CITY OF Armadale

ORDINARY MEETING OF COUNCIL
MONDAY, 23 AUGUST 2021

AGENDA

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AGENDA

REPORTS

DEVELOPMENT SERVICES COMMITTEE MEETING
HELD ON 16 AUGUST 2021

CORPORATE SERVICES COMMITTEE MEETING
HELD ON 17 AUGUST 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, 23 AUGUST 2021

JOANNE ABBISS
CHIEF EXECUTIVE OFFICER

19 August 2021

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Leave of Absence previously granted to Cr G Nixon and Cr K Busby

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3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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4 PUBLIC QUESTION TIME

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

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

It is also available in the public gallery.

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

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5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 9 AUGUST 2021..... (ATTACHED)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

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

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BUSINESS ARISING FROM REPORT

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Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

15 CLOSURE

CITY OF ARMADALE

MINUTES

OF **DEVELOPMENT SERVICES COMMITTEE** HELD IN THE **FUNCTION ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **MONDAY, 16 AUGUST 2021 AT 7.00PM.**

PRESENT:	Cr D M Shaw	(Chair)
	Cr C M Wielinga	(Deputy Chair)
	Cr R Butterfield	
	Cr C Frost	
	Cr J Munn CMC	
	Cr G J Smith	
APOLOGIES:	Nil	
OBSERVERS:	Cr M S Northcott	*(via Teams)*

IN ATTENDANCE:	Ms J Abbiss	Chief Executive Officer
	Mr P Sanders	Executive Director Development Services
	Mr G Dine	Building Services Manager *(7.00pm to 7.27pm)*
	Ms K Beckingham	Health & Wellbeing Officer *(7.00pm to 7.27pm)*
	Mrs N Cranfield	Executive Assistant Development Services
PUBLIC:	Nil	

*"For details of Councillor Membership on this Committee, please refer to the City's website – **www.armadale.wa.gov.au/your council/councillors**."*

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Development Services Committee Meeting held on 19 July 2021 be confirmed.

Moved Cr C Frost
MOTION CARRIED (6/0)

ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 13 - JULY 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 - July 2021
Planning
Planning Applications Report - July 2021
Town Planning Scheme No.4 - Amendment Action Table
Subdivision Applications - WAPC Approvals/Refusals - July 2021
Subdivision Applications - Report on Lots Registered for 2021/2022
Compliance Officer's Report - July 2021
Building
Building Services Manager's Report - July 2021
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Committee noted the information and no further items were raised for discussion and/or further report purposes.

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DEVELOPMENT SERVICES COMMITTEE

16 AUGUST 2021

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1.1 - DRAFT COMMUNITY HEALTH AND WELLBEING PLAN 2021-2024

WARD : ALL

FILE No. : M/494/21

DATE : 12 August 2021

REF : GD/KB

RESPONSIBLE MANAGER : EDDS

In Brief:

- Part 5 of the *Public Health Act 2016* has been amended and in the future it will be legislated, which will require all local governments to have Public Health Plans.
- The State Public Health Plan for WA was released in July 2019, providing recommendations on how to develop a plan in line with Part 5 of the *Public Health Act 2016* requirements.
- The City of Armadale has previously developed a Public Health and Wellbeing Plan 2014 - 2017 in line with past recommendations from the *WA Public Health Bill 2008*.
- A new plan is required in line with State recommendations.
- A draft Community Health and Wellbeing Plan has been developed for Council's endorsement.
- Recommend that Council endorse the Community Health and Wellbeing Plan 2021-2024.

Tabled Items

Nil.

Decision Type

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

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

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

Officer Interest Declaration

Nil.

Strategic Implications

Strategic Community Plan 2020-2030

- 1.1 Foster and strengthen community spirit
- 1.2 Improve Community Wellbeing
- 1.3 Community Facilities meet Community needs
- 1.4 An inclusive and engaged community
- 2.2 Attractive, inclusive and functional public places
- 2.4 Sustainable waste management
- 3.1 Increased economic growth, job creation and retention, as well as educational opportunities
- 4.4 Effective community engagement and communications

Legal Implications
Integrated Planning and Reporting Framework and Guidelines 2010.
Public Health Act 2016.

Council Policy/Local Law Implications
Council Policy COMD 2 – Community Engagement

Budget/Financial Implications

The Health Services team has not sought additional budget for the implementation of the Community Health and Wellbeing Plan as suggested actions with financial implications can be accommodated in the 2021/2022 Health Services Budget.

Providing these budgets remain consistent over the next three years Health Services will be able to deliver on the actions outlined in the Plan.

Actions allocated to other business units do not require additional funding and will be accommodated within their own budgets unless actions are contingent on external funding.

PROPOSAL

Council approval is sought to endorse the Community Health and Wellbeing Plan 2021-2024.

BACKGROUND

In July 2019, the WA Department of Health released the State Public Health Plan for Western Australia: Objectives and Policy Priorities for 2019 - 2024 (State Public Health Plan). The plan aims to guide State and Local Governments and other partners in public health to work together and contribute towards influencing the health and wellbeing of all Western Australians. This plan coincides with an amendment (Part 5) to the *Public Health Act 2016*, to make public health plans mandatory for every local government in WA. In the future, Part 5 of the *Public Health Act 2016* will be legislated and it will aim to support and drive ongoing improvements to the health and wellbeing of local communities.

The City of Armadale has previously prepared a Public Health Plan 2014-17, in line with past recommendations from the *WA Public Health Bill 2008* to improve the health and wellbeing of the community. The City of Armadale was one of the first WA local governments to develop a Public Health Plan which produced many award winning projects and programs.

The projects and programs delivered as part of the City of Armadale's Public Health Plan 2014 - 2017 has been commended in many awards and won the following Public Health Advocacy Institute of WA Local Government awards:

- Aboriginal Child Health Category 2014
- Stimulating Learning Environments Category 2014
- Metropolitan Award 2015
- Nature Play Category 2016
- Action on Alcohol Category 2019
- Healthy Food Category 2019
- Smoke free Environments Category 2019

In September 2020, the Council endorsed and supported the Community Engagement Plan for preparation of the City's Public Health Plan which has been implemented.

Using the State Public Health Plan as a guiding document, the City's second Public Health Plan focuses on three areas:

- Chronic disease prevention;
- Environmental health protection; and
- Improving Aboriginal health and wellbeing.

COMMENT

To satisfy the requirements of the *Public Health Act 2016* and the State Public Health Plan many of the actions in the Draft Community Health and Wellbeing Plan 2021 – 2024 reflect current core local government business. This is particularly prevalent in the action statements related to Environmental Health.

Actions included in the Draft Community Health and Wellbeing Plan 2021 – 2024 that are new include:

- 11.1.1.3 Support and encourage residents to incorporate healthier food choices into their diet.
- 11.1.1.4 Investigate the feasibility of conducting an audit of local food business menus registered within the City of Armadale to provide nutritional recommendations and guidance to encourage the inclusion of healthy menu options.
- 11.1.1.5 Develop a healthy catering policy to increase access and availability of healthy food and drink options and choices for City meetings, venues, events and community activities.
- 11.1.1.6 Support the establishment of sustainable community fresh food initiatives.
- 11.1.2.1 Support and encourage residents to participate in physical activity.
- 11.1.2.2 Develop the Integrated Transport Strategy with inclusions to support active transport in the community through upgrading and connecting footpaths and cycle paths and encouraging public transport.
- 11.1.3.2 Advocate for appropriate management of liquor outlets to influence the decisions of these outlets and the accessibility and availability of alcohol to the community in the City of Armadale.
- 11.1.3.5 Develop an advertising policy to restrict alcohol, tobacco and fast food advertising on City of Armadale owned infrastructure and assets.
- 11.1.4.2 Prioritise major event sponsorships that have a positive impact on healthy lifestyles.
- 11.1.4.6 Respond to complaints regarding community members experiencing primary homelessness to assist in referring to a relevant agency or organisation for additional support and/or assistance.
- 11.1.4.7 Respond to hoarding complaints to ensure environmental health issues are investigated and where appropriate people needing additional support (e.g. mental health support) are referred to the relevant agency.
- 11.1.5.2 Identify and support community safety projects and community capacity and resilience.
- 11.2.4.3 Encourage and promote childhood, influenza and COVID-19 vaccinations through City's socials and through community activities, projects and vaccination clinics.

- 11.2.5.2 Establish a Public Health Stakeholder network with the purpose of encouraging organisations to work together, reduce duplication and share information to assist in ensuring clients of represented organisations receive the best care available to them.
- 11.3.1.1 Consider developing a Reconciliation Action Plan for the City of Armadale.
- 11.3.1.2 Deliver localised cultural awareness training for all City of Armadale staff.
- 11.3.2.1 Consider the development of a Cultural Ambassador Program to assist the City and improve engagement with the Aboriginal and Torres Strait Islander community for relevant projects, programs and activities through a formalised process and group.
- 11.3.2.2 Deliver cultural education activities and events to reduce stigma and racism in the community.
- 11.3.2.3 Maintain a focus on Aboriginal and Torres Strait Islander health and wellbeing through the facilitation of health services and programs at the Champion Centre.
- 11.3.3.3 Identify Aboriginal and Torres Strait Islander controlled services that offer support to clients located within the City of Armadale.

CONSULTATION

Community consultation was undertaken from October – November 2020 to support the development of the City's second Public Health Plan. 1,047 online and paper survey responses were received during this time. Aboriginal Elders were also consulted through a yarning session and 38 young children completed an alternative consultation activity at Children's Week activities and at a local school event. A detailed summary of the community consultation can be viewed in Section 8.0 in the Community Health and Wellbeing Plan 2021-2024.

External stakeholder organisations were also consulted through a workshop and follow up meetings. These stakeholders included:

- Aboriginal Medical Care 360
- Alcohol and Drug Foundation
- APM Communities
- Australian Council on Smoking and Health (ACOSH)
- Cancer Council WA
- Communicare
- East Metropolitan Health Service
- Foodbank WA
- Headspace
- Healthway
- Heart Foundation WA
- Injury Matters WA
- Mental Health Commission
- Multicultural Communities Council of WA
- Parkerville
- Southern Districts Support for Older Persons
- WA AIDS Council
- WAPOL – Armadale District Police
- WA Primary Health Alliance

Interdepartmental consultation has been undertaken throughout the planning and development of the Public Health Plan through the formation of an Internal Working Group. This consultation has ensured the actions presented in this plan reflect current or future work to be undertaken by relevant teams that impact public health and wellbeing. 147 City staff also completed the Staff Health and Wellbeing Survey which included questions relating to staff and community health and wellbeing.

A Councillor briefing session was held on Monday, 19th April 2021. This session allowed the City to provide a briefing of the findings of the community consultation, discuss questions and provide some draft actions based on these findings to include in the City's second Public Health Plan.

OPTIONS

Council has the following options:

1. Endorse the Community Health and Wellbeing Plan 2021-2024 with or without amendments.
2. Request further information about the Community Health and Wellbeing Plan 2021-2024.

CONCLUSION

The *State Public Health Plan* was released in July 2019 and the amendment of Part 5 of the *Public Health Act 2016* is expected to be legislated in the future. This amendment will make it a requirement for all local governments within WA to plan, develop and implement a Public Health Plan. The City has now prepared a Community Health and Wellbeing Plan 2021-2024 with the purpose of contributing to improving health and wellbeing outcomes for City of Armadale residents to enable people to live well and experience the best possible quality of life. It is recommended that Council adopt Option No.1 above.

ATTACHMENTS

1.⇩ Community Health and Wellbeing Plan 2021-2021

Committee discussed the Community Health and Wellbeing Plan 2021-2024 report, proposed actions, funding, proposed community programs, community consultation outcomes, etc.

RECOMMEND **D24/8/21**

That Council endorse the Community Health and Wellbeing Plan 2021-2024.

Moved Cr C M Wielinga
MOTION CARRIED **(6/0)**

LOCATION PLAN
Waterwheel Road, Bedfordale

130 0 130 260m

SCALE 1 : 13000

CITY OF Armadale

2.1 - ROAD NAMING - WATERWHEEL ROAD AND WATERWHEEL ROAD NORTH, BEDFORDALE

WARD	:	HILLS
FILE No.	:	RDW/24; RDW/25 - M/565/20
DATE	:	12 August 2021
REF	:	KC
RESPONSIBLE MANAGER	:	EDDS
APPLICANT	:	City of Armadale
LANDOWNER	:	Various
SUBJECT LAND	:	Waterwheel Road and Waterwheel Road North, Bedfordale
ZONING MRS / TPS No.4	: :	Special Residential, Rural Living 4, Parks and Recreation Local

In Brief:

- Council received a request from a local resident in January 2019 to consider the renaming of Waterwheel Road North in Bedfordale to resolve concerns surrounding the similar names of Waterwheel Road and Waterwheel Road North in Bedfordale.
- Council, at its meeting on 25 March 2019 (D8/3/19) resolved to advertise to occupants, landowners, government agencies and the wider community by way of letters and newspaper advertising, its intention to rename Waterwheel Road North to Waterwheel Road, and rename the eastern portion of Waterwheel Road to Redman Road to facilitate this name change.
- Following consideration of the submissions received during the advertising period, Council resolved on 28 January 2020 to approach Landgate's Topographic, Names and Addressing to rename and renumber Waterwheel Road North to Waterwheel Road (D4/1/20).
- Landgate's policies and position require local governments to rename such roads if there is evidence of mail and service delivery issues and emergency service concerns. In this instance, Landgate officers have recommended reconsidering this matter given strong objections from residents.
- It is recommended that Council not proceed with renaming Waterwheel Road North to Waterwheel Road, and subsequently not proceed with renaming and renumbering the eastern portion of Waterwheel Road to Redman Road, Bedfordale.

