dwellings. Current version is dated 23/12/2016
Does the Local Planning Strategy identify current and future waste facility sites?	YES	Please provide details below: Reference is made to the Armadale Landfill only. Roleystone Green Waste Facility is not listed. No future waste management sites are currently being considered.	
	YES	Please provide details below: Buffers around the Armadale landfill are controlled by Development WA as the planning authority for the area.	
Local Planning Scheme	TITLE:	Town Planning Scheme No. 4	
	GAZETTED:	2005	
	NEXT REVIEW DUE:		
	Are resource recovery facilities, waste disposal facility and waste storage facility defined as land uses (as per <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>) and included in the council Local Planning Scheme zoning table, with either a P1/D/A/X permissibility?	NO	If NO please provide comments below: Currently falls under TPS4 - Town Planning Scheme Reservation as "Public Purpose"
If these land uses are not defined and not in the zoning table how does the Scheme deal with such land uses (i.e. is an alternative definition used to that in the <i>Regulations 2015</i> ? Or are these land uses zoned as "Use not listed"?)		Please provide details below: They may be considered as "Industry General" or "Use not listed"	
Does the Local Planning Scheme identify statutory buffers as Special Control Areas for strategic waste infrastructure facilities to avoid encroachment by incompatible land uses?	NO	If NO please provide comments below: The area around the Armadale landfill is not in the City of Armadale planning control.	
Local planning policies	TITLE:	PLN 3.1 Residential Density Development	
	ADOPTED BY COUNCIL:		
	RELATIONSHIP TO WASTE STRATEGY OBJECTIVES:	Requires a waste management plan	
Does the local government have any local policies which relate to the objectives of the Waste Strategy (reduce generation, increase recovery, protect the environment)?	YES	If YES please provide comments: Requires a waste management plan	
Other	TITLE:		
	ADOPTED BY COUNCIL:		
	RELATIONSHIP TO WASTE STRATEGY OBJECTIVES:		

6.3.4 Sustainable procurement

Local governments can be significant consumers whose purchasing decisions and procurement policies can have positive impacts. This section reviews activities relating to procurement of infrastructure, goods and services that avoid waste, promote resource recovery or encourage greater use of recyclable and recycled products. Information on existing sustainable procurement policies or practices that may contribute to the Waste Strategy objectives should be detailed in Table 17.

Table 17: Existing sustainable procurement policies and practices (LG to complete the table)

Sustainable procurement policy or practice	Date adopted by council	Actions implemented e.g. switching to recycled	Alignment with Waste Strategy targets, objectives or focus materials
Policy - Procurement of Goods and Services	24-Aug-20	Sustainability included as a criteria in the City's Procurement Policy	The procurement policy includes principals related to sustainable procurement with consideration given to the demonstration of environmental best practice including the use of sustainable resources and the minimisation of waste and pollutants

Additional comments (local government to insert any additional comments that may be applicable)

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Part 1 - Services and performance
6.0 Waste management tools

6.4 Behaviour change programs and initiatives

Communication and engagement with waste generators and managers underpins many local government waste management activities, and are vital in driving behaviour change needed to achieve the objectives and targets of the Waste Strategy.

Behaviour change programs and initiatives refers to activities that increase awareness, skills and knowledge, provide consistent messaging, help people to use waste infrastructure, and encourage the adoption of specific, positive waste behaviours and attitudes.

Most local governments have existing behaviour change programs and initiatives and it is important to evaluate their effectiveness. This section includes an opportunity for a high level qualitative assessment process to understand what has worked and what has not. The results can be used to inform actions for *Part 2 – Implementation plan (Table 21)*.

Information on the local government’s existing waste behaviour change programs or initiatives should be detailed in Table 18. This may include participation in Waste Authority funded programs, or programs/initiatives run by the local government.

Table 18: Behaviour change programs and initiatives, including Waste Authority programs and other local government initiatives (LG to complete the table)

Local government program/initiative	Description	Outcomes achieved as a result of the program (Qualitative/quantitative)	Evaluation method	What’s worked/not worked	Suggested improvements
Waste Education	1. Up to date waste management information on the City’s website. 2. Shopping Centre Displays and personal interaction with public regarding recycling.	The community is generally aware of the information and use it to educate others in the community through social media platforms.	Improved community participation in waste management services/ systems and programs. Reduced waste residue in services/ systems (eg. less waste residue in yellow recycling bin service).	Not all of the community has readily available access to the internet with a potential reach of about 80%.	Active promotion of the City’s website to the community.
Battery Drop-off Program	Mainly school based program that encourages the correct disposal of household batteries.	Option for battery disposal/recycling to prevent incorrect disposal to MGBs.	Household bin audits and weight of batteries collected.	A large number of schools are participating but may not be fully engaged.	Increased promotion, incentivised participation for schools through competitions. Create further opportunities through community recycling hubs.
Bin Tagging Education Campaign	Small scale targeted area recycling campaign where bins are visually inspected for correct items and happy or sad tags are placed on bins based on householder behaviour.	Improved recycling.	Comparison of household behaviour across three fortnights.	Direct feedback to households.	Further roll out the program.

Additional comments (local government to insert any additional comments that may be applicable)
Please provide comment if your regional council is undertaking the waste education function for your local government.

6.5 Data

Table 19 provides an opportunity to assess existing waste data practices, identify strengths and gaps and consider the kinds of data activities which could be included in the Part 2 – Implementation Plan to improve the local government's waste data. It should be completed based on the data/information covered in Part 1 of this document, as well as the individual experience of the officer/s responsible for collecting and using waste data.

Where 'no', please comment on:

- the kinds of data that is missing, where data gaps exist
- barriers to collecting or accessing adequate data
- the kinds of data collection, analysis or reporting practices that are not currently in place which would assist local government waste management functions.

Table 19: Assessment of waste data (LG to complete the table)

