



**ORDINARY MEETING OF COUNCIL
TUESDAY, 28 SEPTEMBER 2021**

AGENDA

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AGENDA

REPORTS

**CITY AUDIT COMMITTEE MEETING
HELD ON 13 SEPTEMBER 2021**

**DEVELOPMENT SERVICES COMMITTEE MEETING
HELD ON 20 SEPTEMBER 2021**

**CORPORATE SERVICES COMMITTEE MEETING
HELD ON 21 SEPTEMBER 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**

TUESDAY, 28 SEPTEMBER 2021

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

23 September 2021

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

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

The following questions were taken on notice at Council's Meeting on 13 September 2021 and responses (summarized below) forwarded by the Chief Executive Officer via email on 23 September 2021.

Ryan Sutherland – 48 Jarrah Road Roleystone

Q-1 I have been an active member of the Roleystone Bushfire Brigade for 10 years. In that time I have never received a fire fighting tunic or pants for the bushfire service from the City of Armadale. However, have received those pieces of equipment from the Fire and Rescue service which I am also a member of but never from the City. After 10 years when will I receive my firefighting tunic and pants?

CEO: The question will be taken on notice so we can investigate when these were ordered and respond to you.

Advice sent via email

The City has no record of Mr Sutherland having applied directly to the City for PPE. However, prior to mid-2016, the brigade self-managed their own PPE supply. If Mr Sutherland wishes to submit a request for PPE then it will be immediately followed up in line with the current procedure.

Peter Stewart – 317 Peet Road Roleystone

Q-1 At what meeting did Council resolve to establish a Bushfire Risk Management Plan for the district?

CEO: That would have been before my time at the City. The question will be taken on notice and responded to once it is investigated.

Advice sent via email

There was no requirement for Council to resolve to establish a Bushfire Risk Management Plan (BRMP) in order for the Plan to be developed. City Officers commenced development of a local BRMP in 2018 with the necessary support and training being provided by DFES.

Q-2 The question is not about parks but about verges which are crown land vested in the city. You mentioned 4-6 tonnes per ha but DFES says 2 tonnes. A building protection zone is a 20 metre area around a building, if that impinges on the verge DFES are recommending less than 2 tonne per hectare on that verge. The verge job done by the City of Gosnells along Chevin Road is what we are looking for. Why isn't the City aiming for 2 tonne per ha as a fuel load for verges given that those verges can be within 20 metres of buildings?

CEO: I didn't say 4-6 tonnes but 3-5 tonnes per ha for City's reserves. In regard to DFES requirements for fuel load for verges this will be taken on notice and responded to after investigation.

Advice sent via email

The primary objective of the chosen treatment is to provide unimpeded access for emergency services vehicles and afford safer evacuation routes for residents. The proposed treatments will also support the achievement of a reduction in ground fuels.

4

PUBLIC QUESTION TIME

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

Minimum time to be provided – 15 minutes (unless not required)

Policy and Management Practice EM 6 – Public Question Time has been adopted by Council to ensure the orderly conduct of Public Question time and a copy of this procedure can be found at <http://www.armadale.wa.gov.au/PolicyManual>.

It is also available in the public gallery.

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

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 13 SEPTEMBER 2021..... (ATTACHED)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

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

Nil

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BUSINESS ARISING FROM REPORT

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BUSINESS ARISING FROM REPORT

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12	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION
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13	MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION
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14	MATTERS REQUIRING CONFIDENTIAL CONSIDERATION 14.1 Corporate Services - Item 1.1 - OneCouncil - Core Business System Contract Variation
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15	CLOSURE
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CITY OF ARMADALE

MINUTES

OF CITY AUDIT COMMITTEE HELD IN THE FUNCTION ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 13
SEPTEMBER 2021 AT 6.00PM.