Tabled Items
Nil

AERIAL PLAN
Waterwheel Road, Bedfordale

130 0 130 260m

SCALE 1 : 13000

DATE 5 January 2018 - REVISION 1801

CITY OF Armadale

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

2.2.2 Protect and enhance the character of the City's spaces and places
2.3.4 Develop long term transport network planning
2.5.1 Ensure the City's planning framework is modern, flexible, responsive and aligned to achieving the outcomes of the Strategic Community Plan and Corporate Business Plan.
2.5.5 Seek opportunities to preserve, document and acknowledge the heritage of the City.
4.4.1 Strive to achieve best practice community engagement.

Legal Implications

Land Administration Act 1997.

Council Policy/Local Law Implications

Council Policy - Street Numbering (DEV 1)
Council Policy - Naming of Roads, Parks, Places and Buildings (DEV 2)
City of Armadale *Street Numbering Local Law 2010*

Budget/Financial Implications

Nil.

Consultation

- Topographic, Names and Address
- Landgate
- Residents of Waterwheel Road and Waterwheel Road North
- State Government
- Service agencies

BACKGROUND

The City received a request in January 2019 from a resident with an address of Waterwheel Road in Bedfordale advising their street number is duplicated in Waterwheel Road North. The resident requested the City consider renaming Waterwheel Road North to resolve mail and delivery issues arising from similar road names and duplicated numbering. A total of four (4) addresses in Waterwheel Road and Waterwheel Road North were identified as having duplicate numbers.

Landgate's *Policies and Standards for Geographical Naming in Western Australia* notes that road names are intended to be enduring, with the renaming of any road discouraged unless there are good reasons for a change of name. Reasons that may be considered in support of a name change include mail delivery problems, name duplication issues and property street addressing issues.

Landgate's policies advise that due regard is given to the requirements of emergency service responders for clear, unambiguous road naming when considering a road name change proposal. The initial request for the road name change was based on anticipated problems for emergency service respondents locating the addresses.

Landgate's *Policies and Standards for Geographical Naming in Western Australia* requires evidence of community consultation and feedback from all relevant agencies and jurisdictions. Council, at its meeting on 25 March 2019 (D8/3/19), resolved to advertise (for four (4) weeks) its intention to rename and subsequently renumber Waterwheel Road North to Waterwheel Road to occupants, landowners, government agencies and the wider community by way of letters and newspaper advertising. Affected landowners, government agencies and the wider community were also canvassed regarding renaming the eastern portion of Waterwheel Road to facilitate this renaming.

A total of 25 submissions from landowners and residents were received during the advertising period with 12 objections and five (5) submissions from service agencies advising of no objection. These submissions were considered by Council at its meeting on 28 January 2020. Council resolved to approach Landgate's Topographic, Names and Addresses (TNA) seeking approval for:

a) Renaming and renumbering (using the rural addressing method) the eastern portion of Waterwheel Road to 'Redman Road' or another suitable alternative road name to facilitate the renaming of Waterwheel Road North; and

b) Renaming Waterwheel Road North to Waterwheel Road and renumbering this using the rural addressing method, with Albany Highway as the datum point.

DETAILS OF PROPOSAL

Following Council's meeting in January 2020, the City sought approval from TNA as per the adopted resolution (D4/1/20). Several residents of Waterwheel Road North contacted Landgate and Minister for Lands reaffirming their objections to the renaming of Waterwheel Road North. Residents of Waterwheel Road North were further not supportive of changing their street numbers, as many of these are permanently integrated into the fencing or their dwelling. The City also received submissions not supporting the renaming of the eastern portion of Waterwheel Road to Redman Road.

Officers of the City and Landgate met on 21 May 2020 to discuss potential options to resolve residents' concerns. During this meeting Landgate's officers recommended that the City not proceed with renaming Waterwheel Road North, given the lack of community support. This recommendation was subject to the City receiving substantiated evidence in the future demonstrating that duplication had an impact on emergency service response times.

Landgate's officers recommended the street sign for Waterwheel Road North be modified to show 'North' as the suffix in full (rather than 'Nth' in superscript as was the situation) to further assist in reinforcing the difference in road names. This street signs have already been corrected to have the official name.

Landgate's officers recommended exploring the need to resolve the duplication of the four street addresses in both roads by contacting these landowners and residents directly.

Given there was a lack of support for renaming and renumbering Waterwheel Road North it was determined that renaming the eastern portion of Waterwheel Road to Redman Road would be unnecessary, particularly as there were objections to doing so given it was the original extent of the road.

COMMENT

On 1 July 2020 the City wrote to the residents of the four addresses in Waterwheel Road (Numbers 13, 36, 38 and 57) which have duplicate street numbers occurring in Waterwheel Road North, as Waterwheel Road has potential scope for changing addresses given its rural numbering style to minimise duplications. One of these addresses (Number 57) was changed to remove duplication as the property did not have a residential dwelling constructed on it. The City did not receive any further responses of support nor objection at the time.

Whilst the landowners of duplicates on Waterwheel Road were consulted, the City was notified of a house (Number 44) under construction with proposed access from Waterwheel Road, changing from its current access via Albany Highway. This resulted in another duplication occurring with a corresponding address on Waterwheel Road North. There was no scope for changing this number without incurring further duplication, although a suffix of 'A' could be used as provided for by the Australian/New Zealand Standard (AS/NZS 4819:2011): *Rural and urban addressing.* Introduction of such suffixes are not welcomed by landowners as the expectation for rural properties is for there to be a lack of prefixes or suffixes, with suffixes generally used only when denoting ancillary accommodation.

The City wrote to the residents of duplicating numbers on Waterwheel Road a second time on 7 September 2020 to request their consideration of a new street number allocation to minimise the occurrence of duplicates on the two roads. Comments were invited by 22 September 2020, with one landowner contacting the City advising of their objection to the change.

The landowner confirmed that confusion occurs at times and mail is occasionally delivered to the wrong address. They did not, however, support changing the street number of their property, given that current rural numbering system clearly denotes the distance of the driveway from the datum point of Albany Highway. This method of numbering is prescribed by AS/NZS 4819:2011 and used by emergency service respondents to accurately locate addresses in rural areas.

ANALYSIS

Landgate's policies advise that renaming is necessary when a road is made into a cul-de-sac, resulting in two or more separated sections of road to remedy difficulties for emergency service responders and the delivery of other services to the area. The renaming of a portion of separated road may also be used to solve address numbering problems.

In this instance the initial request was based on extrapolating the issues experienced by private contractors who had difficulty locating similar addresses to potential concerns for emergency service respondents. Such private contractors are not contacted monthly by the City in its updates to service providers and emergency service respondents, which serves to advise of updates and changes to addressing within the City's boundaries in accordance to Council's Policy - Street Numbering (DEV 1) and associated management practice.

The City has not received any substantiated direct evidence of issues occurring from service providers. It is important to note the City included emergency service respondents in the consultation process for the proposed renaming of Waterwheel Road North and no emergency service respondents took this opportunity to contact the City to advise of concerns.

Landgate's officers recommended to defer renaming of Waterwheel Road North given this lack of direct evidence from emergency responders and service providers in locating addresses on these roads, along with the objections from residents. The renaming of the eastern portion of Waterwheel Road is not required if the renaming of Waterwheel Road North is deferred.

OPTIONS

1. Not proceed with the renaming and renumbering of Waterwheel Road North to Waterwheel Road and proceed with renaming the eastern portion of Waterwheel Road to Redman Road in Bedfordale to facilitate this renaming.

2. Re-advertise a proposal to rename Waterwheel Road North in Bedfordale to affected landowners, government agencies, and the wider community by way of letters and newspaper advertisement, seeking alternative names, with the intention to preserve the street numbering of Waterwheel Road North.

3. Support the previous resolution to rename Waterwheel Road North to Waterwheel Road; apply rural street numbering to this newly named portion, and rename and renumber the eastern portion of Waterwheel Road to Redman Road in Bedfordale to facilitate this renaming.

CONCLUSION

Residents in Waterwheel Road North were not supportive of changing the street numbering or road name of Waterwheel Road North. Residents of Waterwheel Road were not supportive in changing their duplicate numbers. The City has not received any substantiated direct evidence of difficulties locating addresses in either road from service providers. Appropriate measures have been put in place to assist with further differentiating each road by adding the 'North' suffix to street signage. Emergency service respondents are contacted monthly to the street address updates across the City in accordance with Council policy and management practice. In light of Landgate's officer advice, strong objections from residents, and a lack of evidence of difficulties in locating addresses from service providers, Option 1 is recommended.

ATTACHMENTS

1.⇩ Road Naming Plan - Waterwheel Road

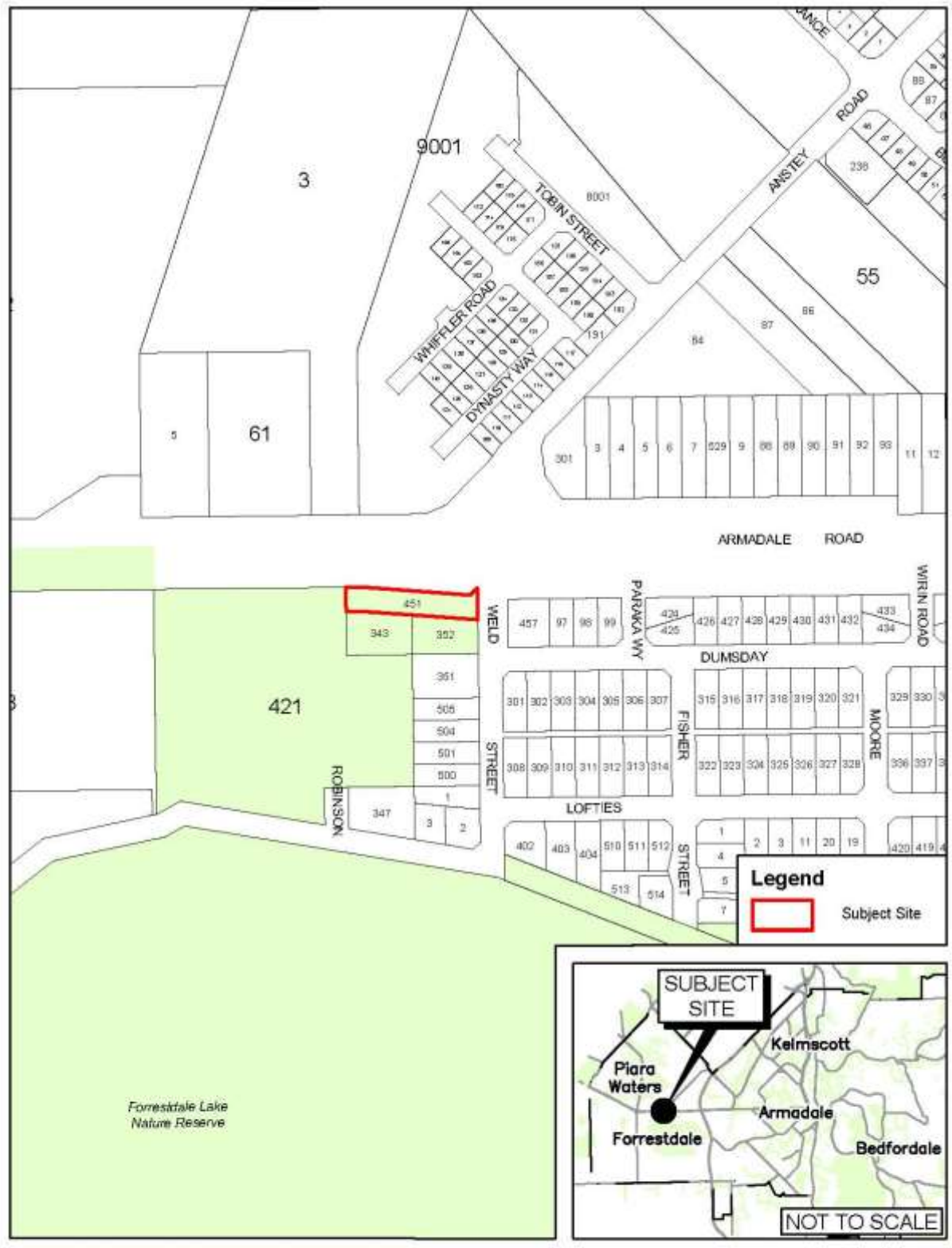
RECOMMEND D25/8/21

That Council:

1. **Does not proceed to rename and/or renumber Waterwheel Road North to Waterwheel Road in Bedfordale; and**

2. **Does not proceed with renaming of the eastern portion of Waterwheel Road to Redman Road in Bedfordale.**

Moved Cr C M Wielinga
MOTION CARRIED (6/0)



LOCATION PLAN
Lot 451 Weld Street, Forrestdale

50 0 50 100m

SCALE 1 : 5000

CITY OF Armadale

3.1 - EXCISION OF A PORTION OF RESERVE 27131 - LOT 451 WELD STREET FORRESTDALE

WARD	:	LAKE
FILE No.	:	- M/478/21
DATE	:	12 August 2021
REF	:	JW
RESPONSIBLE MANAGER	:	EDDS
APPLICANT	:	Main Roads WA
LANDOWNER	:	State of WA
SUBJECT LAND	:	Lot 451 Weld Street, Forrestdale
ZONING		
MRS /	:	Urban
TPS No.4	:	None

In Brief:

- The City has received a request from Main Roads Western Australia (MRWA) to excise a 36sqm paved portion of Reserve 27131 and the creation of Reserve for the purpose of "Road" with a Management Order to the Commissioner of Main Roads.
- The existing shared path has been in place since approximately 2006.
- MRWA have been upgrading Armadale Road and the 36sqm land requirement was recently identified by MRWA for inclusion in the road reserve.
- The City has a Management Order over Reserve 27131 for the purpose of "Recreation" with a Power to Lease.
- Recommend that Council support the excision of a 36sqm portion of Reserve 27131 and creation of a new Reserve for the purpose of "Road" with a Management Order being granted to "Commissioner of Main Roads".