	Please ✓		Comment
	YES	NO	
Does the local government have access to adequate waste data to complete Part 1 of the waste plan?	✓		The vast majority of the City's waste management activities pass through the Armadale Landfill and Recycling Facility. The site has a weighbridge which enables the City to obtain accurate data on most waste and recyclable materials being generated within the City. The City has an extensive financial management system to enable the City to adequately track the cost of the various waste management activities. The combination of accurate waste data and financial management informs the City of its current service provision and performance and allows the City to plan for future strategic waste management activities based on a known starting point. Kerbside recycling is collected and processed by a contractor; the data received from the contractor is accurate with regard to the total quantity of material collected; however, the output data on the sorted materials and residue is amalgamated data from its materials recovery facility (MRF), which is aggregated over all of its customers' materials and not specific to the City material.
Does the local government use waste data when undertaking planning activities for waste projects/programs?	✓		Accurate waste and financial data are used to assess the advantages or disadvantages of making a change to a service/system or implementing a new service/system. The City has access to accurate waste data to suit its current needs. Should there be a need for more specific data, the City is able to adequately adapt to obtain this data, primarily through the Landfill and Recycling Facility weighbridge and associated materials sorting activities.
Does the local government have access to adequate waste data for this purpose?	✓		
Does the local government use waste data when monitoring or assessing waste projects/programs?	✓		Project success is monitored via the assessment of relevant data. With the City owning and operating the Armadale Landfill and Recycling Facility it has direct control of the base data and hence an ability to assess the success/failure of a wide range of waste projects/programs. The City has access to accurate waste data to suit its current needs. Should there be a need for more specific data, the City is able to adequately adapt to obtain this data, primarily through the Armadale Landfill and Recycling Facility weighbridge and associated materials sorting activities.
Does the local government have access to adequate waste data for this purpose?	✓		
Does the local government use adequate waste data to measure progress toward the targets and objectives of the Waste Strategy?	✓		The degree of data that the City has been able to accumulate over many years provides ample ability to measure the progress of the various waste management services/systems. The City has access to accurate waste data to suit its current needs. Should there be a need for more specific data, the City is able to adequately adapt to obtain this data, primarily through the Armadale Landfill and Recycling Facility weighbridge and associated materials sorting activities. The City receives aggregated data from its recycling provider, however the auditing process for CDS should add to our understanding of recycling data aggregation.
Does the local government have access to adequate waste data for this purpose?	✓		
Does the local government have access to adequate waste data to fulfil annual data reporting obligations under the WARR Regulations? (previously undertaken through the Waste and Recycling Census)	✓		Adequate data is available. The City has the ability to adjust its data collection mechanism to suit mandatory data reporting requirements. Some of the data is based on estimations provided by DWER, for example mattress recycling and trailer weights.
Are there any types of waste data that the local government does not currently collect or have access to that would be helpful/useful?	X		Adequate data is currently available and there is also the ability to source additional data if necessary. The City is in the process of updating how it records and reports illegal dumping. The City is also updating its accounting software. Community recycling efforts that happen outside of the City's control are not included in the City's reporting.
Are there any ways which local government waste data collection, storage or use could be improved?	✓		Increasing the accuracy of the data received from contractors, where the data is currently amalgamated data from numerous local government areas. This is not easily achieved at large processing facilities and would be expensive to implement. Consequently, the level of data received is adequate for the City's purposes. The City is focused on reducing waste to landfill. It has ample data on this aspect of its waste management activities; hence, it is less concerned about the degree of accuracy of its contracted services. Potentially a platform, such as those used for reporting greenhouse gas emissions, that is used across all local governments could be investigated. However there is complexity in the various levels of service provision across local governments.
Is the data collected by the local government accurate? Are any new strategies needed to improve accuracy?	✓		The City's weighbridge provides extremely accurate data. Data collection methods are adjusted to suit the City requirements. Eg, new waste codes in the weighbridge computer to provide specific data on particular material types. Some of the data is estimated, for example trailer weights and mattress recycling collected from the verge. The City aims to improve data once the new trailer transfer area is open to the public. The City does not distinguish drop-off from residents versus non-residents.
Does the pre-filled data provided in this template align with the data the local government has? i.e. is this pre-filled data accurate?	✓		Yes, all data is consistent with the City's collected data.
Any additional comments?	X		

Part 1 - Services and performance

7.0 Summary

The purpose of *Part 1* of the waste plan is to consolidate information about current waste management practices, to enable you to assess and identify:

- current waste management performance
- alignment between current waste management practices and the Waste Strategy
- strengths and successes, as well as gaps and opportunities for improvement.

Table 20 provides space to analyse the data and information presented in *Part 1*, and should be used to determine waste management priorities for the short, medium and long term, and translate these priorities into actions in *Part 2 – Implementation plan (Table 21)*.

Table 20: Assessment of current waste management performance and prioritisation of future actions (Completing this table is optional)

<p>Waste management achievements (for example, performance/achievement against Waste Strategy targets or objectives or where particular waste management objectives have already been met)</p>	<p>The City is currently achieving a waste recovery rate of 31% (2018/19 Waste census). This has decreased over the past few years from 43% in 2016/17 and 39% in 2017/18. This is primarily due to a change in the methodology of calculating the quantity of waste recovered from drop-off waste. Previously the City assumed a 70% recycling percentage and hence 30% to landfill. In 2018/19 the City calculated this value by the total tonnes received less the total tonnes of recovered material leaving the site. Although the City has a relatively low overall recovery rate at present, the City is committed to the Kwinana WIE facility and once that facility opens in 2022, the vast majority of the City’s current landfill tonnage will be diverted to WIE.</p>
<p>Opportunities for improvement (for examples, where performance against Waste Strategy targets or objectives could be improved or where waste management objectives have not been met)</p>	<ol style="list-style-type: none"> 1. Review kerbside collection options and enabling infrastructure to support additional source separation and remove problematic waste from the MGBs. 2. Verge collection system and source separation improvements.
<p>Priority areas for action in Part 2 – Implementation plan</p>	<p>Ongoing (activities currently under way and/or continuously undertaken) With the imminent opening of the WIE facility, the City’s landfill dynamic will change dramatically. The City is currently considering the future of the landfill site. Other Priority areas include:</p> <ol style="list-style-type: none"> 1. Completion of the waste sorting and transfer station at Hopkinson Road to increase waste sorting to remove recyclable materials from drop-off waste. 2. Minimise waste to landfill. 3. Optimise filling of the Armadale Landfill. 4. Consistent messaging through waste education - roll out of a Waste & Recycling guide to all residents. 5. Ongoing Schools Waste Education program.
	<p>Short term (within the next 1-2 years) With the City’s commitment to WIE, it needs to maximise the quantity of waste that can be sent to the facility to meet its contractual commitments. In addition to finishing off the waste sorting and transfer station, the City is reassessing its verge side bulk waste collection system to maximise recycling and WIE materials while minimising waste to landfill. The main focus being to try and remove bulk recyclables for the kerbside directly to downstream recyclers and also direct collection and haulage of suitable WIE material directly to the WIE facility without going through the Hopkinson Road transfer station. Ideally, only waste to landfill and small quantities of pre-sorted waste will go to the Hopkinson Road facility.</p> <ol style="list-style-type: none"> 1. Review kerbside collection services and investigate the feasibility of implementing an organics kerbside collection system. 2. Bulk verge collection review to consider alternative collection methods that could increase recycling and recovering of resources. 3. Review recycling collection and processing contract to ensure best practice recycling. 4. Upgrade of weighbridge and gatehouse for improved data capture. 5. Review the development plan for the Armadale Landfill and Recycling Facility. 6. Data collection review for improved data management and reporting. 7. Develop a Waste Education Plan. 8. Continue rollout of bin tagging education program. 9. Develop an anti-litter and illegal dumping strategy.
	<p>Medium term (within the next 3-5 years) In the medium term, delivery of waste to the WIE facility will have commenced and the effect on the City’s waste services will be known, investigation of the feasibility of the implementation of a kerbside organics collection will have been completed, a multi-criteria analysis of waste recovery options available to the City and their effectiveness will have been done and community consultation will have been undertaken. The City will be in a better position to understand the implementation of a GO or FOGO collection system and have sufficient time to commence progress toward the 2025 target. The City will also pursue continual improvement in waste sorting and separation at the Armadale Landfill and Recycling Facility in order to decrease waste to landfill and to increase waste recycling and diversion of waste to the WIE facility. There are numerous other activities contained within the City’s SWMP, which improve waste data collection, improved financial reporting, increased community education, and infrastructure improvement and development. All of these have been developed to ensure that the City’s waste services are delivered in an efficient, effective and cost conscious manner.</p> <ol style="list-style-type: none"> 1. Finalise the development and gazettal of the Waste Local Law. 2. Review existing purchasing policy to include waste minimisation and circular economy principles. 3. Develop a Litter and Illegal Dumping Strategy
<p>The City is currently achieving a waste recovery rate of 31% (2018/19 Waste census). This has decreased over the past few years from 43% in 2016/17 and 39% in 2017/18. This is primarily due to a change in the methodology of calculating the quantity of was</p>	