PRESENT: Cr C Frost (Chairperson)
Cr G Smith (Deputy Chair)
Cr J H Munn CMC
Cr G Nixon
Mr S Linden (Independent Member)

APOLOGIES: Cr K Busby (Leave of Absence)
Cr R Butterfield, Mayor

OBSERVERS: Cr S Peter

IN ATTENDANCE:	Ms J Abbiss	Chief Executive Officer
	Mr M Hnatojko	A/Executive Director Corporate Services
	Mr P Sanders	Executive Director Development Services
	Mr B D’Lima	Manager ICT
	Mrs F Wilkinson	Business Improvement Coordinator
	Mr K Yeoh	Manager Finance Services (Via Teams)
	Mrs A Owen-Brown	Executive Assistant Corporate Services
	Mr W Oosthuizen	Office of Auditor General (Via Teams)
	Ms C Lock	KPMG (Via Teams)
	Mr M Beevers	KPMG (Via Teams)
	Ms M Shafizadeh	Moore Australia
	Mr N Goosen	Moore Australia

Note:

The Audit Committee is a formally appointed committee of council responsible to that body and does not have any power or duty from the Council. As the matters discussed may be of a sensitive and confidential nature which, if disclosed could reasonably be expected to impair the effectiveness of the audit process, the Audit Committee meetings are closed to the public.
– Council resolution CS53/10/2020 refers.

*“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 to be read.

DECLARATION OF MEMBERS' INTERESTS

QUESTION TIME

DEPUTATION

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the City Audit Committee Meeting held on 9 March 2021 be confirmed.

**Moved Cr J H Munn
MOTION CARRIED**

(5/0)

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CITY AUDIT COMMITTEE

13 SEPTEMBER 2021

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1.1 - COMMUNITY ENGAGEMENT INTERNAL AUDIT

WARD : ALL
FILE No. : M/568/21
DATE : 30 August 2021
REF : FW
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- An internal audit of the City's community engagement approach and associated activities found that there are some opportunities for improvement in relation to resourcing the function, the framework, awareness of the framework and technology to assist with improving efficiency and effectiveness.
- Recommend that Council note and endorse the Internal Audit Report for Community Engagement.

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

4.4.1 Strive to achieve best practice community engagement

Legal Implications

- *Local Government Act 1996 s5.56*
- *Local Government (Administration) Regulations 1996, 19C (9)*
- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Scheme) Regulations 2015*

Council Policy/Local Law Implications

- COMD2 – Community Engagement

Budget/Financial Implications

The cost of the Internal Audit was covered in the budget for Corporate Services. Implementation of some of the recommendations will be subject to an assessment of the capacity of current City resources.

Consultation

- Moore Australia
- Twelve (12) staff members.

BACKGROUND

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

In October 2020, Council endorsed the 2020/21 Internal Audit Plan. The following table describes the audits contained in the plan and the current status of each audit:

Internal Audit	Fieldwork	Management Responses	Reported to Audit Committee
Community Engagement	Complete	Complete	September 2021
Management of Contractors and Volunteers	Complete	Awaiting draft report from Auditors	
Procurement (Property Services sample area)	Complete	In progress	
Records Management	Complete	Complete	March 2021
Workforce Health and Safety, Working From Home	Complete	In progress	

DETAILS OF PROPOSAL

A review of the City’s consultation activities was included the 2020/21 plan as a result of being listed as a Key Performance Indicator of the Corporate Business Plan. The objective of the audit was to identify compliance with statutory consultation requirements and the City’s Community Engagement Policy.

The scope of the internal audit included the following:

- Community consultation exercises across the Technical Services and Community Services Directorates
- Samples to be taken from each Directorate
- Statutory and non-statutory processes
- Implementation of policies and procedures
- For the period including 1 July 2019 to 31 December 2020
- Data integrity, record keeping and reporting.

The audit involved interviews with staff members from Community Planning, Community Development, Engineering Design, Parks and Business Improvement.

The final report on the Community Engagement Internal Audit provided by Moore Australia is attached (confidential) which includes findings, recommendations and priority levels with associated management responses and agreed actions provided by City staff.

ANALYSIS

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

1. Resources
2. Framework
3. Awareness
4. Technology.

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

CONCLUSION

An internal audit of the City's community engagement approach and associated activities found that there are some opportunities for improvement in relation to resourcing the function, the framework, awareness of the framework and technology to assist with improving efficiency and effectiveness.

ATTACHMENTS

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

RECOMMEND

CA9/9/21

That Council note and endorse the Community Engagement Internal Audit Report.