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
Lot 451 Weld Street, Forrestdale

25 0 25 50m

SCALE 1 : 2500

CITY OF Armadale

Strategic Implications
2.2 Attractive, inclusive and functional public places
2.2.2 Improve the amenity of streetscapes in established suburbs to provide an attractive, shaded network that connects residents to locations of interest.

Legal Implications
Land Administration Act 1997.
Town Planning and Development Act 1928 (repealed on 9 April 2006).
Town Planning Scheme No.4 (TPS No.4).
Planning & Development Act 2005.

Budget/Financial Implications
Nil.

Consultation
Main Roads Western Australia.
Internal Departments:
- Technical Services
- Assets
- Community Services

BACKGROUND

Reserve 27131 (Lot 451) Weld Street, Forrestdale known as William Skeet Oval, is owned by the State of Western Australia and is vested to the City for the purpose of "Recreation" with a Power to Lease. The existing footpath was installed in approximately 2006 as part of the upgrade to Armadale Road and the installation of the roundabout to Weld Street and Anstey Road.

Main Road Western Australia (MRWA) are currently upgrading Armadale Road and a 36sqm portion of the shared path located on Reserve 27131 was identified by MRWA that it should be included in the reserve.

DETAILS OF PROPOSAL

MRWA have consulted with Department of Planning, Lands and Heritage (DPLH) and have agreed to the excision and reservation with a Management Order. As the Reserve is currently vested to the City, it is a requirement for the City to be consulted and provide support for the excision.

COMMENT

Comments were sought from the City's Departments and no issues or objections were raised.

An easement for the benefit of Water Corporation (WC) is present and will remain. MRWA are prepared to accept the land "as is" and WC will be consulted by MRWA separately. The proposed road widening will have no impact on the Forrestdale Hub development.

ANALYSIS

Under the City's Town Planning Scheme (TPS) No.4, Lot 451 is zoned as "Public Purpose". The City has initiated Omnibus Scheme Amendment No.109 to the City's TPS No.4 which includes the rezoning of Lot 451 from "Public Purpose" to "Parks and Recreation". This Omnibus Amendment is currently being considered for modifications by the DPLH.

Further, the City has initiated discussions with DPLH in regards to amalgamating Lots 342, 451 and 352 for the purposes of land rationalization/amalgamation. The existing Management Order for William Skeet Reserve will also be amended to extend over these lots. The City may look to progress this further for Council's consideration with the DPLH following the finalisation of Scheme Amendment No.109.

OPTIONS

1. Council could resolve to decline MRWA's request to excise a portion of the Reserve for road reserve and give reasons for doing so.
2. Council could resolve to support the excision of a 36sqm portion of the Reserve and its Reservation for the purpose of "Road" with a Management Order being granted to the Commissioner of Main Roads.

CONCLUSION

The existing footpath has been in place since approximately 2006. The land requirement from Reserve 27131 was overlooked as part of the upgrades to Armadale Road by MRWA. As a portion of the Reserve encroaches into the Armadale Road Reserve, it would logical to have the land excised from the Reserve and included into the road reserve. In order to enable MRWA to have consistent management over the shared path in the road reserve adjacent to Armadale Road, Option 2 is recommended.

ATTACHMENTS

1.⇩ MRWA Drawing - Lot 451 Weld Street, Forrestdale

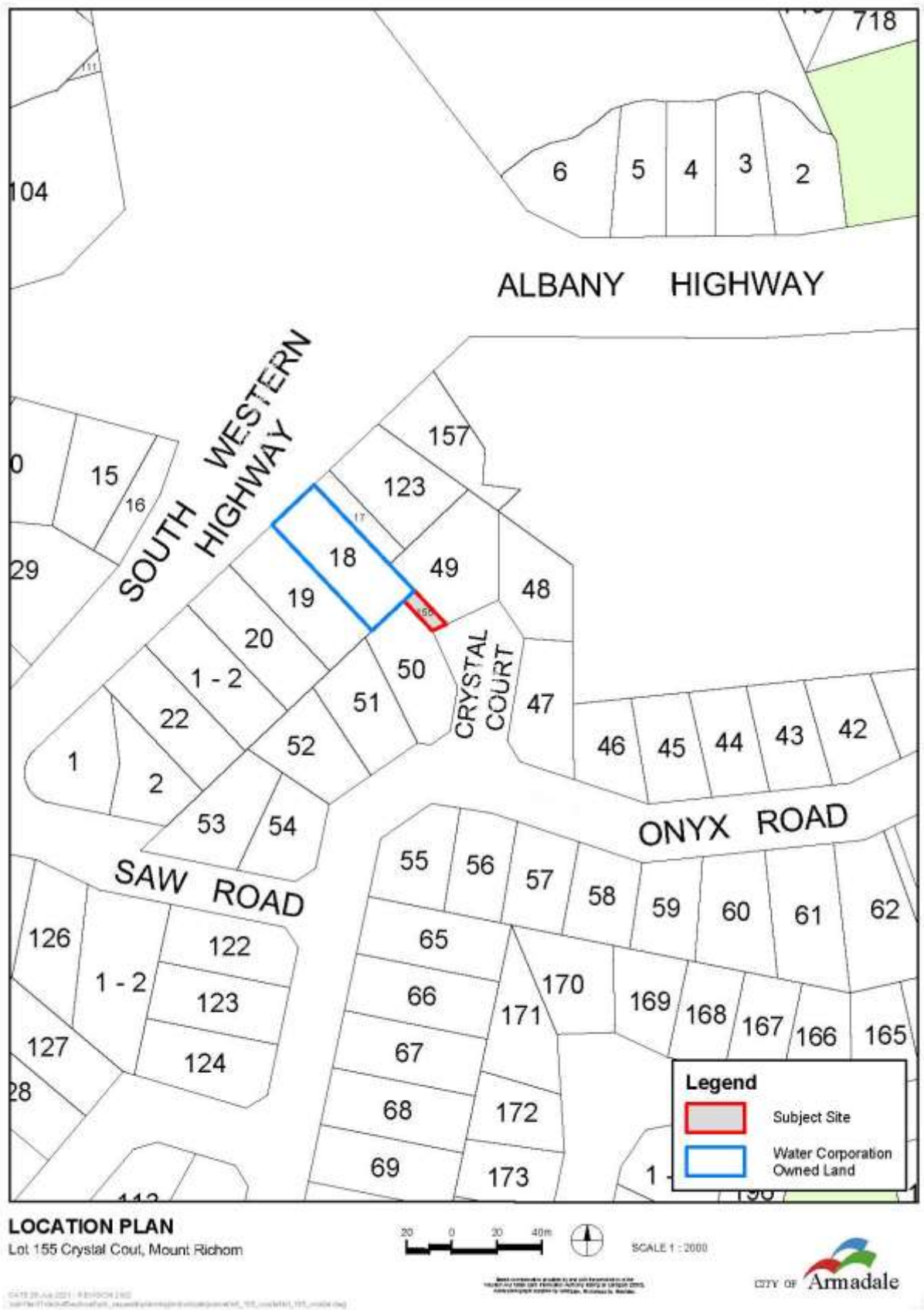
RECOMMEND **D26/8/21**

That Council:

1. **Support the excision of a 36sqm portion of from Reserve 27131 as depicted on attachment "MRWA drawing 2060-083" and the Reservation for the purpose of "Road" with a Management Order being granted to the "Commissioner of Main Roads", subject to Main Roads WA being responsible for all costs and resolution of any easements.**

2. **Advise Main Roads Western Australia (MRWA) of Council's decision.**

Moved Cr C Frost
MOTION CARRIED **(6/0)**


718
104
6
5
4
3
2
ALBANY HIGHWAY
SOUTH WESTERN HIGHWAY
157
123
18
49
48
19
20
1 - 2
50
51
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22
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53
54
CRYSTAL COURT
47
46
45
44
43
42
ONYX ROAD
SAW ROAD
55
56
57
58
59
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61
62
65
66
67
68
69
170
171
172
173
169
168
167
166
165
126
1 - 2
122
123
124
127
28
Legend
Subject Site
Water Corporation Owned Land
LOCATION PLAN
Lot 155 Crystal Court, Mount Richon
20 0 20 40m
SCALE 1 : 2000
CITY OF Armadale

3.2 - LOT 155 CRYSTAL COURT, MOUNT RICHON - REQUEST FOR MANAGEMENT

WARD	:	MINNAWARRA
FILE No.	:	- M/479/21
DATE	:	12 August 2021
REF	:	JW
RESPONSIBLE MANAGER	:	EDDS
APPLICANT	:	Water Corporation
LANDOWNER	:	State of Western Australia
SUBJECT LAND	:	Lot 155 Crystal Court, Mount Richon
ZONING		
MRS /	:	Urban
TPS No.4	:	Residential R15/25

In Brief:

- The City has received a request from the Water Corporation to acquire Lot 155 Crystal Court which is depicted as a Pedestrian Access Way (PAW) on Plan 12945. The PAW is unvested and has no Management Order.
- The land adjoins an existing Water Corporation property. Water Corporation propose to acquire the land to facilitate an access point to install a concrete pad for a generator for the existing pump station, to be used only in emergencies.
- As the PAW is unvested the Local Government has control over certain unvested facilities.
- Recommend that Council resolves to support Water Corporation's request to Reserve Lot 155 Crystal Court for the purposes of "Public Utilities" and a Management Order being granted to Water Corporation.

Tabled Items

Nil.

Decision Type

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

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

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

Officer Interest Declaration

Nil.

Strategic Implications

2.5 Quality development that enhances the amenity and livability of the City
2.5.2 Seek the retention of trees in new subdivisions and developments
2.5.6 Constantly seek improvements to the nature and standard of developments within the City

AERIAL PLAN
Lot 155 Crystal Cout, Mount Richom

10 0 10 20m

SCALE 1 : 1000

CITY OF Armadale

Legal Implications
Land Administration Act 1997.
Town Planning and Development Act 1928 (repealed on 9 April 2006).
Local Government Act 1995.

Budget/Financial Implications
Nil.

Consultation
Internal Departments.
Department of Planning, Lands and Heritage.

BACKGROUND

Lot 155 on Plan 12945 Crystal Court, Mount Richon was ceded to the Crown under Section 20A of the *Town Planning and Development Act 1928* for the purposes of "Pedestrian Access Way" in accordance with the relevant subdivision approvals for the land and remains unvested and under the control of the Local Government under *Local Government Act 1995,* Section 3.53 (1) & (2)

3.53. Control of certain unvested facilities

(1) In this section —
***former section 300** means section 300 of the Local Government Act 1960 4 as in force before the commencement of this Act;*
***otherwise unvested facility** means a thoroughfare, bridge, jetty, drain, or watercourse belonging to the Crown, the responsibility for controlling or managing which is not vested in any person other than under this section.*

(2) A local government is responsible for controlling and managing every otherwise unvested facility within its district unless subsection (5) states that this section does not apply.

Therefore the City is responsible for the Pedestrian Access Way.

An application has been received from the Water Corporation to acquire the PAW to enable rear access to an existing Water Corporation owned property and pump station, to facilitate the installation of a concrete pad for an emergency generator which is to be installed within their lot.

Current status of PAW
Lot 155 on Plan 12945 is 76sqm PAW owned by the State of WA and vested to the Crown under then Section 20A of the *Town Planning and Development Act.* The lot is fenced on the left hand side from the adjoining residential landowner, on the right hand side is a vacant lot and an existing Water Corporation pumping station is to the rear. The 76sqm lot does not provide any pedestrian connectivity.

History of PAW
In circa 1979, a condition of subdivision depicted the subject lot as a PAW. Drainage for the subdivision was predominantly contained within the road reserves, however drainage also ran through the subject lot and the Water Corporation lot towards South Western Highway. It is unclear from the City's historical files as to why the 76sqm land was not reserved for drainage.

Water Corporation Property

Lot 18 on Plan 4995, No.28 South Western Highway is owned by the Water Corporation and access is from South Western Highway. Retaining exists to the left and right hand sides of the lot and an access driveway runs through the centre. The existing pump station is fenced off by super six and chainmesh gates are present in the middle of the site, thereby fencing off the site for public access.