Waste Management Tool	Objectives (OR link to existing local government plan/document that details this activity)	Is the action new or existing?	Detailed actions (OR link to existing local government plan/document that details this activity)	Target (SMART - Specific, Measurable, Achievable, Relevant, Timed)	Key Performance Indicators	Timeframe for delivery (completion date)	Cost of implementation incorporated into annual budget and Corporate Business	Aligns to Waste Strategy Objectives			Responsibility for implementation (branch, team or officer title, ref to the)	Identified risks (implications and mitigation strategies)
								Avoid	Recover	Protect		
Waste services	Review kerbside collection services	New	In terms of the DWER requirement to investigate the feasibility of the introduction of FOGO in terms of the State Waste Strategy, the City will commence the following: 1. Investigate the feasibility of implementing an organics kerbside collection system. 2. Conduct a multi-criteria analysis of waste recovery options available to the City and their effectiveness. 3. Seek community input.	Understand the costs and benefits of implementing a kerbside organics collection service and the current markets for the product	Completion of review specific to the needs of the City of Amadale community. Council report and Council decision.	2022/2023	Yes		Yes		Waste Services	
	Bulk Verge Collection Review	Existing	1. Review past few years bulk verge collection recovery rates. 2. Review and compare alternative collection options. 3. Consider alternative arrangements for recovering resources prior to bulk waste collection. 4. Review Source Separation options and collection options, including separate booked collections. Include a review of green waste collection and processing. 5. Include option(s) in the tender specifications.	1. Review of data and available options. 2. Discussions with service providers. 3. Tender specifications completed. 4. Tender process and awarded.	1. Reduce the quantity of waste presented for bulk collection by 5% through pre-sort activities. 2. Divert at least 65% of materials presented for bulk waste collection for reuse, reprocessing or recycling. 3. Optimise transport of waste to energy materials to deliver directly to the plant after recycling has been removed.	2021/2022	Yes		Yes		Waste Services	Costs of implementation not supported by Council. Lack of recycling infrastructure to meet demand. Environmental benefits of organics collection not met if final product is not fit for market. Community not supportive of a third bin or additional costs. Not meeting State Waste Strategy targets and programs. Reviewing collection systems and frequency to balance costs.
	Review recycling collection and processing contract	Existing	Assess the current contract against changes in the recycling market and prepare new contract to ensure best practice resource capture and recycling collections timing. Assess environmental impact of collection and processing options and the handling of residuals.	Prepare a tender document that reflects current and future recycling markets and ensures best practice options for recycling resource recovery and residuals. Ensure transport options for processing are included and that the contract captures better results for higher density living.	Tender document prepared and released and best practice contract awarded.	2022/2023	Yes		Yes		Waste Services	
Waste infrastructure	Completion and commissioning of New Transfer Station Area	Existing	Complete and commission the new and improved transfer station area by early 2021 that will provide the public access to a safer and more user friendly waste drop-off location.	Complete construction works and procurement of required infrastructure. Conduct an external safety audit. Complete safety audit and implement recommendations. Conduct test runs for staff preparedness. Open facility to the public.	The commissioning of the new transfer station. Increased material recovery through better sorting practices. Increased vehicle capacity compared to old drop off area.	2020/2021	Yes		Yes	Yes	Waste Services	
	Optimise Filling of the Amadale Landfill-D14	Existing	Determine optimal landfill operating structure. With the anticipated significant reduction in landfill tonnages as a result of WIE commitment, the City will reassess the operating structure/procedures of the landfill, as a low annual throughput landfill is highly inefficient and uneconomic.	Annual revision of the landfill filling plan to optimise airspace capacity.	Track actual filling rate (volume) against available airspace.	2020/2021 Ongoing	Yes, included in the City's future Capital investment forecast.			Yes	Waste Services	Resourcing and preparedness for tracking. Actual tonnages exceed planned landfill tonnages. Mitigate by planning ahead and preparing the landfill for best practice sorting.
	Weightbridge and gatehouse upgrade	Existing	Prepare scope and tender documents for weightbridge and gatehouse upgrade design. Tender process. Award tender. The software for weightbridge data to be reviewed and upgraded if required.	Improve access and efficiency at the weightbridge and include data capture and storage in the planning process.	Upgraded weightbridge and gatehouse with software for data capture reviewed.	2020/2021	Yes			Yes	Waste Services	
	Review future waste infrastructure requirements at Amadale Landfill and Recycling Facility	New	Review current and future requirements for resource separation and recovery at the site. Undertake a review of other facilities and what they offer to their community for resource recovery. Determine future needs that take into account community growth.	Prepare a development plan for future requirements at the Amadale Landfill and Recycling Facility. Finalised report submitted to Council for endorsement.	Report presented to Council. Future requirements identified. Future requirements take into account resource recovery state targets.	2021/2022	Yes, included in operational budget for review		Yes	Yes	Waste Services	
Policies and procurement	Waste Local Law	Existing	Finalise waste local law in alignment with the WALGA Model Waste Local Law. Assign responsibilities for enforcing local law. Submit for endorsement.	Local Law Endorsed, Adopted and Gazetted by 2022/2023.	Local Law made available on City of Amadale website. Information disseminated to the community.	2022/2023	Yes, operational budget			Yes	Corporate Services	
	Sustainable Purchasing Policy	New	Review existing sustainable purchasing policy, include in all new tenders to include waste minimisation and circular economy principles. Review large purchases across the City and the capacity to improve tender processes. Include specific focus on state targets such as C&D waste.	Review and adopt a new sustainable purchasing policy. Sustainable purchasing included in all tenders. Review WALGA's Sustainable Procurement Guidelines as a framework for preparing a City wide policy.	Incorporate sustainable purchasing policy into tenders and quotes. Implement a system for monitoring achievements across all of the City's activities. Include in all tender documents consideration of reuse and recycled products.	2021/2022	Yes, operational budget	Yes	Yes	Yes	Corporate Services	The City not adopting practices that reduce overall waste generation and increase recycling resulting in targets not being met. Mitigate through a whole of City approach with Technical Services taking the lead.