**Moved Cr G Nixon
MOTION CARRIED**

(5/0)

OFFICE OF THE AUDITOR GENERAL (OAG) UPDATE

Wian Oosthuizen provided a verbal update from the OAG on the following:

- City of Armadale Financial Audit timeline/progress
- Progress of the City's Audit Program
- OAG reports recently tabled in Parliament
- Selected In-Progress Audits
- Accounting Standards
- Auditing Standards
- Other Matters of Interest – eg. Governance.

KPMG UPDATE

Matthew Beavers provided a verbal update on the progress of the interim audit and an indication of the plans for the remaining program and associated reporting. It is now likely that the interim audit actions will be combined with the end of year and one management letter will be provided to the City.

MEMBERS' ITEMS

Nil

MEETING DECLARED CLOSED AT 6.51PM.

CITY OF ARMADALE

MINUTES

OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 20 SEPTEMBER 2021 AT 7.00PM.

PRESENT: Cr D M Shaw (Chair)
Cr C M Wielinga (Deputy Chair)
Cr J Munn CMC
Cr G J Smith
Cr C A Campbell (JP) (Deputy to Cr Northcott)

APOLOGIES: Cr R Butterfield
Cr C Frost (Leave of Absence)
Cr M Silver (Deputy to Cr Frost)
Cr M S Northcott (Attendance at Conference)

OBSERVERS: Nil

IN ATTENDANCE: Ms J Abbiss Chief Executive Officer
Mr P Sanders Executive Director Development Services
Mr A Beales Building Services Manager
Ms M Kenny Coordinator Strategic Planning
Mr A Romano Strategic Planning Officer
Mrs N Cranfield Executive Assistant Development Services

PUBLIC: 3

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Development Services Committee Meeting held on 16 August 2021 be confirmed.

**Moved Cr J H Munn
MOTION CARRIED**

(5/0)

ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 15 - AUG 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 - August 2021

Planning

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

Building

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

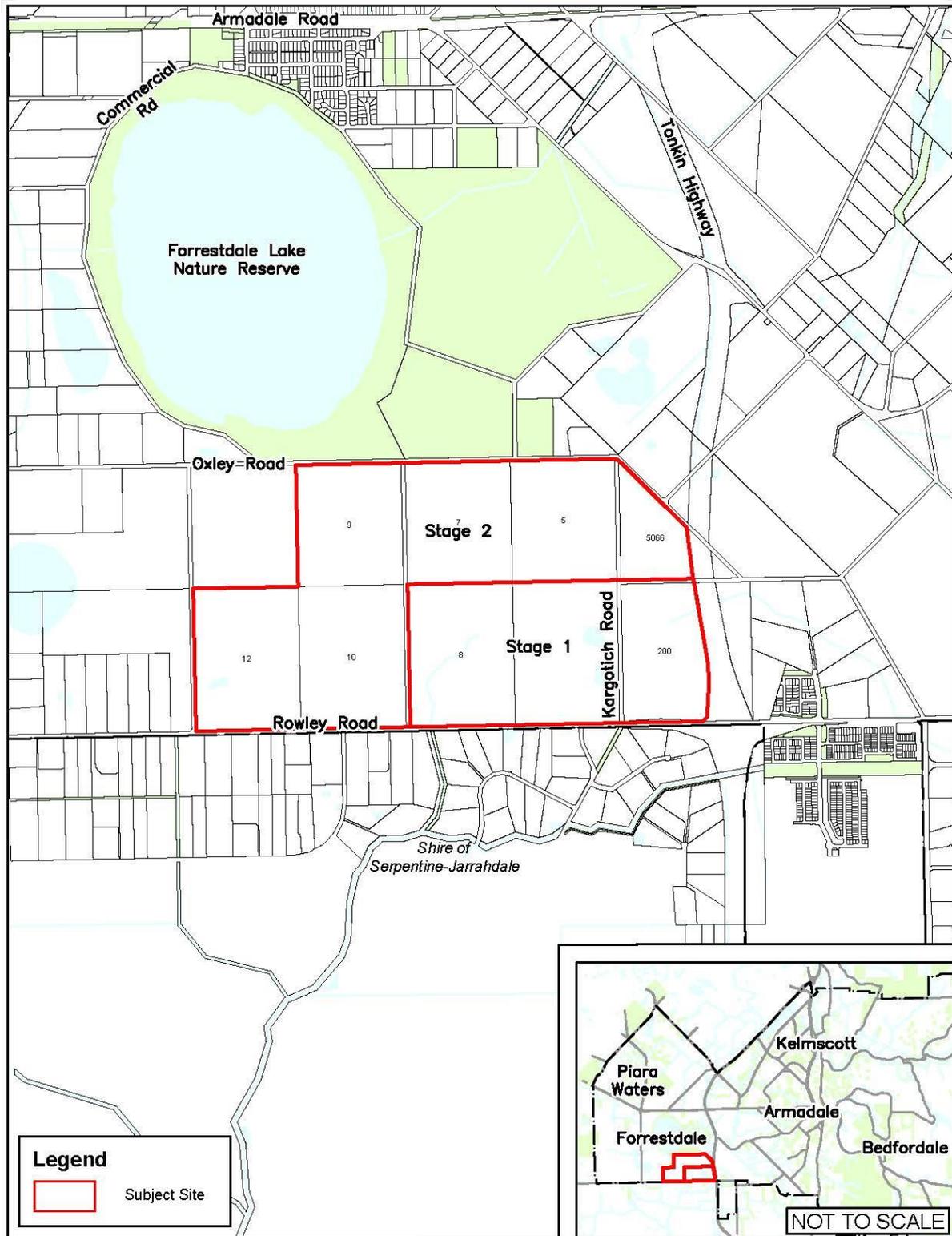
Committee noted the information and no further items were raised for discussion and/or further report purposes.