DETAILS OF PROPOSAL

Water Corporation have provided the following justification to their request:

1. Water Corporation own the land at the rear (Lot 18, No.28 South West Highway);
2. Lot 18 is an existing water pumping station and Water Corporation have advised that they need to install a concrete pad within Lot 18 to place a temporary emergency generator should it ever be required;
3. The frequency of using this entrance is estimated to be only for extended power outages and approximately once a year for access to an emergency access/generator pad, therefore limited negative impact on the Crystal Court neighbouring properties;
4. The generator cannot easily be brought onto the site via the front of the property due to raised areas with retaining walls;
5. This will enable a truck to reverse in and drop a generator inside the compound;
6. The access would be secured with colorbond fencing and the gate will be a locked garrison type;
7. The 76sqm lot does not provide any pedestrian connectivity;
8. Water Corporation have advised that they would be interested in acquiring the entire PAW lot;
9. Should any easements be required, Water Corporation have indicated they are willing to grant easements for existing infrastructure at nil consideration and at their cost.

COMMENT

Department of Planning, Lands and Heritage (DPLH)

The City referred Water Corporation's request to DPLH for comments and received a response in an email dated 14 June 2021;

"Given Lot 155 is vested under section 20A of the Town Planning and Development Act 1928 for the purpose of Pedestrian Accessway, the enquiry was referred to the Department's Land Use Planning (LUP) division. LUP advised that from a planning perspective, the PAW is not considered to be required for pedestrian connectivity in this circumstance. LUP raised no objection to the sale and amalgamation and/or reservation of the PAW and provided the following additional comments for consideration where relevant.

1. *Sale and amalgamation of the PAW into Lot 18:*
   If this option is selected, as per Lands' Policy, the Department is required to offer Lot 155 (portions) to all of the adjoining landowners which will create odd shape lots. Given the policy requirements and the risk of odd-shaped lots being created, we may consider whether the sale of the PAW would be practical, as there is a risk that the sale of the land would result in an outcome that would not resolve Water Corporation's access issues. Alternatively, should neighbouring owners not have an interest in acquiring portion of the PAW, then this approach may result in an outcome that suitably achieves the Water Corporation's objectives.

2. Reservation to Water Corporation for utility purpose:
This would appear to be the logical option, should full acquisition not be possible or desirable."

A Dial Before You Dig search was completed.
Water Corporation, ATCO and City of Armadale identified that assets may be affected. Further referrals may be required.

Environmental Services comments:
No issues, however should any construction work be undertaken and as a potential result of works undertaken on the access point, the two verge trees located within Crystal Court Cul-de-sac should be fenced to ensure protection.

Technical Services comments:
Stormwater drainage pipe is present in the PAW as well as through the existing Water Corporation lot. An easement will be required over both lots, not just the PAW. It is noted the pipe has a reasonably large catchment. Suitable investigation is to be undertaken to ensure stability of construction over the pipe. Typically the City would not allow construction of a permanent nature over any easements, further investigation and discussions will be required with Water Corporation.

ANALYSIS

Local Connectivity and Quality of Alternative Routes
The PAW provides no connectivity to residents and alternative routes are not applicable; the access way provides no use for pedestrian connectivity.

The local authority is responsible for the PAW under section 3.53 of the *Local Government Act 1995*. Two options are available for consideration:

1) PAW closure, where the land can be sold to an adjoining landowner by the State Government or;
2) Change of purpose and the reservation of the land as a Utilities reserve where the Water Corporation can accept a Management Order.

PAW Closure process
In order for a PAW closure to occur, in normal circumstances the adjoining landowners would be required to acquire either half and/or full width and will be responsible for all costs associated with the closure and acquisition of land. Water Corporation have indicated they would be interested in acquiring the entirety of the PAW. The proposal would need to be advertised and offered to all adjoining landowners.

Should Council resolve to support a PAW closure, the local authority is responsible for making the request to the Minister under Section 87 of the *Land Administration Act 1997* for the State owned land to be sold and disposed of. The City will be required to be advertise to surrounding landowners via letters, onsite signage, City's website and in the local newspaper for a period of 35 days as per the requirements of the *Land Administration Act 1997*. Upon the completion of advertising, the matter would be subject to future consideration by Council.

Reservation of Land

As the land is owned by the Crown, the reservation can be proposed and changed to a "Public Utilities Reserve" for the Water Corporation to manage. This will ensure the land is retained by the Crown and the PAW land together with the existing Water Corporation owned lot cannot be amalgamated and potentially sold in the future as a freehold lot, when the land is required for public purposes.

To request a Change of Purpose, a Crown Land Enquiry form is required to be submitted to the Department of Planning, Lands and Heritage. Water Corporation would be responsible for this process and would require Council's support.

OPTIONS

1) Council could progress a PAW closure process and advertise the proposal to other adjoining landowners and the community.

2) Council could support Lot 155 Crystal Court, Mount Richon to be created as "Public Utilities" Reserve and Management Order being granted to the Water Corporation.

CONCLUSION

The PAW provides no pedestrian connectivity and contains numerous services including City's stormwater drainage and Water Corporation water and sewer pipes. As the land contains a mix of City and Water Corporation infrastructure, it would be appropriate for the land to be created as a Reserve for "Public Utilities", and a Management Order be granted to Water Corporation. This will ensure the land is retained by the Crown and provides access to the City should maintenance be required on the infrastructure located within the lot.

It is recommended that Council should adopt Option 2 and support Water Corporation's request to change the reservation of the PAW to a "Public Utilities Reserve" and grant a Management Order to Water Corporation.

ATTACHMENTS

1. ⇩ Site Visit Photos - 22 Feb 2021 - PAW - Lot 155 Crystal Crt, Mt Richon

RECOMMEND **D27/8/21**

That Council:

1. Support the transfer of Lot 155 Crystal Court, Mount Richon to a Crown Reserve for the purpose of "Public Utilities" or similar and the Management Order being granted to Water Corporation, subject to Water Corporation being responsible for all costs and easements required by the City.

Moved Cr J H Munn
MOTION CARRIED **(6/0)**

3.3 - PLANNING REFORM PHASE TWO CONSULTATION

WARD	:	ALL
FILE No.	:	M/437/21
DATE	:	30 July 2021
REF	:	SW
RESPONSIBLE MANAGER	:	EDDS

In Brief:

- The Western Australian Planning Commission (WAPC) is seeking input from stakeholders on the next phase of its planning reform program.
- The advertising period closes on 31st August 2021.
- The City is generally supportive of the efforts being made, and where it has reservations/concerns those are noted in the attachment to this report.
- Recommend that Council endorse the submission contained in the attachment to this report for lodgement with the WAPC.

Tabled Items
Nil.

Decision Type

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

Officer Interest Declaration
Nil.

Strategic Implications
2.5.1 Ensure the City's planning framework is modern, flexible, responsive and aligned to achieving the outcomes of the Strategic Community Plan and Corporate Business Plan.

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
Nil at this stage.

Consultation
Internal consultation

BACKGROUND

2018 Modernising WA's Planning System Green Paper

In December 2017, the Minister for Transport, Planning & Lands commissioned an independent review of the planning system. The outcome of that review was summarised in a 2018 Green Paper which proposed five key reform areas (with 81 recommendations) under the headings of *Strategically-led*, *Legible*, *Transparent*, *Efficient* and *Delivering Smart Growth*.

Action Plan for Planning Reform

The following step in the State Government's reform process was the release of its *Action Plan for Planning Reform* in August 2019, which set out the State Government's vision for the planning system through a program of 19 reform initiatives, centred around three fundamental goals:

1. Planning creates great places
2. Planning is easier to understand and navigate
3. Planning systems are consistent and efficient

The Action Plan contained a number of Actions for each reform initiative.

Planning Reform Phase One

In 2020, the State Government approved a work plan that included some of the 19 initiatives from the Action Plan for Planning Reform, which it advised were being fast-tracked to support Western Australia's economic recovery from the COVID-19 pandemic. Some measures that were then delivered as part of Phase One included:

- a new assessment pathway for State-significant development proposals through the Western Australian Planning Commission (WAPC);
- the State Development Assessment Unit to support the WAPC in its new role;
- a reduction in the number of Development Assessment Panels from nine to five;
- a new State Planning Policy for infrastructure contributions (including Developer Contribution Plans);
- new guidelines for development around precincts including Metronet stations;
- online publication of applications and planning documents;
- electronic meeting options to provide more flexibility for public participation;
- new consultation requirements for complex development applications, including sign-on-site, advertising and notification to nearby landowners and residents;
- an increased consultation period for structure plans to 42 days;
- WAPC approval for local planning policy changes that vary the R-Codes;
- exemptions from planning approval for certain land uses;
- new provisions for car parking and cash in lieu;
- removing the option for continual extensions of time for referred applications; and
- improved transparency by publishing WAPC agendas and minutes online.

Draft Medium Density Code

At its meeting of 30 June 2021, the WAPC considered a post-advertising update on the Medium Density Code and resolved to endorse the Workshop Stakeholder Engagement Outcomes Report and Interim Submission Summary for public release. The Interim Submission Summary provides an interim high-level summary of the feedback received on the draft Medium Density Code and includes some community feedback that a 'cookie-cutter' approach appears to be applied to development, resulting in similar and bland suburbs.

DETAILS OF PROPOSAL

A second phase of reform drawing from upon the Action Plan for Planning Reform is planned and is now open for consultation. The WAPC has supplied a list of proposals for comment, which is contained in the first column of Attachment 1, and has also advised that is open to receiving other proposals that are consistent with the Action Plan for Planning Reform.

The WAPC proposals aim to create a planning system that is:

- more consistent across the State, yet maintains flexibility where required
- consistent and efficient, through greater coordination across Government and improved approvals processes
- easier to understand and navigate, making clearer information more easily available
- supports the opportunities presented through Metronet, city-changing and major infrastructure projects
- creates great places for people, with new guidelines for medium density development and liveable neighbourhoods.

COMMENT

The WAPC proposals would continue a trend toward increased WAPC oversight and management of the local planning framework which Local Government implements and a reduction in the scope for variations based on local circumstances or character. The abovementioned community feedback about the draft Medium Density Code was a timely reminder that the market's preference to eliminate local variation and maximise economies of scale can have a perceived detrimental impact upon suburbs if taken too far.

The justification put forward for many of the proposals is to reduce "red tape" and make local planning frameworks easier for the public to navigate, which is a worthwhile objective but fails to recognise that:

- the majority of Local Governments do a good job of managing the planning functions which the State Government has delegated to them and are striving for best practice;
- the growing suite and complexity of documents which comprises a local planning framework is largely mandated by the State Government;
- the format and content of almost every component of the local planning framework is already controlled (and approved) by the State Government; and
- the best interests of the public will not be served by State Government reducing Local Government's function to one of operating a generic planning framework.

The attached Submission Table contains an analysis and recommendations regarding the WAPC's Planning Reform Phase 2 proposals and includes some City-led recommended proposals which are consistent with objectives of the Action Plan for Planning Reform.

OPTIONS

Council can decide to choose one of three options:

1. Support the WAPC's Planning Reform Phase 2 proposals with or without feedback;
2. Provide further advice to improve the WAPC's Planning Reform Phase 2 proposals; or
3. Not support the WAPC's Planning Reform Phase 2 proposals and provide feedback.

CONCLUSION

As per previous reforms, there are many proposals which have the potential to improve the planning framework, while others have potential to add "red tape". Some recommendations have the potential to affect the City's Planning Services, while many are already being implemented by the City as a result of adhering to existing requirements and applying best practice. The City is generally supportive of the efforts being made, and where it has reservations/concerns those are specified in the attached draft Submission Table.

ATTACHMENTS

1. ⇩ Submissions Table - WAPC's Planning Reform Stage 2

RECOMMEND **D28/8/21**

That Council make a submission on the WAPC's Planning Reform Phase Two as per the Submission Table attached.

Moved Cr D M Shaw
MOTION CARRIED **(6/0)**

4.1 - PLANNING INSTITUTE OF AUSTRALIA - STATE CONFERENCE - GROWING - 24 SEPTEMBER 2021

WARD	:	ALL
FILE No.	:	M/477/21
DATE	:	12 August 2021
REF	:	SS
RESPONSIBLE MANAGER	:	EDDS

In Brief:

- The Planning Institute of Australia (PIA) Annual State Conference "Growing" will be held at "Mandoon Estate" in the Swan Valley on Friday, 24th September 2021.
- Matters to be covered are integral to metropolitan planning and the process of urban growth and development. An officer from Development Services will be attending.
- Recommend that consideration be given to nominating a Councillor to attend.

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

Relates to the aim for good governance and leadership to:

2.5 Quality development that enhances the amenity and liveability of the City.

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

4.1 Strategic Leadership and effective management

4.1.3 The City will develop organisational frameworks to achieve consistency, transparency and clarity of decision making processes.

Legal Implications
Nil.

Council Policy/Local Law Implications
Council Policy ADM3 – Conferences and Training
Council Policy EM1 – Reimbursement Councillor's Expenses

Budget/Financial Implications
The PIA State Conference is on the City's approved Conference List for both Officers and Elected Members. Officer attendance will be funded from the Planning Service's Conference and Meeting budget. Sufficient funds are available in the Councillor/Member Development Budget should a Councillor be nominated to attend. The cost of the conference is estimated at $535 per delegate.

BACKGROUND

The PIA State Conference will be held at "Mandoon Estate" in the Swan Valley on Friday 24th September 2021.

The PIA State Conference typically hosts a number of topics which are potentially applicable to the City and may provide valuable insight and information in a number of areas that impact the City.