	Develop a Litter and Illegal Dumping Strategy	New	Assess the level of litter and illegal dumping through audits and review of illegal dumping collections and Adopt a Spot litter collection. Review measures currently in place to deter and enforce littering. Prepare a strategy aligned with the State Litter Prevention Strategy.	Litter and Illegal Dumping Strategy prepared by 2023/2024.	Litter and Illegal Dumping Strategy aligned with State Litter Prevention Strategy and WALGA Model Illegal Dumping Process.	2023/2024	Yes, operational budget	Yes		Yes	Waste Services	
Data	Data collection review for improved data management and reporting	Existing	1. Determine all sources of data associated with waste generation and resource recovery. 2. Review current systems for storing data. 3. Research options for data capture. 4. Prepare quotation specification, if required. 5. Track financial reporting requirements.	Refine financial reporting, waste data collection and waste levy accountability and develop a long term waste services charge projection.	1. Data sources identified. 2. Workable data capture system implemented. 3. Data used to inform future resource recovery activity.	2021/2022	Budget to be allocated in following budget year	Yes			Waste Services	
	Implement Intramaps (GIS) Module for capturing Illegal Dumping	New	1. Research improved option for illegal dumping data capture. 2. Identify option and allocate budget. 3. Implement data capture tool. 4. Train relevant staff.	Capture illegal dumping information that is accessible to all relevant staff and well understood.	1. Data capture tool implemented and utilised by all relevant staff.	2021/2022	Budget to be allocated in following budget year			Yes	Waste Services	Not all sources of data identified. The system is not understood by all potential users. Information is lost. Manage by creating a comprehensive guide to data capture and reporting tools.
	Bin Composition Audits	New	1. Undertake MGB bin audits every three years to capture trends in recycling and incorrect disposal behaviours. 2. Appoint consultant to undertake an independent audit of 250 households' general waste and recycling bins, including C&D materials.	Capture consistent information of bin composition data and utilise to target waste behaviour change programs.	Completed waste composition bin audits and accompanying report. Decrease in contamination and increase in recycling captured for reprocessing through kerbside collection.	2023/2024	Budget to be allocated in that financial year	Yes	Yes	Yes	Waste Services	
Behaviour change programs and initiatives	Community Education and Engagement	New	Develop a Waste Education Plan incorporating objectives, goals, actions and targets with a focus on key materials. Engage with the community on key focus areas. Implement Behaviour Change Programs that improve the use of waste services provided to the community. Develop networks for rollout of waste education programs. Incorporate Waste Sorted into Waste Education Plan.	Progressively work towards state waste targets through the implementation of waste education programs.	Waste Education Strategy. Develop Waste Education Programs and measure progress of implementation.	2021/2022	Yes, part of Waste Education Budget	Yes	Yes		Waste Education Officer	
	Bin Tagging Program	Existing	Continue rollout of bin tagging education program on two bin system using contractor recycling contamination reports to determine target areas. Analyse recycling contamination reports. Select manageable areas for education rollout. Schedule three fortnightly inspections and allocate resources. Prepare report and review for further education if required.	Decrease contamination in recycling bins in targeted areas by 50%. Improve recycling behaviours in targeted areas with less than 10% of general waste bins presenting recyclable materials by the end of the education campaign.	At least two rounds of bin tagging per year with at least 200 households per round.	ongoing	Yes, part of Waste Education Budget		Yes	Yes	Waste Education Officer	Community is unaware of correct use of available infrastructure, including kerbside and verge collections resulting in increased landfill costs, potential risk of illegal dumping and littering. Mitigate by maximising all opportunities to engage with the community and ensure recycling opportunities are understood.
	Develop an anti-litter and illegal dumping strategy	New	Research other strategies and available City of Amadale data. Develop a strategy to address any littering and illegal dumping concerns and include focus materials. Prepare Council report for endorsement by Council. Roll out strategy through action plans.	Decrease in litter and illegal dumping collected by the City measured in tonnes, of 10% by 2024/2025.	Anti-litter and illegal dumping strategy endorsed by Council. Action plans rolled out. Adopt WALGA Model Process for Illegal Dumping.	2022/2023	Yes, part of Waste Education Budget	Yes		Yes	Waste Education Officer	
	Consistent messaging through waste education - rollout of a Waste & Recycling guide to all residents	Existing	Utilise Waste Sorted and promote campaign within the community at every opportunity.	Waste Guide delivered to all households within the City of Amadale by February 2021.	Community awareness of waste services offered by the City of Amadale. Complement website resources.	2020/2021	Yes, part of Waste Education Budget		Yes		Waste Education Officer	
	Continue to deliver schools waste education program	Existing	Engage services from the Recycling Collections/ Processing contractor to provide school education in the City of Amadale.	Deliver Waste Education to 10 schools in 2021/2022	Deliver waste education to all schools in the City of Amadale by 2024/25.	Ongoing	Yes, part of Waste Education Budget	Yes			Waste Education Officer	
Other	Advocate against future waste levies	New	Advocate to the State Government against levies on waste diverted to Waste to Energy plants where existing long term contracts are in place.	To advocate through all available channels and levels against levies on waste diverted to WIE facilities where existing long term contracts are in place.	Exempt the City from a waste levy on non-residual waste delivered to WIE due to existing long term contract with a WIE facility.	Ongoing	Yes, part of Operational Budget	Yes			City Executive	Financial impact of a waste levy on the community. Mitigate through representation on any working groups and forums.