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20 SEPTEMBER 2021

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LOCATION PLAN
TPS Amendment 116



DATE 27 August 2021 - REVISION 2102
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Based on information provided to the City of Armadale by the Western Australian Planning Authority, Perth, Western Australia.
Aerial photography supplied by Landgate, Melbourne by Westpac.

**3.1 - PROPOSED AMENDMENT NO.116 TO TPS NO.4 - SOUTH FORRESTDAL
INDUSTRIAL AREA STAGE 2**

WARD : Lake
FILE No. : - M/268/21
DATE : 16 September 2021
REF : MK
RESPONSIBLE : EDDS
MANAGER
APPLICANT : CLE Town Planning
LANDOWNER : Various
SUBJECT : Lots 10 & 12 (863) Rowley Rd,
LAND : Lots 5 (596), 7 & 9 Oxley Rd &
Lot 5066 Kargotich Rd
Forrestdale
ZONING :
MRS / : Industrial, Rural
TPS No.4 : Rural Living 20

In Brief:

- Council received a request to initiate an amendment to rezone Lots 10 and 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road, Forrestdale from Rural Living 20 zone to Industrial Development zone.
- The land subject to the proposed Scheme Amendment comprises Stage 2 of the South Forrestdale Industrial Area.
- It is recommended that Council initiate the Amendment and resolve to refer the Amendment to the EPA for assessment and for advertising of the amendment to occur after the EPA have issued their assessment.

Tabled Items

Nil.