DETAILS OF CONFERENCE

The 2021 State Conference is a chance for the planning community to get together and share experiences of the past year. This year's conference is themed "GROWING" and focuses on Western Australia with sustained population growth, a changing climate and a more diversified economy - "*Naturally. Physically. Respectfully. A prism that places our environment, culture and people at the heart of our built environment and considers the opportunities ahead."*

Committee is reminded of Policy and Management Plan *ADM 3 Conferences, Seminars and Training* in *Clause 2(d) of the Management Practice* states that:-

"2(d) - Where a member of Council at the date of the conference, seminar or training course has an electoral term of less than 6 months to complete, such member shall be ineligible to attend unless such is specifically authorised by Council".

CONCLUSION

An Officer will be attending the Planning Institute of Australia - State Conference - Growing. The matter is brought to the attention of Council to determine if it wishes to nominate a Councillor to attend.

ATTACHMENTS
There are no attachments for this report.

RECOMMEND **D29/8/21**

That Council nominates Cr D M Shaw to attend the Planning Institute of Australia State Conference to be held in Perth on 24th September 2021.

Moved Cr R Butterfield
MOTION CARRIED **(6/0)**

4.2 - REPORT TO SE METRO ZONE - LOBBY STATE FOR FUNDING FOR SECOND ACCESS TO DEVELOPMENTS IN BUSHFIRE PRONE AREAS (REFERRAL ITEM)

At the Council meeting held on 8 March 2021, Cr Butterfield referred the following matter to the Development Services Committee.

> *"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".*

Comment from Cr Butterfield

Changes to the WAPC's State Planning Policy for Bushfire Planning and Guidelines do not retrospectively apply to existing developments, however many local governments are now facing the emerging issue of requests to provide additional access to areas that are in high fire bushfire prone areas. The State Government has not provided any grant or funding to assist Local Government with considering and providing additional access in these areas.

I am seeking a short summary from the City which can be presented to the South East Metropolitan Zone for action. The item would request that WALGA, as a representative of the local government sector, engage with State Government (and perhaps even Federal Government) to provide funding (similar to Black Spot funding) for second access to developments in Bushfire prone areas.

Officer Comment

The West Australian Planning Commission's State Planning Policy (SPP 3.7) Planning for Bushfire Prone Areas and Guidelines provides the foundation for land use planning to address bushfire risk management in Western Australia. SPP 3.7 is to be used to inform and guide decision-makers, referral agencies and applicants/proponents to help achieve acceptable bushfire protection outcomes. SPP 3.7 only applies to "*higher order strategic planning documents, strategic planning proposals, subdivisions and development applications".* SPP3.7 does not retrospectively apply to existing development and subdivision and there are limited opportunities for Local Governments to seek funding from the State Government to address Bushfire Prone areas.

ATTACHMENTS
There are no attachments for this report.

RECOMMEND **D30/8/21**

That Council request the Chief Executive Officer prepare a report to the South East Metro Zone to request WALGA to lobby the State Government to provide funding for construction of secondary road access to developments created in bush fire prone areas for those created prior to the gazettal of State Planning Policy (SPP 3.7) Planning for Bushfire Prone Areas and Guidelines.

Moved Cr R Butterfield
MOTION CARRIED **(6/0)**

COUNCILLORS' ITEMS

5.1 DRAIN RESERVE – FANCOTE STREET / SADDLERS RETREAT, KELMSCOTT (Cr R Butterfield)

Cr Butterfield requested, given the environmental impact of piped drainage entering the Canning River without treatment from the Water Corporation drainage reserve at Fancote Street / Saddlers Retreat in Kelmscott, that a report be prepared that provides Council with the opportunity to consider advocating to State Government Departments and relevant Ministers for the drainage reserve to be converted into a living stream.

RECOMMEND **D31/8/21**

That the Councillor item regarding the Drain Reserve (Fancote Street / Saddlers Retreat, Kelmscott) be referred to Development Services for action and report back to Committee.

Moved Cr D M Shaw
MOTION CARRIED **(6/0)**

6.1 - EXECUTIVE DIRECTOR DEVELOPMENT SERVICES REPORTS -

The Executive Director Development Services provided Committee with an update on the following:

- A Site Visit was held on 13th August 2021 with the EPA Chairperson, staff from DWER, developer and consultants and City officers to discuss the protection of a wetland and its buffers in west Piara Waters.
- The submission of a scheme amendment request and structure plan for the Skeet Precinct in Harrisdale.
- The Bushforever area and buffers to environmentally significant areas associated with the south Forrestdale Industrial area.
- The proposed protection of an area of vegetation in Forrestdale Business Park West.

MEETING DECLARED CLOSED AT 8.07 PM

DEVELOPMENT SERVICES COMMITTEE

SUMMARY OF ATTACHMENTS

16 AUGUST 2021

ATT NO.	SUBJECT	
1.1	**DRAFT COMMUNITY HEALTH AND WELLBEING PLAN 2021-2024**	
1.1.1	Community Health and Wellbeing Plan 2021-2021	
2.1	**ROAD NAMING - WATERWHEEL ROAD AND WATERWHEEL ROAD NORTH, BEDFORDALE**	
2.1.1	Road Naming Plan - Waterwheel Road	
3.1	**EXCISION OF A PORTION OF RESERVE 27131 - LOT 451 WELD STREET FORRESTDALE**	
3.1.1	MRWA Drawing - Lot 451 Weld Street, Forrestdale	
3.2	**LOT 155 CRYSTAL COURT, MOUNT RICHON - REQUEST FOR MANAGEMENT**	
3.2.1	Site Visit Photos - 22 Feb 2021 - PAW - Lot 155 Crystal Crt, Mt Richon	
3.3	**PLANNING REFORM PHASE TWO CONSULTATION**	
3.3.1	Submissions Table - WAPC's Planning Reform Stage 2	

The above attachments can be accessed from the Minutes of the Development Services Committee meeting of 16 August 2021 available on the City's website.

CITY OF ARMADALE

MINUTES

OF **CORPORATE SERVICES COMMITTEE** HELD IN THE **COMMITTEE ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **TUESDAY, 17 AUGUST 2021 AT 7:00PM.**

PRESENT:	Cr JH Munn CMC (Chair)	
	Cr E Flynn	
	Cr K Busby	
	Cr C Frost	
	Cr C Wielinga	
	Cr R Butterfield	
APOLOGIES:	Cr G Nixon (Leave of Absence)	
	Cr C A Campbell JP (Deputy Chair)	
OBSERVERS:	Cr G Smith	
	Cr J Keogh (via Teams)	
	Cr S Peter	
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
	Ms M Todd	Manager City Governance
	Mr M Hnatojko	Executive Manager Corporate Services
	Mrs A Owen-Brown	Executive Assistant Corporate Services
PUBLIC:	2	

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Corporate Services Committee Meeting held on 20 July 2021 be confirmed.

Moved Cr E J Flynn
MOTION CARRIED (6/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

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

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CORPORATE SERVICES COMMITTEE

17 AUGUST 2021

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1.1 - LIST OF ACCOUNTS PAID - JUNE 2021

WARD	:	ALL
FILE No.	:	M/466/21
DATE	:	16 July 2021
REF	:	MH
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- The Report presents, pursuant to Regulation 13(1), (3) and (4) of the *Local Government (Financial Management) Regulations 1996*, the List of Accounts paid for the period 1 June to 30 June 2021 as well as the credit card statements for June 2021.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

4. Leadership
   4.3.1.1 Implement the Annual Budget as derived from the Corporate Business Plan

Legal Implications

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

6.10. Financial management regulations

Regulations may provide for —

(d) the general management of, and the authorisation of payments out of —

(i) the municipal fund; and

(ii) the trust fund,

of a local government.

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

13. Lists of Accounts

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

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

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

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

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

Consultation

Nil

BACKGROUND

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

COMMENT

The List of Accounts paid for the period 1 June to 30 June 2021 is presented as an attachment to this report as well as the credit card statements for June 2021.

ATTACHMENTS

1.⇩ Monthly Cheque Listing Report - June 2021

RECOMMEND **CS51/8/21**

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

Municipal Fund

Accounts paid totalling $14,325,297.62 on Batch 2622-2630, Cheques 033249-033260, Direct Debits & PY01.25, PY01.26 & PY01.27.

Credit Card

Accounts Paid totalling $4,870.62 for the period ended June 2021.

Moved Cr R Butterfield
MOTION CARRIED **(6/0)**

1.2 - STATEMENT OF FINANCIAL ACTIVITY - JUNE 2021

WARD	:	ALL
FILE No.	:	M/468/21
DATE	:	16 July 2021
REF	:	MH
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- This report presents the City's Monthly Financial Report for the twelve (12) month period ended 30 June 2021.
- This report recommends accepting the Financial Report for the twelve (12) month period ended 30 June 2021, noting there are reportable actual to budget material variances for the period.

Tabled Items

Nil

Decision Type

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

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

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

Officer Interest Declaration

Nil

Strategic Implications

4. Leadership
   4.3.1.1 Implement the Annual Budget as derived from the Corporate Business Plan

Legal Implications

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

Local Government Act 1995 – s.6.11 Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

(2) Subject to subsection (3), before a local government —

(a) changes the purpose of a reserve account; or*

(b) uses the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.*

** Absolute majority required.*

(3) A local government is not required to give local public notice under subsection (2) -

(a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or

(b) in such other circumstances as are prescribed.

(4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

(5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

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

Consultation

Nil

BACKGROUND

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

COMMENT

At this time, the final surplus position has not been determined. A number of year end transactions and accounting adjustments are in the process of being completed. These include transfer to reserves, accounting for changes in provisions and finalising municipal funds carried forward for works and projects still in progress.

It is planned to settle the accounts by the end of the month and a further report to Council will be provided next month.

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

Revenue

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

Expense

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

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

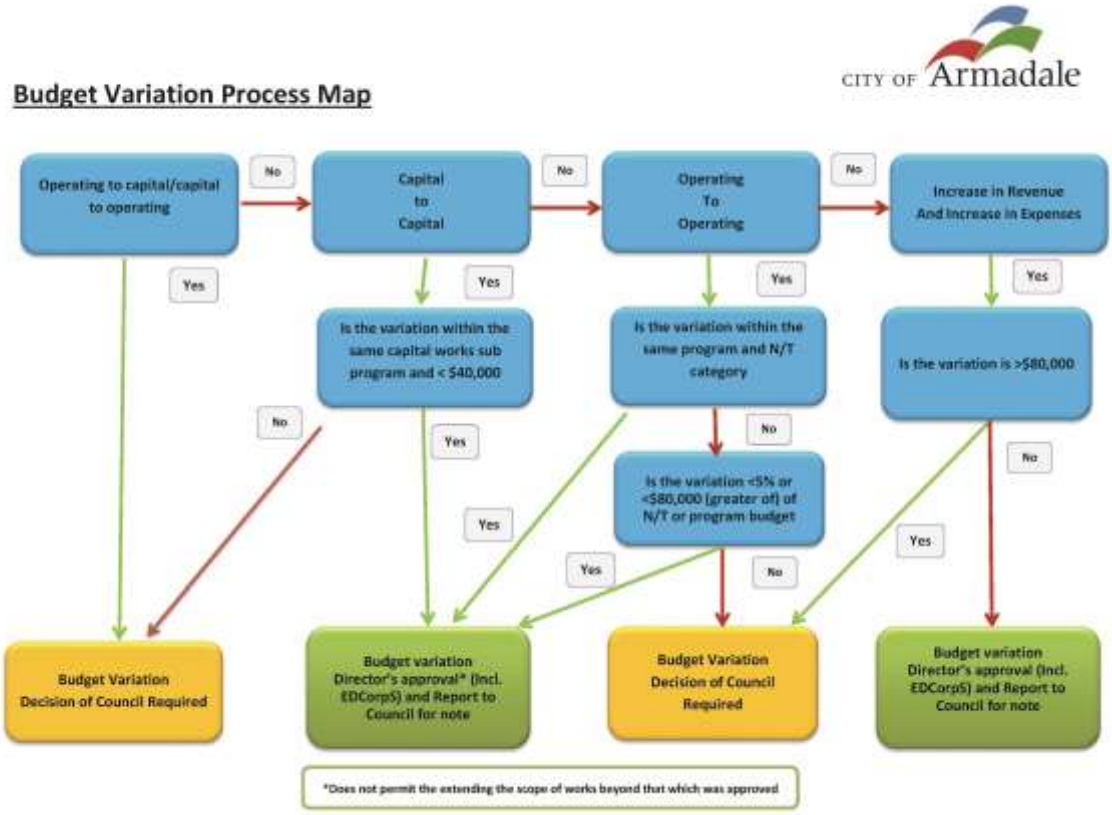
1. Period Variation
   Relates specifically to the value of the Variance between the Budget and Actual figures for the period of the report.

2. Primary Reason
   Explains the primary reasons for the period Variance. As the report is aimed at a higher level analysis, minor contributing factors are not reported.

3. Budget Impact
   Forecasts the likely $ impact on the Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, for circumstances may subsequently change.

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

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



DETAILS OF PROPOSAL

Presented as an attachment is the Monthly Statement of Financial Activity for the twelve (12) month period ended 30 June 2021.