Bin Audit Composition Category Details

Recyclable Components						
1	2	3	4 Descriptions			
Recyclables	Paper	Recyclable Paper	Newspaper	Newspapers, Newspaper like pamphlets,		
			Glossy Paper	magazines (glossy) pamphlets, present wrapping paper,		
			Office Paper	A4 document paper, writing pads, letters, stationery papers, Print / Writing Paper, envelopes		
			Coloured Paper	Coloured Paper		
		Non-Recyclable Paper	Composite Paper	Composite paper items where the weight of the paper is estimated to be greater the weight of the other materials, envelopes with transparent windows		
			Contaminated Paper	Paper towel, Paper Napkins, Contaminated Paper - soiled not recyclable		
			Other Paper	Non-Recyclable Paper, greaseproof paper, paper with wax coating, high wet strength papers, telephone books		
			Cardboard	Recyclable Cardboard	Corrugated Cardboard	Corrugated cardboard boxes,
					Packaged Flat Cardboard	packing boxes etc. cereal boxes, business cards, folding cartons
				Non-Recyclable Cardboard	Liquid Paper Board Foil Lined and Other	UHT / Long life milk, Soy Milk Cartons, some fruit juice cartons, Carbon barriers, Milk Cartons, Cardboard with wax coating, paper/disposable cups including biodegradable cups
	Composite cardboard	Composite cardboard items where the weight of the cardboard is estimated to be greater the weight of the other materials, eg. pringle boxes etc.				
	Plastics	Recyclable Plastics	PET #1	Soft drink bottles, juice bottles, some food & mouthwash containers (eg. jam & sauce bottles, peanut butter jars) including coloured PET		
			HDPE#2	Milk and cream bottles, shampoo and cleaner bottles, HDPE bottles, including coloured HDPE		
			PVC#3	Cordial and juice bottles, blister packs, plumbing pipes and fittings, PVC labels		
			LDPE#4	Ice cream container lids, cream bottle lids, squeeze bottles, lids, builder's black plastic, black mulch film, plant nursery bags		
			Polypropylene#5	Ice cream containers, drinking straws, pot plant pots, some bottle caps, plastic garden settings, potato crisp bags, compost bins		
			Polystyrene #6	Yoghurt / sour cream containers, hot drink cups, take away containers, plastic cutlery, video/CD boxes, packaging foam, any foam		
			Plastic#7 Other	Tupperware, Mixed unidentifiable plastics, all other resins and multi-blend plastic materials		
		Non-Recyclable Plastics	Plastic Bags	Plastics Shopping Bags, Plastic Produce/Food Bags, Resealable Plastic Bags, Bin liners, Garbage bin liners, Compostable Plastics Bags		
			Plastic Film	Cling film		
			Composite (Mostly Plastic)	Composite plastic items where the weight of the plastic is estimated to be greater than the other material items		
	Glass	Recyclable Glass (CDS Glass)	Glass Bottles	Beer/Cider Mixed Drinks, Soft drink bottles, not broken glass		
		Recyclable Glass	Glass Other	wine bottles, food and sauce jars,		
		Non-Recyclable Glass	Miscellaneous/Other Glass	Plate glass (window and windscreen), broken light globes glass, glass particles, Black or ceramic lined glass, including broken glass that is recyclable more than 50mm in size		
	Ferrous (Steel)	Steel	Steel Cans	Food cans, pet food cans, tins, empty paint tins,		
			Steel Aerosols	Aerosol cans		
			Composite Ferrous (Mostly Ferrous)	Composite ferrous items where the weight of the metal is estimated to be greater than the other material items		
			Ferrous Other	Beer bottle tops, 100% ferrous items that are not cans / tins / packaging materials		
	Non Ferrous (Aluminium)	Aluminium	Aluminium Cans	Beer and soft drink cans,		
			Aluminium Aerosols	Aluminium aerosol cans		
Aluminium Foil			clean foil			
Composite Non-Ferrous (Mostly Non-Ferrous)			Composite non-ferrous metal items where the weight of the metal is estimated to be greater than the other material items			
Non-Ferrous Other			Copper / brass / bronze items, other metals (not ferrous / aluminium), Aluminium tamper proof seals			
Contaminants/Non-Recyclable Components						
Organic	Organic	Organic	Food Waste	Vegetable scraps, meat scraps, animal food, leftover food, Food particles, Bones		
			Green Waste	Grass clippings, tree trimmings / pruning's, flowers, tree wood		
			Packaged Food Waste	(Liquid containers - quarter full or more) and (Food Waste in containers or bags)		
	Other Organics	Other Organics	Other Putrescible	Animal excrement, mixed compostable items		
			Wood/Timber	Milled wood / timber, wooden skewers		
	Textiles	Textiles	Textiles	(Natural/Synthetic - Apparel/Bedding etc.), (Leather and Rubber)		
Other Textiles			Shoes, handbags, millinery etc.			
Earth	Earth	Soil/Dust 'n' Dirt and Inert and Broken Glass, Ash/Coal	Vacuum bag contents, soil, rocks, dirt, grit, mud, Broken Glass less than 50mm in size			
		Ceramics, Rocks/Stones, Bricks, Concrete	Bricks and stones, Cups, bowls, pottery items, concrete			
Hazardous	Medical	Medical Waste	Pharmaceuticals	Unused prescription medicine, vitamins and Minerals		
			Medical Waste	Band aids, Bandages, Used surgical gloves, Surgical Instruments, Medical aids/kits, Medical devices and radioactive materials, any solid waste generated from a diagnosis, treatment of humans or animals, /Medical Other		
			Hypodermic Syringes	Hypodermic Syringes, Epi Pens		
	Pathogenic Infectious	Pathogenic Infectious	Sanitary / Hygiene	used tissues (items with any bodily fluids), tampons/pads, cotton buds)		
			Nappies	Adult and Child disposable nappies		
	Hazardous	Hazardous	Chemicals	Bleach, Shampoo, Cleaning Products, (where the weight of the product is estimated to be greater than the weight of the container)		
			Paint	Wet/Dry Paint		
			Batteries Household	Batteries (Single Use and Rechargeable), Mobile phone battery		
			Batteries Other	Vehicle Batteries eg. Car/Boat, Industrial batteries eg. Power Supply (UPS)		
			Fluorescent Tubes/Light Bulbs			
Other	Electronic Waste	Electronic Waste	Oil Household, Motor & Other			
			Building Material			
			Hazardous Other	Uncategorized hazardous waste		
Other	Miscellaneous	Miscellaneous	Toner Cartridges	Toner Cartridges		
			Computer Equipment	Computer Components, Peripheral Devices/Computer Printer or Photocopier/Printer		
			Mobile Phones	Mobile phones		
			Electrical Items	Electrical Products		
			Miscellaneous (Specify)	Any items not applicable to other categories		