Decision Type

Legislative

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

Executive

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

Quasi-judicial

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

Officer Interest Declaration

Nil

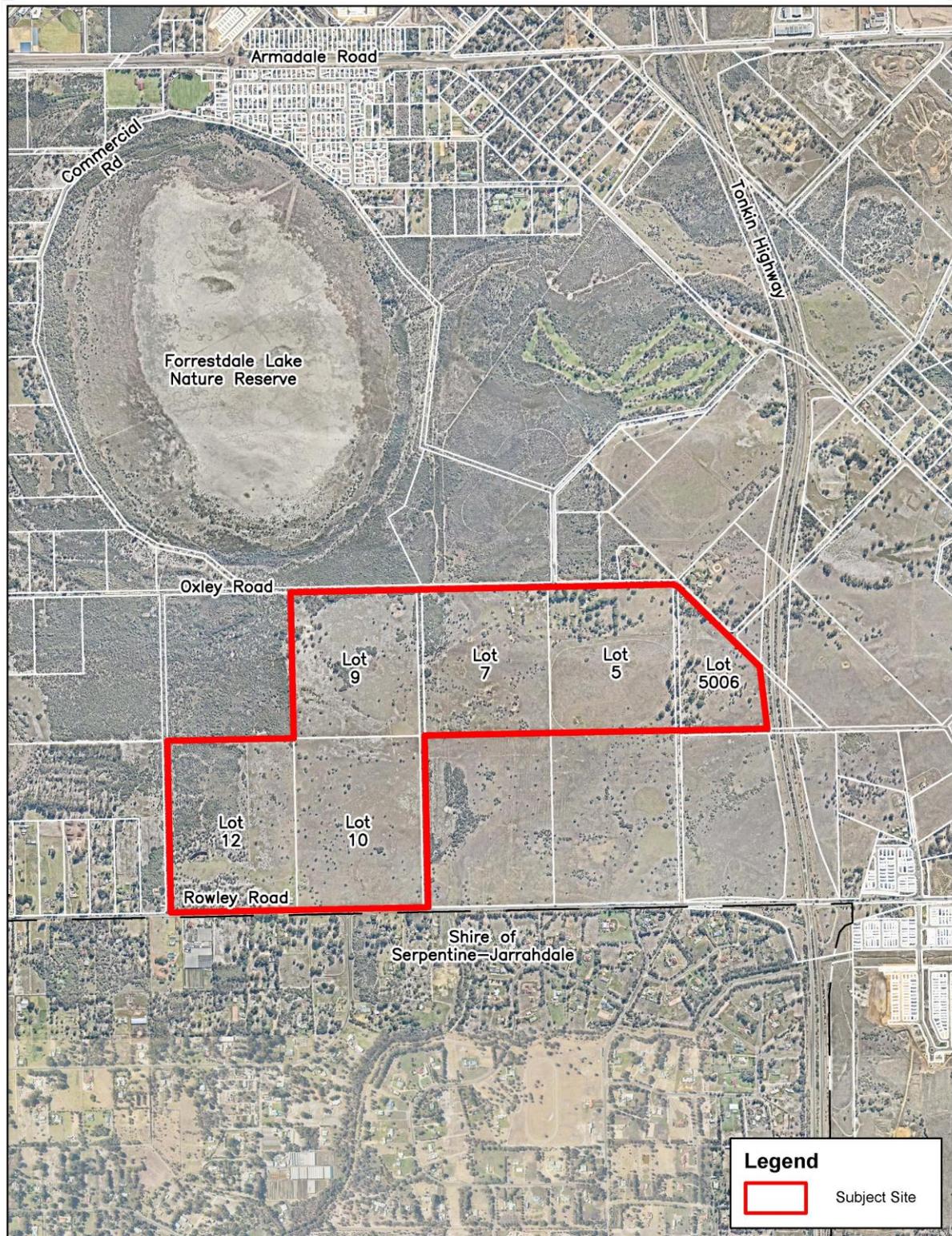
Strategic Implications

Strategic Community Plan 2020-2030

Outcome 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.

2.5.2 Seek the retention of trees in new subdivisions and developments.



AERIAL PLAN
TPS Amendment 116



SCALE 1 : 25000

DATE 23 August 2021 - REVISION 2101
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Based on information provided by and with the permission of the
Western Australian Land Information Authority (LarriMap) (2012)
Aerial photograph supplied by LarriMap. Photographs by NearMap.



Outcome 3.1: Increased economic growth, job creation and retention, as well as educational opportunities.

3.1.1 Facilitate vibrant and prosperous activity centres throughout the City.

Outcome 3.3: Responsive and flexible support of business.

3.3.1 Ensure the City has contemporary strategies and dynamic planning frameworks to be responsive to economic development opportunities and trends.

Corporate Business Plan 2020-2030

3.1 Increased economic growth, job creation and retention, as well as educational opportunities

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

3.1.8.1 Prepare a submission to Infrastructure WA and Infrastructure Australia to facilitate the growth of the Rowley Road Precinct as a Strategic Logistics Centre.

3.1.8.3 Advocate for the delivery of the necessary utilities infrastructure to catalyse the development of the Rowley Road Precinct and engage with key stakeholders such as the Industrial Lands Authority.