ATTACHMENTS

1.⇩ June 2021 - Monthly Financials - Preliminary Council

RECOMMEND **CS52/8/21**

That Council:

- **Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accepts the Statement of Financial Activity for the twelve (12) month period ended 30 June 2021:**
  - **Note that there are reportable actual to budget material variances for the period.**

Moved Cr C Frost
MOTION CARRIED **(6/0)**

**

1.3 - FINANCIAL YEAR 2021/22 - CARRY FORWARDS

WARD	:	ALL
FILE No.	:	M/502/21
DATE	:	2 August 2021
REF	:	MH
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- This report presents the 2021/22 carry forwards for both capital and strategic operating budgets
- Recommend that the Carry Forward Report together with the carry forward items contained therein, be approved for inclusion in the 2021/22 financial year.
- Recommend an amendment to the FY22 Annual Budget for election commitment capital projects now confirmed as detailed.

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 Undertake strategic financial planning to ensure that appropriate services are effectively delivered, assets are efficiently managed and renewed, and funding strategies are equitable and responsible.

Legal Implications

Local Government Act 1995 – Annual Budget – Section 6.8

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The financial and budget implications are outlined in this report and detailed in the carry forwards report attached.

Consultation

- Executive Leadership Team (ELT)

BACKGROUND

Each year the City may need to carry forward capital projects and associated revenues that are in progress or have been deferred for specific reasons. For the financial year 2021/22, carry forwards were excluded from the Annual Budget process as part of a revised process in separating the Annual Budget and carry forwards for Council adoption.

Council at the Ordinary Council Meeting on 26 July 2021, adopted the Annual Budget for 2021/22 which included a recommendation pursuant to section 6.8 (1) (b) of the *Local Government Act 1995* as follows:

That Council:

"…pursuant to Section 6.8(1)(b) authorises in advance:

(i) all capital expenditure incurred from [*the budget adoption date*] to [*the August Council Meeting date*], which was provided for in the previous financial year's budget and commenced in the previous financial year; and;

(ii) non-recurrent operational projects, which were provided for in the previous financial year's budget and commenced in the previous financial year, under contract.

DETAILS OF PROPOSAL

Council adopted a $49.6M capital program as part of the 2020/21 Annual Budget. During the year, Government stimulus measures added a further $3M in capital projects as a result of the Local Roads and Community Infrastructure Program (LRCI) grant funding program.

Of the original capital program, $24.7M worth of projects were commenced or completed before 30 June 2021.

The attached carry forward report is broken into categories to provide Council with explanations why some projects have not been completed as part of the FY21 capital program. In summary, a number of projects will now carry over into the FY22 year due to:

▪ Delay in external agency or other approvals	$7.4M
▪ Completion extended to the 1st quarter in FY22	$5.4M
▪ Projects that were tendered and are being re-tendered	$0.7M
▪ LRCI grant funded projects	$3.2M
▪ Revised project scope required	$2.2M
▪ Supplier delays in providing materials	$3.2M
▪ Scheduled projects commenced but not completed	$5.7M
Total	**$27.8M**

The total capital project carry forwards to be included in FY22 is $27.8M.These projects have multiple funding sources including DCP, POS & Trust, Reserves, Grants and municipal funding.

The municipal funding totals $9.6M and is summarised below:

▪ Delay in external agency or internal approvals	$3.4M
▪ Completion extended in timing to the 1st quarter in FY22	$1.6M
▪ Projects that were tendered but now need to be re-tendered	$Nil
▪ LRCI grant funding (previous muni allocation)	$0.3M
▪ Revised scope required	$1.5M
▪ Supplier delay in providing materials and items	$0.3M
▪ Scheduled projects commenced but not completed	$2.5M
Total	**$9.6M**

The carry forward sections in the report are described further below:

Delay due to Required Approvals
There were 15 capital projects that were delayed as a result of requiring some form of approval from external agencies that was not received in time for completion by June 30 or is still yet to be received.

This includes three major projects – the road upgrade project on Eighth Road ($2.8M), the new PSP pathway on Railway Avenue ($1.5M) and the road upgrade project on Skeet Road ($0.9M).

The total carry forward for projects delayed due to approvals is $7.4M of which $3.4M is municipal funding.

Commenced and Scheduled for Quarter 1 Completion
There were 17 capital projects and 13 items of fleet and plant which were intended to be completed by June 30 which have now been rescheduled for completion during the first quarter of FY22.

The majority of the plant and fleet items relates to items of heavy plant which have been ordered but delivery was not achievable by June 30. This includes the Flocon Truck ($0.3M), Jetting Truck ($0.3M) and a new road sweeper ($0.3M).

Other major projects with carry forward balances provided to be completed in the first quarter of FY22 are Challenge Park ($0.8M), William Skeet Oval ($0.6M), Skeet Road ($0.9M) and Armadale Road landscaping ($0.3M).

The total carry forward for projects which will be completed in the first quarter of FY22 is $5.4M of which $1.6M is municipal funding.

Re-Tender Required

Two projects were put out to a tender but were ultimately not completed in the period due to new tenders being required due to design/scope changes. These were Skeet Road landscaping and Novelli Pavilion lighting. The total carry forward is $0.7M of which there is no municipal funding component.

LRCI Grant Funding

During FY21, the City received confirmation of $3.02M in grant funding for LRCI projects. A budget amendment for the grant funding and capital projects was made in FY21 however, these jobs will actually be completed in FY22 in line with the December 31 deadline for completion. These projects are as follows:

AFAC Solar Panels	$0.8M
Orchard House Solar Panels	$0.2M
Champion Centre Solar Panels	$50K
Westfield Heron Reserve	$1.5M
Harber Drive	$0.6M
Dawson Reserve	$0.1M
Wilcannia Reserve	$50K
Total	**$3.3M**

The total carry forward for LRCI grant projects is $3.2M, which includes municipal funding of $0.3M for Harber Drive and Westfield Heron Reserve.

Revised Scope Required

There was one project in this category being the works at John Dunn Pavilion which was subject to a recent Council report and subsequent resolution T37/5/21 which approved additional funding of $0.75M from the Asset Renewal Reserve.

The total carry forward is $2.2M of which $1.4M is municipal funding.

Supplier Delay

There were seven projects and seven heavy plant purchases that were delayed due to suppliers or manufacturers unable to supply items or materials by June 30.

The heavy plant purchases related mainly to waste trucks ($1.3M), Landfill compactor ($0.4M) and 3 wheel loaders ($0.9M). The other projects in this category were mainly small in value and related to the signs and entry statements being manufactured. Gwynne Park ($0.1M) related to light pole delays with the supplier being based in China.

The total carry forward was $3.2M of which $0.3M is from municipal funding.

Scheduled Projects commenced but not completed by June 30 (Completed Q2-Q4)
The balance of projects are the projects that were listed for completion in FY21 but will likely now be concluded outside of the first quarter in FY22. There were 16 capital projects and two plant and fleet items in this category.

The total carry forward is $5.7M of which $2.5M is municipal funding.

Completed under budget – funds transfer requested
Two projects were completed in the building portfolio (Bob Blackburn Pavilion and Harold King Centre) which resulted in a saving of $84K municipal funds compared to the budget. Surplus funds are requested to be transferred to:

1. $59K for the Armadale Arena, as the original cost allocated of $110K is insufficient and a further $59K is required in order to complete the works; and
2. $13K for Flematti Park. The $218,000 project was completed, within saving of $8K. However it has since been confirmed that additional drainage works are required with a further $13K needed.

Balannup Drain Signage deleted from the Program
The Balannup Drain Signage project for $200K funded by DCP has not been recommended as a carry forward as the specification and scope are being reviewed. This will be reinstated in a future budget when the project is ready to be completed.

Strategic Operational Projects Carried Forward
The carry forward list includes a number of strategic operational projects that will be completed in FY22.

The Business Recovery account ($0.9M), Environment programs ($0.3M), Library Resources ($0.3M) and the Armadale City Centre Investment Framework & Project Plan ($0.2M).

The Business Recovery funds remain important to be available for usage in FY22 as the City continues to be impacted by the COVID-19 pandemic response and recovery actions.

In total, the carry forward is $2.1M of which $2.0M is municipal funded.

Amended 2021/22 Capital Program
Council, as part of its Annual Budget adoption on 26 July 2021, approved a capital program of $49.2M. The carry forward report adds a further $27.8M to the program. As detailed further below in this report, a number of election commitments have also been confirmed which adds a further $0.2M to the program.

The annual capital program for FY22 will now be $77.2M.

It is likely that there will also be similar impacts on the delivery of the FY22 capital program.

A number of the projects require approvals and it is also possible that supplier delays of materials and items may continue. Due to the size of the program, some projects will be completed in Q1 of FY23. Specifically the Forrestdale Hub which is an 18 month project.

This continuing trend of material value carry forward projects annually has instigated an internal process review to look at the scheduling of projects and particularly those that require external approvals in order to be delivered. The outcome of the review will feed into the revised scheduling of the capital program in the upcoming Four Year budget process.

Budget Amendment Required
A number of election commitments made pre Budget have now been confirmed and therefore these capital projects will need to be added to the adopted budget.

The projects to be fully funded from the $210,600 grant are:

▪ Mobile CCTV equipment	$40,000	Rangers
▪ Skateable elements at Yellowwood	$100,000	Parks
▪ Lighting at Frye Park	$28,600	Property
▪ Kitchen at Soccer Club	$42,600	Property

SUMMARY

Due to a number of reasons including projects extending into to the first quarter in FY22 and supplier and approval delays, the City could not complete the $49.5M capital program included in the 2020/21 Annual Budget.

This has resulted in a carry forward of $27.8M to add to the $49.2M capital program already scheduled for FY22. The carry forwards that are occurring annually have prompted a process and scheduling review so that future capital programs as outlined initially in the Four Year Budget can be delivered and reduce carry forwards to a minimum value going forward. This is unlikely to occur for FY22 and a material value carry forward is possible.

In addition to the capital program carry forward there is a further $2.1M carry forward of operational projects required in order to deliver specific outcomes in FY22.

The total municipal funding being carried forward into FY22 is $9.6M.

ATTACHMENTS
1.⇩ Carry Forwards for the Period Ended 30 June 2021
2.⇩ Carry Forwards for the Period Ended 30 June 2021 (detailed)

Committee Discussion

Committee discussed minor administrative changes to the recommendation and moved as amended.

RECOMMEND **CS53/8/21**

That Council:

Pursuant to Section 6.8 of the Local Government Act 1995, AMENDS* the 2021/22 budget as follows:

1. **Increase to the operating and capital budget items detailed in the attachment for projects and works carried forward from the 2020/21 financial year, totalling:**

Expenditure

Carried Forward items (CFWD)	**$27,839,749**

Funding Sources

Development Contribution Plan (DCP) Funding	**$2,407,216**
Public Open Space Trust (POS/Trust) Funding	**$1,796,051**
Loan Funding	**$443,850**
Cash Reserve (Reserve) Funding	**$8,772,199**
Grant Funding,	**$4,817,714**
Surplus brought Forward (Municipal) Funding	**$9,602,719**
TOTAL	**$27,839,749**

2. **Increase to the capital budget items set out below, funded by a State Government Grant:**

Increase in Capital Expenditure, Funded Projects

Mobile CCTV equipment	**$40,000**
Skateable elements at Yellowwood	**$100,000**
Lighting at Frye Park	**$28,600**
Kitchen at Soccer Club	**$42,000**
TOTAL	**$210,600**

Increase in Revenue

Non Operating Grant	**$210,600**

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

Moved Cr K Busby
MOTION CARRIED **(6/0)**

2.1 - EIGHTH ROAD UPGRADES - PROPOSED LEASE AGREEMENTS

WARD	:	ALL
FILE No.	:	M/518/21
DATE	:	11 August 2021
REF	:	MT/YA
RESPONSIBLE MANAGER	:	Executive Director Technical Services

In Brief:

- Council at its meeting of 25 January 2021 resolved to award Tender 38/20 for the construction of Eighth Road between Forrest Road and Gribble Avenue subject to finalisation of associated land transactions.
- To deliver the project on site, it is necessary to lease a proportion of land adjacent to the project area at Lot 5 Forrest Road, Armadale, as a lay down area during the construction period.
- It is also anticipated that a similar lease agreement will need to be entered into to facilitate Stage 2 of the project, being the construction of Eighth Road between Gribble Avenue and Armadale Road.
- This report recommends that Council approve the lease as presented in Confidential Attachment 1 and authorise the CEO and Mayor to execute the lease agreement. It is also recommended that Council authorise the CEO and Mayor to enter into a similar lease agreement with similar conditions for any lay down area required for Stage 2 of the Eighth Road Upgrade Project.

Tabled Items

Nil

Decision Type

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

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

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

Officer Interest Declaration

Nil

Strategic Implications

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

2.5 Quality development that enhances the amenity and liveability of the City

Legal Implications

Assessment of legislation indicates that the following is applicable:

- Part 9, Division 3, Section 9.49A of the *Local Government Act 1995* – Execution of Documents.

Council Policy/Local Law Implications

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

- Council Policy ADM 18 – Common Seal
- Council Policy ADM 21 – Authority to Sign Documents

Budget/Financial Implications

The land transactions detailed within this report are included in the scope of the Eighth Road Upgrade project. The funding for the land acquisition portion is provided by Development WA and the cost to lease land within the project area as a lay down area during construction as described in this report (for both Stage 1 and Stage 2) has been included in the capital funding provisions of the project. No additional funding is required for these purposes.

Consultation

- Intra-Directorate
- Development WA

BACKGROUND

The City is in the process of upgrading the road infrastructure to serve the Wungong development area, with the upgrade of Eighth Road being the first of these road upgrades. The Eighth Road Upgrade is to be completed in two Stages, with Stage 1 being the upgrade between Forrest Road and Gribble Avenue, and Stage 2 being the upgrade between Gribble Avenue and Armadale Road.