GLOSSARY

Avoidance	Avoidance refers to the prevention or reduction of waste generation and is the most preferred option in the waste hierarchy.	
Better practice	Better practice refers to practices and approaches that are considered by the Waste Authority to be outcomes-focussed, effective and high performing, which have been identified based on evidence and benchmarking against comparable jurisdictions	
Commercial and industrial waste (C&I)	Solid waste generated by the business sector, State and Federal Government entities, schools and tertiary institutions.	
Commercial waste services	<ul style="list-style-type: none"> Refers to drop-off, kerbside, vergeside or other waste services provided by the local government to commercial premises. Discretionary service, not offered by all local governments 	
Construction and demolition waste (C&D)	Solid waste produced by demolition and building activities, including road and rail construction and maintenance, and excavation of land associated with construction activities.	
Disposal	<ul style="list-style-type: none"> Disposal refers to the discharge of waste into the environment, either into landfill or another disposal route. Disposal is the least preferred option in the waste hierarchy. 	
Drop-off facilities and services	<ul style="list-style-type: none"> Drop-off collections are where reportable waste is delivered to the waste depot (drop-off facility) by the residents of the local government i.e. self-hauled waste. Services are provided to collect waste or recyclable materials. May be temporary or permanent standalone drop-off points for one or more materials, or may form part of other waste facilities (such as landfills or transfer stations). Note: this does not include HHW drop-off points 	
Energy recovery	The process of extracting energy from a waste stream through re use, reprocessing, recycling or recovering energy from waste	
Household hazardous waste (HHW) facility	<ul style="list-style-type: none"> Refers to facilities for the drop-off and storage of HHW Includes consideration of the drop-off and storage procedures and infrastructure, staffing and resourcing, layout, operation and management HHW facilities, etc. 	
Illegal Dumping	Illegal dumping is the unauthorised discharging or abandonment of waste and is an offence under Section 49A of the <i>Environmental Protection Act 1986</i> .	
	Illegally dumped waste is generally considered to have the following attributes:	
	Volume	> 1 cubic metre
	Environmental impact	Contains items/substances that are potentially noxious or hazardous; potential for environmental harm if material leaks, spreads or degrades
	Type of waste	Commercial or industrial waste; larger-scale household waste
	Reason for offence	Premeditated decision; commercial benefit or avoidance of fee
	Mode of deposition	Deposited using a vehicle
Kerbside waste services	<ul style="list-style-type: none"> A regular, containerised collection service (often a wheelie bin) where the waste or recycling is collected from outside a resident's dwelling. Can apply to either recycling or general waste (and in a few instances green waste). 	

Landfill	<ul style="list-style-type: none"> Refers to inert or putrescible waste, registered or licenced landfills Activities related to the layout, operation, management and post closure of a landfill. Includes consideration of the technology and infrastructure on site, staffing and resourcing, and any other waste facilities or services at the landfill site (e.g. greenwaste or recycling drop off, mulching, tip shop, etc.) 	
Litter	<p>Litter is defined in the <i>Litter Act 1979</i> as including:</p> <ul style="list-style-type: none"> all kinds of rubbish, refuse, junk, garbage or scrap; and any articles or material abandoned or unwanted by the owner or the person in possession thereof, <p>but does not include dust, smoke or other like products emitted or produced during the normal operations of any mining, extractive, primary or manufacturing industry.</p> <p>Litter is generally considered to have the following attributes:</p>	
	Volume	< 1 cubic metre
	Environmental impact	Nil or minor actual or potential environmental impact
	Type of waste	Personal litter
	Reason for offence	Unpremeditated, convenient disposal
	Mode of deposition	Deposited by hand (includes dropping by hand from a vehicle)
Local government waste management	<ul style="list-style-type: none"> Refers to waste generated by a local government in performing its functions Includes materials such as construction and demolition waste from road and footpath building and maintenance; greenwaste from parks maintenance; waste generated at local government offices, depots, and facilities 	
Municipal solid waste (MSW)	Solid waste generated from domestic (residential) premises and local government activities	
Peel region	The Peel region is the area defined by the Peel Region Scheme.	
Perth metropolitan region	The Perth metropolitan region or the Perth region is the area defined by the Metropolitan Region Scheme.	
Public place services	Public place waste services refers to permanent bins provided by local government in public places to collect waste and/or recycling.	
Recovery	The process of extracting materials or energy from a waste stream through re use, reprocessing, recycling or recovering energy from waste.	
Reuse	Reuse refers to using a material or item again.	
Reprocessing	Reprocessing refers to using an item or material that might otherwise become waste during the manufacturing or remanufacturing process.	
Recycling	The process by which waste is collected, sorted, processed (including through composting), and converted into raw materials to be used in the production of new products.	
Residual Waste	<ul style="list-style-type: none"> Waste that remains after the application of a better practice source separation process and recycling system, consistent with the waste hierarchy as described in section 5 of the WARR Act. Where better practice guidance is not available, an entity's material recovery performance will need to meet or exceed the relevant stream target (depending on its source - MSW, C&I or C&D) for the remaining non-recovered materials to be considered residual waste under this waste strategy. 	

Special event waste services	Special event waste management refers to temporary bins and/or waste collection services provided by local government to manage waste generated at events such as fireworks displays, music festivals, sports events, markets etc.
Sustainable procurement	Sustainable procurement involves meeting a need for goods and services in a way that achieves value for money and generates benefits not only to the organisation, but also to society and the economy, while minimising damage to the environment.
Transfer station	<ul style="list-style-type: none"> • Refers to facilities which undertake large scale consolidation of waste or recyclable materials for transfer to another facility for processing or disposal • Activities related to the layout, operation and management of a transfer station • Includes consideration of the technology and infrastructure on site, staffing and resourcing, and any other waste facilities or services available at the site (e.g. greenwaste or recycling drop off, mulching, tip shop, etc.)
Vergeside waste services	<ul style="list-style-type: none"> • Vergeside collection services are bulk, infrequent (~every 4-6 month or on demand) services. • Material is collected from residential 'vergesides' either non-containerised or in a skip provided by the local government. Vergeside services may relate to green waste or hard waste • Includes waste and/or recyclable materials that may be mixed or separated and the source and can include green waste or hard waste.
Waste services	<p>Waste services are defined by the <i>Waste Avoidance and Resource Recovery Act 2007</i> as the:</p> <ul style="list-style-type: none"> • the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or • the provision of receptacles for the temporary deposit of waste; or • the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste.



**ORDINARY MEETING OF COUNCIL
MONDAY, 8 MARCH 2021**

MINUTES

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CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 8
MARCH 2021 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

PRESENT:

Mayor, Cr R Butterfield presided over	River Ward
Deputy Mayor, Cr C Frost	Lake Ward
Cr J H Munn CMC	Ranford Ward
Cr S Peter JP	Ranford Ward
Cr M S Northcott	Palomino Ward
Cr C A Campbell JP	Palomino Ward
Cr E J Flynn	Heron Ward
Cr G J Smith	Minnawarra Ward
Cr K Busby	Minnawarra Ward
Cr G Nixon	Hills Ward
Cr C M Wielinga	Hills Ward

IN ATTENDANCE:

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

Public: 4 Press: 2

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr H T Jones and Cr M Silver

APOLOGIES:

Apology received from Cr D M Shaw

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

Nil

4 PUBLIC QUESTION TIME

1 Mr M Facey - Reconnect Jull Street Group - 229 Jull Street, Armadale

- Q 1. When did the City of Armadale realise that the Jull St Mall does not comply with the *Local Government Act 1995* which came into effect in 1996?
Given the closure of Jull St to form the Jull St Mall does not comply with the *Local Government Act 1995*, will the City now respond to calls from local businesses, ratepayers, community members and local members of parliament to reopen the mall to traffic?

The Mayor invited the CEO to respond.

The CEO advised that she is unable to provide an absolute specific date. It had come to officer's attention at a point in the last 3 months after doing full and considered research and also involving the fact that from 2002 the area was under the jurisdiction of the Armadale Redevelopment Authority. This research over the preceding months has culminated in the report that is before Council tonight with a recommendation to progress procedures under section 3.50 of the Local Government Act 1995 to retain the current status of the mall until the community consultation processes outlined in the recommendation are completed. This will ensure that the passage of traffic through the mall is not permissible until such time as council has made a final determination post the community consultation.

The Mayor advised that Council became aware of the matter when the agendas were received a week and half ago.

- Q 2. In terms of the community consultation that I believe will be voted on tonight, can the City give us any indication of the time frames of completion in terms of the consultation process?

The CEO advised that the first step that needs to occur in accordance with Council's adopted Community Consultation Framework is that a consultation plan is presented to Council for their approval. That consultation plan will outline the nature, the extent and the time period over which that consultation will occur.

Question time declared closed at 7.06pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 22 FEBRUARY 2021.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 22 February 2021 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (11/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 MAYORS ANNOUNCEMENTS

Tuesday 23rd February 2021

Attended the Business Armadale Pre-Election Politicians Breakfast held at Avocados. Councillors Munn, Smith, Peter, Nixon and Northcott were also in attendance, as was the City's Manager of Economic Development.

Wednesday 24th February 2021

Chaired the South East Regional Energy Group (SEREG) meeting held at the City of Armadale.

Attended the opening of the North Harrisdale Primary School. The Premier, Hon Mark McGowan BA LLB MLA and Education Minister, Hon Sue Ellery BA MLC and Yaz Mubarakai MLA were also in attendance. Councillors Peter and Munn also attended.

Welcomed the Information Commissioner, Kathryn Fletcher to the City of Armadale prior to a training session she was holding for staff from several local governments including the CoA.

Attended a SOHAG Meeting, along with Cr's Nixon and Munn.

Attended the Municipal Waste Advisory Council (MWAC) meeting held at WALGA.

Thursday 25th February 2021

Met with the new 'Officer In Charge' at the Armadale Police Station, Senior Sergeant Jeremy Petersen, to discuss local issues.

Hosted three citizenship ceremonies at the Administration Office, for a total of 60 new citizens. Councillors Nixon, Northcott and Smith attended all three ceremonies and Senior Sergeant Petersen, was able to stay to see the first group receive their Australian Citizenship.

Attended a photo opportunity with Member for Jandakot, Yaz Mubarakai MLA to promote the election promise of funding for new CCTV trailer in Harrisdale/Piara Waters.

Tuesday 2nd March 2021

Attended regular TEAMS meeting with the CEO and Deputy Mayor to discuss local issues.

Attended the Community Services Committee Meeting on Cr Jones' behalf.

Wednesday 3rd March 2021

Attended a State Election 2021 briefing at WALGA.

Attended the WALGA State Council Policy Forum, an Environment Policy Team Meeting and then the State Council Meeting.

Monday 8th March 2021

Attended regular TEAMS meeting with the CEO to discuss local issues.

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

Nil

10 REPORTS

10.1 COMMUNITY SERVICES COMMITTEE MEETING

Report of the Community Services Committee held on 2 March 2021.

MOVED Cr K Busby that the report be received.

MOTION not opposed, DECLARED CARRIED (11/0)

BUSINESS ARISING FROM REPORT

Recommendation C6/3/21 - Roleystone Hall - Rescind Previous Decision of Intention to Lease

MOVED Cr K Busby

That Council:

- 1. Notes the request of Roleystone Theatre Incorporated, to not proceed with entering into a lease at Roleystone Hall.**
- 2. Rescind its former decision (C4/2/20):**

That Council:

- A. Enter into a Lease with Roleystone Theatre Incorporated for a portion of Cross Park – Lot 1 (No.44) Jarrah Road, Roleystone, as detailed on the attached plan to this report under the following basic terms and conditions:**

Occupier: *Roleystone Theatre Incorporated as bordered red on the Plan attached to this report*

Leased area: *Roleystone Hall*

Term: *Two (2) years or earlier by mutual consent*

Commencement: *From the date the last party to the lease, signs the lease*

Rent: *\$50 per annum plus GST*

Insurance: *Lessor to be responsible for building insurance*

Lessee to be responsible for:

The cost of all claims resulting from activities of Roleystone Theatre Incorporated that fall within the City's excess on building insurance (Currently \$5,000 per incident);

- insurance for any property or equipment owned by Roleystone Theatre Incorporated;*

- *public liability insurance to a value of \$20 Million*
- *personal accident for volunteers insurance*
- *insurance for community groups hiring spaces*

Outgoings: Lessee to be responsible for normal outgoings of the premises.

Maintenance: In accordance with the schedule attached to this report

Other: Roleystone Theatre Incorporated be granted the power under the lease to hire the facility to the broader community and retain all monies received from the hire.

- B. Authorise the Chief Executive Officer and Mayor to execute a lease agreement incorporating the details in 1 above.***
- C. Authorise the Chief Executive Officer to –**
- Negotiate all other administrative terms and conditions of the lease.*
 - Exercise all rights available and duties incumbent on the City under the lease.*

- 3. Note Roleystone Theatre Incorporated’s intent to continue as a regular hirer of the Roleystone Hall until such time as the Roleystone Theatre is ready to be occupied and a tenancy arrangement has been agreed to.**

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation C7/3/21 - Six-month Progress Report of Suburb-Level Social Priorities

Councillor Campbell disclosed that he is a Member of the Cecil Andrews College Board. As a consequence, he advised that there may be a perception on the basis of his non-financial interests that his impartiality on the matter may be affected, but declared that he would set aside this association, consider the matter on its merits and vote accordingly.

Councillor Northcott disclosed that she is a Member of the Cecil Andrews College Board. As a consequence, she advised that there may be a perception on the basis of her non-financial interests that her impartiality on the matter may be affected, but declared that she would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr K Busby

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

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation C8/3/21 – Councillor Items

MOVED Cr K Busby

That Council refers the following Councillor items in regard to:

- 1. Community Education Campaign – Theft of Returnable Bottles and Cans**
- 2. Evaluation of Security Patrols in the Jull Street Mall**
- 3. State Government Funding – Planning in Bushfire Prone Areas**

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

MOTION not opposed, DECLARED CARRIED (11/0)

10.2 TECHNICAL SERVICES COMMITTEE MEETING

Report of the Technical Services Committee held on 3 March 2021.

MOVED Cr G Nixon that the report be received.