Councillors will recall that at the Ordinary Council Meeting of 25 January 2021, the construction tender for Stage 1 of the project was considered, with Council resolving as follows (T73/1/21 refers):

"That Council, in regard to Tender 38/20 - Eighth Road Upgrade (Forrest Road to Gribble Avenue), accept the tender from Tracc Civil Pty Ltd in accordance with:

- *The tenderer's submitted Price Consideration as presented in Confidential Attachment 1, amended to reflect the adjustment to the contingency provision as detailed in confidential Attachment 2*
- *Council's contract documentation, Budget and Long Term Financial Plan estimates*

subject to finalisation of the transaction for the acquisition of land access to a portion of Lot 5 on the corner of Eighth Road and Forrest Road."

This report provides an update on the progress of the land transactions and also seeks Council's approval to enter into lease agreements to facilitate the construction of the Eighth Road upgrades by way of temporarily leasing land within the vicinity of the project area to provide a lay down area for construction equipment.

DETAILS OF PROPOSAL

The land transaction referred to in Council Resolution T73/1/21 considers the purchase of a portion of land from Lot 5 on Forrest Road to facilitate the construction of the roundabout with the Eighth Road intersection - see Plan E17-116-41-A for the details of the land acquisition requirement. The area of land required was identified during the concept design stage of the project and was finalised during the detailed design stage some 18 months ago. Development WA (DWA) at that stage commenced negotiations with the owners to acquire the required land for road widening.

DWA have reached agreement in principle on the purchase and the associated access agreement. However, in addition to this there is a requirement to provide a lay down area during the construction period.

The City considered a number of options for this purpose and determined the remainder of Lot 5 on Forrest Road as the most suitable. The cost of the lease was negotiated by DWA and was based on comparable lease rates in similar circumstances in Perth. The rate negotiated by DWA is slightly below comparable lease rates and deemed reasonable and acceptable.

This lease is immediately required for the construction of Stage 1 of the Eighth Road Upgrade project (Forrest Road to Gribble Avenue).

With the imminent advertising of Stage 2 of this project, a lay down area will also be required for the Stage 2 works. It would therefore be prudent to consider a similar arrangement for the lease of a lay down area under similar conditions for Stage 2. This may be on Lot 5 or may be in a different location further north on Eighth Road closer to the end of the proposed Stage 2 works.

While the land acquisition process is being dealt with independently by DWA, the lease agreement is proposed to be between the City and the landowner, and Council approval is sought to authorise the CEO and Mayor to enter into lease agreements and to execute the relevant documentation.

Part 9, Division 3, Section 9.49A of the *Local Government Act 1995* sets out the requirements for the execution of documents, as follows:

(1) A document is duly executed by a local government if —

(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or

(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of —

(a) the mayor or president; and

(b) the CEO,

each of whom is to sign the document to attest that the common seal was so affixed.

(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.

(6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.

With regard to subregulation (4) Council Policy ADM-18 - Common Seal sets out the parameters detailing which documents may be executed under ‘general authority’. However the proposed lease arrangements do not fall within this authority.

The draft lease agreement for the Stage 1 works is attached as Confidential Attachment 1 and has been scrutinised by the City’s Governance Department. To allow the lease to be executed the City’s common seal is required to be applied to the documentation. The proposed lease agreement is to be executed as a deed.

OPTIONS

In considering this matter Council has the following options:

1. Authorise the CEO and Mayor to execute the proposed lease agreements detailed within this report.

   As a laydown area is required to be provided to facilitate the construction of the Eighth Road Upgrade Project (Stage 1 and 2) entering into the lease agreements is recommended to allow the project to progress. The expenditure associated with entering into the proposed lease agreements is provided for within the project budget and the terms and conditions of the proposed lease as detailed within Confidential Attachment 1 are considered reasonable and fair market value.

2. Authorise the CEO and Mayor to execute the proposed lease agreement for Stage 1 of the project, but require any lease agreement for Stage 2 to be presented to Council for consideration separately.

   As the terms of any proposed lease agreement for Stage 2 are to be substantially the same as that for the Stage 1 works, to allow the project to proceed expediently it is recommended that Council also provide authorisation to the CEO and Mayor to enter into a similar lease agreement to provide a lay down area for the Stage 2 works.

3. Decline to authorise the CEO and Mayor to execute any proposed lease agreement to provide lay down areas for construction of the Eighth Road Upgrade project.

   A lay down area is an essential requirement to allow construction to proceed in an expedient and cost effective manner. Failure to provide a lay down area within the vicinity of the site will result in the project incurring significant additional costs well in excess of the proposed lease arrangements.

Option 1 is recommended.

CONCLUSION

The City requires the lease of a portion of Lot 5 Forrest Road as a lay down area during the Stage 1 construction of the Eighth Road Upgrade project. The lease is presented at Confidential Attachment 1, and it is recommended that Council authorise the CEO and Mayor to execute the lease on behalf of the City.

It is also anticipated that a similar lease will be required to be entered into to provide a lay down area for the Stage 2 works. It is therefore also recommended that Council authorise the CEO and Mayor to execute a lease agreement for this purpose at the appropriate time under substantially the same terms and conditions as the lease presented and Confidential Attachment 1, with the location of the lay down area for the Stage 2 works yet to be finalised.

ATTACHMENTS

1. Lease - Lot 5 Forrest Road - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*
2. ⇩ E17-116-41-A - Lot 5 Forrest Road Land Acquisition

RECOMMEND **CS54/8/21**

That Council:

1. **Upon finalisation of the associated land transactions and access agreement, approve the City entering into a lease for a portion of Lot 5 Forrest Road, for the purposes of a lay down area during the construction of the Eighth Road Upgrade project Stage 1, as detailed in Confidential Attachment 1.**
2. **Authorise the CEO to make reasonable changes to the lease agreement which do not vary the material terms, in order to finalise the draft lease for signing.**
3. **Authorise the CEO and Mayor to execute the lease agreement as a deed.**
4. **Authorise the CEO and Mayor to enter into and execute a similar lease agreement with similar conditions for any lay down area required for Stage 2 of the Eighth Road Upgrade project.**
5. **Authorise the CEO to exercise any rights and fulfil any obligations of the City under a lease entered into under any part of this resolution.**

Moved Cr C Frost
MOTION CARRIED **(6/0)**

COUNCILLORS' ITEMS

Nil

CHIEF EXECUTIVE OFFICER'S REPORT

1.COVID-19 Recovery

WA returned to pre-lockdown conditions from Monday 12 July.

Safe WA and contact registers continue as mandatory. Events with over 500 people are still subject to a COVID Event Plan.

2.Business as Usual

Infrastructure WA's Draft 20 Year Strategy
At the invitation of DevelopmentWA attended the Property Council's Launch of Infrastructure WA's Inaugural Draft 20 Year State Infrastructure Strategy on Wednesday 21 July.

Armadale Industry Training Hub
On Monday 26 July attended the official opening of the new industry Innovation Hub at Armadale Central. This hub, funded by the Australian Department of Education is set up to improve opportunities for Year 11 and 12 students in Armadale and to assist in reducing youth unemployment. The Armadale Training hub is facilitated by the Chamber of Commerce & Industry WA (CCIWA).

Red Tape Reduction Reform Working Group
On 2 August, attended the monthly meeting of the above Working Group. This group has been established by the Minister for Local Government for a time-limited period to investigate opportunities to reduce unnecessary red tape related to local government regulation and service provision. Sabine Winton MLA, Parliamentary Secretary to the Premier is the chair for this Group.

Meeting with Armadale Kalamunda Group (AKG) – East Metro Health Service
On Wednesday 4 August, along with the Mayor, met with the AKG Executive Director, Director Clinical Services and Dr Tony Taylor to discuss master planning of future health care services.

SE Corridor Councils Alliance – CEOs Group (SECCEO)
On Thursday 5 August attended the bi-monthly SECCA CEOs meeting to discuss matters relating to the four portfolios – Environment & Infrastructure, Community, Economic Development & Planning and Corporate Services. The Alliance including the Mayors will be meeting later this month.

Meeting with Member for Jandakot
On Friday 6 August along with the Executive Director Development Services met with the Member for Jandakot, Yaz Mubarakai in regard to a constituent matter.

Meeting with Dona Faragher MLC
On Monday 9 August, along with the Mayor met with the Member for East Metro, Donna Faragher MLC to advocate for Armadale projects.

Growth Area Perth and Peel (GAPP)
On Thursday 12 August along with the Executive Directors Development and Corporate Services attended the GAPP meeting at WALGA. The membership of GAPP has now been expanded to include the Cities of Canning and Joondalup.

EXECUTIVE DIRECTOR'S REPORT

Nil

MEETING DECLARED CLOSED AT 8.01PM

CORPORATE SERVICES COMMITTEE

SUMMARY OF ATTACHMENTS

17 AUGUST 2021

ATT NO.	SUBJECT	
1.1	**LIST OF ACCOUNTS PAID - JUNE 2021**	
1.1.1	Monthly Cheque Listing Report - June 2021	
1.2	**STATEMENT OF FINANCIAL ACTIVITY - JUNE 2021**	
1.2.1	June 2021 - Monthly Financials - Preliminary Council	
1.3	**FINANCIAL YEAR 2021/22 - CARRY FORWARDS**	
1.3.1	Carry Forwards for the Period Ended 30 June 2021	
1.3.2	Carry Forwards for the Period Ended 30 June 2021 (detailed)	
2.1	**EIGHTH ROAD UPGRADES - PROPOSED LEASE AGREEMENTS**	
2.1.2	E17-116-41-A - Lot 5 Forrest Road Land Acquisition	

The above attachments can be accessed from the Minutes of the Corporate Services Committee meeting of 17 August 2021 available on the City's website.

CHIEF EXECUTIVE OFFICER'S REPORT

23 AUGUST 2021

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1.1 - LEASING - ORCHARD HOUSE - PORTION OF LEVEL 2 - SERENDIPITY (WA) PTY LTD

WARD	:	MINNAWARRA
FILE No.	:	M/523/21
DATE	:	12 August 2021
REF	:	KD
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- This report presents to Council an update on the proposal presented to Council on the 24 May 2021, to lease to Serendipity (WA) Pty Ltd (Advanced Personnel Management) a 300m2 area of the second floor of Orchard House.
- Recommend that Council enter into the lease.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

3.1.7 – Utilise the City's landholdings within the City Centre to stimulate private sector investment, job creation, education opportunities and increased residential population.
3.3.2 – Facilitate access to business skills development opportunities.

Legal Implications

Local Government Act 1995 Section 3.58 – Disposing of Property.
(1) In this section —
***dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
***property** includes the whole or any part of the interest of a local government in property, but does not include money.*

(2) Except as stated in this section, a local government can only dispose of property to —
(a) the highest bidder at public auction; or
(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

Local Government (Functions and General) Regulations 1996, Reg 30 – Dispositions of property to which s3.58 does not apply, i.e. exempt dispositions.
Property Law Act 1969

Council Policy/Local Law Implications

Lease and Licence Policy

Budget/Financial Implications

The income from the lease will be $75,680 pa, increasing by 3% in each renewal term. The FY22 budget anticipates rental income derived in this vicinity.

Consultation

1. Serendipity (WA) Pty Ltd (Advanced Personnel Management (APM)
2. Herron Todd White (Valuers)

BACKGROUND

On 24 May 2021, Council resolved (CS32/5/21)

"That Council;

1. *AUTHORISE the Chief Executive Officer to enter into negotiations with Advanced Personnel Management (APM) for a proposed lease in the name of Serendipity (WA) Pty Ltd for the occupancy of part level 2, 151 Jull Street (300m^2).*
2. *AUTHORISE the Chief Executive Officer to obtain a current market valuation and then negotiate a rent not less than the market valuation undertaken by the City's Licenced Valuer, and for an initial term concluding on 30 June 2022, plus two, one (1) year options.*
3. *AUTHORISE pursuant to section 3.58(3) of the Local Government Act 1995, the giving of local public notice of the proposed disposition to Serendipity (WA) Pty Ltd.*

4. *AUTHORISE the Chief Executive Officer to negotiate all other administrative terms and conditions of a proposed lease, including the requirement for a bank guarantee of three (3) months equivalent rent.*
5. *NOTES that the matter will be referred to Council for consideration of any submissions received and a final determination."*

DETAILS OF PROPOSAL

The basic terms and conditions for a Lease with Serendipity (WA) Pty Ltd are proposed:

Lessee:	Serendipity (WA) Pty Ltd
Premises:	300m2 area of second floor – 151 Jull Street, Armadale
Rent:	$75,680 per annum increasing by 3% each renewal term
Commencement:	1 July 2021
Term:	One (1) year term with two (2) further one (1) year options
Security:	Bank guarantee for the amount of three (3) months gross rent plus GST, which will have an expiry date of three (3) months after the Lease expires or be extended in the event of further options being taken up.

COMMENT

Following Council providing authority for the CEO to enter into negotiations a current market valuation was obtained from Herron Todd White (Refer confidential attachment).

After considering the two most recent valuations obtained by the City (9 June 2020 and 1 June 2021) and in consideration of the lease term requested by APM, the City proposed a rental value of $75,680 per annum.

APM accepted the proposal on the basis that the lease commence from the 1 July 2021.