MOTION not opposed, DECLARED CARRIED (11/0)

BUSINESS ARISING FROM REPORT

Recommendation T14/3/21 - Warton Road Duplication/ Widening - Request for Delegation to Apply for Clearing Permit

MOVED Cr G Nixon

That Council:

- 1. Authorise the Chief Executive Officer to sign a letter of authorisation for the City of Gosnells to submit an Application to Clear Native Vegetation under the *Environmental Protection Act 1986*, on two land parcels (PIN 12434990 and PIN 12434988), for the purpose of the widening of Warton Road, on behalf of the City of Armadale.**
- 2. Request further information from the City of Gosnells to support the potential future clearing request for the Part B area of the proposed Warton Road duplication.**
- 3. Advise the City of Gosnells of the intent to retain the Banksia woodland adjacent to the Part B area (23 Cypress Cr, Harrisdale) of the Warton Road duplication and request their consideration of opportunities to preserve vegetation in the Part B area where possible.**

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation T15/3/21 - Petition - Change of SkatePark to Children's Playground - Barossa Loop, Harrisdale

MOVED Cr G Nixon

That Council:

- 1. Note the results of the investigation of the petitioners' concerns relating to the Skate Park at Barossa Loop, Harrisdale.**
- 2. Request the developer fund mobile CCTVs on the park's main entrance and install fencing along the street boundary of the Barossa Loop skate park.**
- 3. Continue to work with stakeholders including the developer, local schools, WA Police, service providers, users of the youth park and residents to monitor behaviour and take compliance action where appropriate.**
- 4. Review the outcome after six months and revert to Council.**
- 5. Inform the petition convener accordingly.**

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation T16/3/21 - Request for Quote 52/20 - Contestable Electricity Supply

MOVED Cr G Nixon

That Council, in regard to Request for Quotation 52/20 for Contestable Electricity Supply:

Accept the quotation from Synergy Electricity Generation and Retail Corporation for a period of ten (10) months for the supply of Green (Natural) power in accordance with:

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

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation T17/3/21 - Jull Street Mall

MOVED Cr G Nixon

That Council:

1. **Direct the preparation of a Community Engagement Plan to be considered by Council to determine the community's view on whether to:**
 - i. **Open Jull Street Mall to one-way traffic**
 - ii. **Open Jull Street Mall to two-way traffic**
 - iii. **Retain Jull Street Mall as a public pedestrian and civic space**

The community engagement plan is to contain the wording and images to be used to explain each option – inclusive of costs, anticipated benefits and impacts.

2. **Amend* the 2020/21 budget by:**

OPERATING EXPENDITURE

Increasing the Operating Expenditure Budget for the City Centre Activation (Jull Street Mall) by \$35,000

TRANSFERS FROM CASH RESERVES

Increasing the transfers from the City Activation Cash Reserve by \$35,000

3. **Continue to provide a community liaison patrol consistent with the service provided from 1 November 2019 to 31 January 2021, until 30 June 2021.**

4. **Amend* the 2020/21 budget by:**

OPERATING EXPENDITURE

Increasing the Operating Expenditure Budget for the City Centre Activation (Jull Street Mall) by \$45,000

TRANSFERS FROM CASH RESERVES

Increasing the transfers from the City Activation Cash Reserve by \$45,000

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

5. **Conduct the necessary investigations to determine service locations and pavement capacity to assist with the refinement of costs for the one-way and two-way traffic options.**

6. **Amend* the 2020/21 budget by:**

OPERATING EXPENDITURE

Establishing an Operating Expenditure Budget for the Professional Services - Jull Street Mall Underground Services & Pavement Investigation, totaling \$47,000

TRANSFERS FROM CASH RESERVES

Increasing the transfers from the City Activation Cash Reserve by \$47,000

7. **In-accordance with Section 3.50 of the Local Government Act 1995, give local public notice of the intention to order that a portion of Jull Street (the thoroughfare) as identified on the Attached Plan (Attachment 5) be closed to the passage of vehicles to address the technicality of the original order for its permanent closure having expired. This will retain the status quo until such time as the community engagement process for the 3 options described in part 1 of this resolution have been conducted and a final determination considered by Council.**

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL

(11/0)

Recommendation T18/3/21 - Parking at Willandra Primary School (Referral Item)

MOVED Cr G Nixon

That Council note a report on the matter of increased parking at Willandra Primary School will be provided at the 12 April 2021 Technical Services Committee meeting.

MOTION not opposed, DECLARED CARRIED

(11/0)

Recommendation T19/3/21 - Asbestos Register Update (Referral Item)

MOVED Cr G Nixon

That Council note the content of this report regarding the progress of the City's asbestos removal program.

MOTION not opposed, DECLARED CARRIED

(11/0)

Recommendation T20/3/21 - Brookton Highway Footpath (Referral Item)

MOVED Cr C M Wielinga that a part (2) be added to Recommendation T20/3/21

That Council:

- 1. continue to advocate through all appropriate methods, including as an election advocacy strategy; and**

2. **Request a meeting with the Minister for Transport on this matter to be attended by the Mayor, the City's Chief Executive Officer and Executive Director Technical Services and report to Council on the outcomes.**

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation T21/3/21 - Frye Park Upgrades (Referral Item)

MOVED Cr G Nixon

That Council note that a report on the matter of the replacement of the pirate ship play area at Frye Park will be provided at the 3 May 2021 Technical Services Committee meeting.

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation T22/3/21 - Review of the City's Parks Facilities Strategy

MOVED Cr G Nixon

That Council refers the following Councillor Item:

- **Review of the Parks Facilities Strategy**
- to the relevant Directorate for action and/or report to the appropriate Committee.**

MOTION not opposed, DECLARED CARRIED (11/0)

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer.

MOVED Cr M S Northcott that the report be received.

MOTION not opposed, DECLARED CARRIED (11/0)

BUSINESS ARISING FROM REPORT

Recommendation - Councillors Information Bulletin - Issue No 4/2021

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue 4/2021 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (11/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

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

1 Major Play Equipment in Parks & Reserves (Cr Jeff Munn)

That the matter of policies on the position of major play equipment in Reserves and Parks in relationship to residential properties be referred to the Technical Services Committee

2 Large Play Equipment in Parks & Reserves - Costs (Cr Jeff Munn)

That the matter of size and position and maintenance and replacement costs of large play equipment in parks and reserves be referred to the Technical Services Committee

3 Vehicle Speed Signs - Rowley Road (Cr Jeff Munn)

That the matter of erection of automatic vehicle speed signs in Reilly Road in the vicinity of 2 primary schools be referred to the Technical Services Committee.

4 Secondary Access Route - Araluen Estate (Cr Colin Campbell)

That the matter of a secondary permanent sealed access route for the Araluen Estate be referred to Corporate Services Committee.

5 Review of Pre-2002 Thoroughfare Closures (Cr Colin Campbell)

That the matter of a review of pre-2002 Thoroughfare Closures be referred to the Technical Services Committee.

6 Report to SE Metro Zone – Lobby State for funding for Second access to developments in Bushfire prone areas (Cr Ruth Butterfield)

That the matter of a short report to the South East Metropolitan Zone to request WALGA to lobby State Government to provide funding for second access to developments in Bushfire prone areas be referred to the Development Services Committee

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 7.25pm

MINUTES CONFIRMED THIS 22 MARCH 2021

MAYOR