Upon the rental value being agreed upon and in accordance with the City's statutory obligations under section 3.58 of the *Local Government Act 1995*, local public notice of the proposed disposition was given on 29 July 2021 with the public given until the close of business, 12 August 2021 to make a submission.

At the time of the closing of the public submission period, no public submissions had been received.

OPTIONS

The following options are available for consideration by Council:

Option 1

Enter into a lease with Serendipity (WA) Pty Ltd in accordance with the above mentioned proposal.

Option 2

Not enter into a lease with Serendipity (WA) Pty Ltd; or

Option 3

Propose revised terms in which to enter into a lease with Serendipity (WA) Pty Ltd.

Option 1 is the preferred option as it will provide the City with a guaranteed income for at least the next 12 month period, and allow for APM to continue to delivering their services to our community without interruption.

CONCLUSION

For reasons previously reported on and as above it is recommended that Council enter into a lease with Serendipity (WA) Pty Ltd.

ATTACHMENTS

1. Rental Assessment - Part Level 2, 151 Jull Street - Herron Todd White - 30 June 2021 - *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*

RECOMMEND CEO1/8/21

That Council:

1. Pursuant to Section 3.58(3) of the *Local Government Act 1995* enter into a lease with Serendipity (WA) Pty Ltd for the occupancy of part level 2, 151 Jull Street (300m^2) under the following essential terms and conditions:

Lessee:	**Serendipity (WA) Pty Ltd**
Premises:	**300m2 area of second floor – 151 Jull Street, Armadale**
Rent:	**$75,680 per annum increasing by 3% each renewal term**
Commencement:	**1 July 2021**
Term:	**One (1) year term with two (2) further one (1) year options**
Security	**Bank guarantee for the amount of three (3) months gross rent plus GST, which will have an expiry date of three (3) months after the Lease expires or be extended in the event of further options being taken up.**

2. AUTHORISE the Chief Executive Officer to negotiate all other administrative terms and conditions of a proposed lease.

3. AUTHORISE the Chief Executive Officer and the Mayor to sign and affix the Common Seal to the necessary documentation to effect the Lease.

4. AUTHORISE the CEO to exercise any rights and fulfil any obligations of the City under a lease entered into under any part of this resolution.

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 14/2021

WARD	:	ALL
FILE No.	:	M/491/21
DATE	:	27 July 2021
REF	:	MC
RESPONSIBLE MANAGER	:	Chief Executive Officer

In Brief:

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 14/2021 to be received by Council

Strategic Implications

The following general information and memorandums were circulated in Issue No 14/2021 on 19 August 2021.

COMMENT

Correspondence & Papers

WALGA quarterly Report – City of Armadale

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 **CEO2/8/21**

That Council acknowledge receipt of Issue 14/2021 of the Information Bulletin

ORDINARY MEETING OF COUNCIL

MONDAY, 9 AUGUST 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, 9 AUGUST 2021 AT 7.00PM.**

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Butterfield, declared the meeting open at 7.00pm and acknowledged the traditional custodians of this land, the Whadjuk people of the Noongar nation and Elders past, present and emerging.

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

PRESENT:

Mayor, Cr R Butterfield presided over	River Ward
Deputy Mayor, Cr C Frost	Lake Ward
Cr J Keogh	River Ward
Cr J H Munn CMC	Ranford Ward
Cr S Peter JP	Ranford Ward
Cr M S Northcott	Palomino Ward
Cr C A Campbell JP	Palomino Ward
Cr D M Shaw	Heron Ward
Cr E J Flynn	Heron Ward
Cr G J Smith	Minnawarra Ward
Cr M Silver	Lake 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 T Naude	Executive Director Technical Services
Mr N Kegie	A/Executive Director Community Services
Ms M Todd	Manager Governance and Administration
Mrs S D'Souza	CEO's Executive Assistant

Public: 30 Press: 1

LEAVE OF ABSENCE:
Leave of Absence previously granted to Cr G Nixon

APOLOGIES:
Apology received from Cr K Busby

3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

1 Jim Halloran - Secretary - Armadale Society of Artists (Inc)

My question relates to the Council Officers report making the recommendation to the Community Services Committee on 3 Aug 21 to allocate the Roleystone Hall to Roleystone Gymnastics.

In simple terms the report allocates 11 lines of argument to 4lifeskills, 9 lines of argument to ASA and over half a page, 27 lines of argument to Roleystone Gymnastics. It certainly does not address all the salient points in the ASA's ROI and, probably the same applies to the 4lifeskills ROI and perhaps the Roleystone Gymnastics ROI as well.

Council may be aware that ASA has been running for 34 years and over those years has worked closely with the City on numerous projects including the Opening of the Armadale District Hall, the manning the Armadale District Hall for the Minnawarra Art Awards, the Outside the Frame Art Awards currently running right now, the Spring into Armadale Program and the Armadale Hills Open Studio Arts trail since its inception 7 years ago. This year the number of studios has jumped from 14 last year to 28 with 33 of the 42 artists involved belonging to the ASA.

However, despite actively seeking a new home for the last fourteen months or so ASA are still currently homeless while Roleystone Gymnastics is not homeless.

The report appears to be incomplete, lacking in logical argument and biased towards the allocation of the hall to Roleystone Gymnastics. Would Council consider deferring this matter in order to get the three ROI's reviewed in detail for re-presentation to the next council meeting?

Mayor: *I can't answer if Council would consider deferring the item as I can't speak for other Councillors. The item is on Council's agenda tonight and it is open for Councillors to put a deferral motion. However, I can say that the report summarises points related to each of the Registrations of Interest and Council has been provided with the complete proposals of each group as a confidential attachment and draw upon this information to assist with its deliberations and decision-making.*

Question time closed at 7.05pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Wielinga withdrew her request for leave of absence from 10 August to 10 September 2021.

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 26 JULY 2021.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 26 July 2021 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (12/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayor's Announcements - 27 July to 9 August 2021

Tuesday 27 July 2021

Attended a meeting with the CEO and Acting Manager Communications to discuss the City's communications.
Hosted a meeting with Councillors, Executives, CEO and members of the Roleystone Volunteer Fire Brigade Management Committee.

Wednesday 28 July 2021

Deputy Mayor Carole Frost hosted Year 12 Students from the Dale Christian School on my behalf to discuss governance, community safety, youth and urban sprawl in the Council Chambers.

Friday 30 July 2021

Attended a planting of verge trees to celebrate National Tree Day promoting the City's Urban Forest strategy in Handa Street, Seville Grove.

Saturday 31 July 2021

Cr Emma Flynn spoke on ABC radio to promote the Avon Descent Community Day at Champion Lakes, on my behalf. Unfortunately the event was cancelled due to bad weather.

Sunday 1 August 2021

Attended the National Tree Day event at Cam Clay Reserve in Seville Grove. Considering the weather it was a fantastic turnout with many volunteers braving the cold and wet conditions.

Unfortunately the Avon Decent Community Day event at Champion Lakes had to be cancelled due to the windy and wet conditions.

Monday 2 August 2021

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

Tuesday 3 August 2021

Attended a meeting Acting Manager Communications to discuss the City's communications.

Spoke at the Rotary Club of Armadale, Changeover Event held at the Roleystone Club. Awards were handed out to various club members and the official handover from the current President Laurie Scidone to the incoming President Peter Warren occurred.

Wednesday 4 August 2021

Hosted a meeting attended by the CEO, Manager Economic Development, a retired Surgeon and Armadale Health Service Executive to discuss future plans for the Armadale Health Service.

Friday 6 August 2021

Attended the Outside the Frame Art Exhibition Awards Opening Night held at the Armadale District Hall. This year we attracted entrants from 11 schools with 40 young artists. Councillors Frost, Munn, Peter, Keogh, Smith and Northcott also attended. Member for Darling Range, Hugh Jones and the Honourable Dr Brian Walker MLC, Member for East Metropolitan attended.

Saturday 7 August 2021

Attended the Armadale Gosnells Landcare Group tree planting at Martin Reserve – 3 logs crossing.

Attended and assisted at the Jumble Sale at St Mary in The Valley held by volunteers. Funds raised will go toward restoring the historic graves at the Cemetery on River Road in Kelmscott.

Sunday 8 August 2021

Attended the Inter Society Orchid Show and Display held in the Kelmscott Hall. The event was held by the South Eastern Orchard Society of WA (inc.) whose President is a City of Armadale resident.

Monday 9 August 2021

Attended a meeting with the CEO and Hon Donna Faragher MLC – Member for East Metropolitan Region to discuss local issues.

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

Nil

10 REPORTS

10.1 TECHNICAL SERVICES COMMITTEE MEETING

Report of the Technical Services Committee held on 2 August 2021.

MOVED Cr M Silver that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation T47/8/21 - Asset Management Plans - Summary

MOVED Cr M Silver

That Council accept the Asset Management Plan Summary Report 2021/22-2035/36 as an informing strategy as attached to this report.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T48/8/21 - Armadale Settlers Common (West) Recreation and Signage Plan 2020

MOVED Cr M Silver

That Council:

1. **Endorse the Draft Armadale Settlers Common Recreation and Signage Plan 2020.**

2. **Pursuant to Section 154 of the *Planning and Development Act 2005*, request approval from the Minister for Planning, Lands and Transport to spend $141,123.19 (plus any additional accumulated interest) of Public Open Space Cash-in-Lieu funds held by Council in Trust 73 from Subdivision 135639, towards the improvements of Reserve 4127 and Lot 810 Carradine Road consistent with the Armadale Settlers Common Recreation and Signage Plan 2020.**

3. **Refer for consideration in the Long Term Financial Plan, funding to a maximum value of $114,185.71, offset by any DPLH contributions, for implementation of the Armadale Settlers Common Recreation and Signage Plan 2020.**

4. **Note that the Public Open Space Cash-in-Lieu funds cannot be spent until approval has been granted by the Minister for Planning, Lands and Transport or the funding and subsequent delivery of project support activities.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T49/8/21 - Tender 23/21: John Dunn Unisex Change Rooms, Entry and Refurbishment Works

MOVED Cr M Silver

That Council, in regard to Tender 23/21 for John Dunn Unisex Change Rooms and Renewal Works adopt the recommendation detailed within Confidential Attachment 2.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T50/8/21 - Request for Quote 53/21: Supply of Custom Play Unit - Frye Park

MOVED Cr M Silver

That Council, in regard to Request for Quote 53/21 for Supply of Custom Play Unit – Frye Park:

1. **Accept the quote from Kompan Playscape Pty Ltd in accordance with:**

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

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T51/8/21 - Conference Attendance - IPWEA 2021 International Public Works Conference

MOVED Cr M Silver

That Council nominate Councillor Nixon as a delegate to the 2021 IPWEA International Conference, 'Public Works for a Global Future', to be held at the Adelaide Convention Centre, Adelaide South Australia on 31 October to 4 November 2021.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T52/8/21 - Review Footpath Scoring Methodology (Referral Matter)

MOVED Cr M Silver

That a review of the assessment criteria for the determination of the priority footpaths in the City, be submitted to Council for consideration via the Technical Services Committee meeting in February 2022; twelve months after the adoption of the SPN3.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T53/8/21 – Councillor Items

MOVED Cr M Silver

That Council refer the following Councillor Items in regard to:

1. **Footpath Installation – Traffic Cones**
2. **Rodent Baits**
3. **Lighting to Trees of Importance**

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

MOTION not opposed, DECLARED CARRIED (12/0)

10.2 COMMUNITY SERVICES COMMITTEE MEETING

Report of the Community Services Committee held on 3 August 2021.

MOVED Cr C A Campbell that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation C25/8/21 - Intention to Lease - Roleystone Hall

Committee Recommendation

That Council:

1. Endorse the Roleystone Gymnastics Cub inc. as the preferred lessee to enter into negotiation with regarding occupying the Roleystone Hall.
2. Note that any internal modifications to the building requested by the Roleystone Gymnastics Club inc. will need to be approved and undertaken by the City with 100% of related costs passed on to the group.
3. Note that entering into a lease agreement places no obligation whatsoever on the City to agree to any potential external modifications to the facility.
4. Receive a further report to consider endorsing the lease agreement..

MOVED Cr C A Campbell

That Council not adopt Recommendation C25/8/21 and refer the matter back to the Community Services Committee for further information

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation C26/8/21 - Kelmscott Agricultural Society - Memorandum of Understanding

Cr Keogh disclosed that as a Member of the Kelmscott Agricultural Society he had an association with this item. 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.

Cr Butterfield disclosed that as a Member of the Kelmscott Agricultural Society she had an association with this item. 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.

Cr Northcott disclosed that she has an association with the President and other members of the Kelmscott Agricultural Society Committee. 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 C A Campbell

That Council authorise the Chief Executive Officer to execute a Memorandum of Understanding incorporating the details of the Agreement as amended attached to this Report.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation C27/8/21 - Review of Lease and License Policy

MOVED Cr C A Campbell

That Council defer this item for consideration at the Community Services Committee of 7 September 2021.

MOTION not opposed, DECLARED CARRIED (12/0)

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 (12/0)

BUSINESS ARISING FROM REPORT

Recommendation - Councillors Information Bulletin - Issue No 13/2021

MOVED Cr C Frost

That Council acknowledge receipt of Issue 13/2021 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (12/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

Nil

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 7.17pm

MINUTES CONFIRMED THIS 23 AUGUST 2021

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MAYOR