Legal Implications

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Metropolitan Region Scheme

Town Planning Scheme No.4

State Policies and Strategies

Economic and Employment Lands (non-heavy industry) Strategy 2012

Directions 2031 Strategy (2010)

Perth and Peel @ 3.5 Million - South Metropolitan Peel Sub-regional Framework

SPP 2.8 Bushland Policy for the Perth Metropolitan Region

Council Policy/Local Law Implications

City Strategies:	Local Planning Strategy 2016
	Armadale Retail (Commercial) Centres Strategy 2020
	Strategic Community Plan 2020-2030
	Community Engagement Strategy 2018-2023
	Economic Development Strategy 2018
Local Planning Policies	PLN 2.4 Landscape Feature and Tree Preservation
	PLN 2.6 Water Sensitive Design
	PLN 2.8 Subdivision
	PLN 2.9 Landscaping
	PLN 4.1 The Design of Industrial Sites and Estates

Budget/Financial Implications

Nil.

Consultation

- ◆ Development Control Unit
- ◆ If initiated, the scheme amendment will undergo a process of advertising for public submissions in-accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City's Community Engagement Strategy.

BACKGROUND

The City has received a request to initiate an amendment to rezone the area which will comprise Stage 2 of the South Forrestdale Industrial Area (SFIA) from Rural Living 20 zone to Industrial Development zone. The Industrial Development zone requires Structure Planning to occur.

In 2009, the Government released an Industrial Lands Strategy for public comment to provide the essential strategic planning framework for industrial land use planning and development in the Perth and Peel regions over the next 20 years. In that initial 2009 Strategy, the South Forrestdale area was identified as one of six 'Priority industrial sites'. A submission on the Strategy's proposal for South Forrestdale was lodged by the City with the WAPC advocating for the prioritisation of this industrial area on the basis that providing land suitable for substantial business operations is an important element to create local economic development for the City and increase employment self-sufficiency (Refer Council Minutes 25 January 2010 D6/1/10).

In Perth and Peel regions 43% of the labour force employment is in industrial businesses and the identification of potential industrial business sites assists in planning provision of employment opportunities to support the City's growing residential population and existing population in addition to the City's focus on Activity Centres and other employment areas.

The final report of the Strategy, produced by the WAPC, was retitled as the Economic and Employment Lands Strategy (EELS) and included the South Forrestdale site as a Priority site. In July 2015, Council considered a report on the WAPC's Perth and Peel @3.5million, which amongst other proposals, supported the designation of the South Forrestdale Precinct as an "Industrial Expansion Area", given it is consistent with the City's Local Planning Strategy, previous Council decisions and development of sites for employment and commerce are high priorities to balance the anticipated residential growth with the availability of jobs and employment. Subsequently, the WAPC's Perth and Peel @3.5 million South Metropolitan Peel – Sub-regional Planning Framework released in March 2018 included the South Forrestdale site as an "Industrial Expansion Area".

Stage 1 of the South Forrestdale Industrial Area (SFIA)

Stage 1 of the Business Park (comprised of Lots 6, 8 and 200 Rowley Road) was rezoned "Industrial" under the MRS and "Industrial Development" under the City's Town Planning Scheme No.4 in 2016. As was the case with the MRS Amendment for Stage 1 of this industrial area, the City supported the proposal for the above land to be included in the future industrial area. The development of additional potential employment centres within the City is a key objective of the City's Strategic Plan, Local Planning Strategy and Economic Development Strategy.

All of the strategic planning processes (MRS and TPS amendments, Structure Plan) for Stage 1 of the SFIA have already been completed and a subdivision application for the first lots within Stage 1 has been lodged with the WAPC for its consideration.

Stage 2 of the South Forrestdale Industrial Area (SFIA)

An Amendment to the Metropolitan Region Scheme (MRS) rezoning the land within Stage 2 of the SFIA from "Rural" zone to "Industrial" zone was approved in October 2019. The landowners are now proposing to advance to the next stage of the planning processes to enable development of Stage 2 of the SFIA being an amendment to the City's TPS No.4 to bring TPS No.4 into consistency with the MRS zoning that now applies to the site.

The amendment area for Stage 2 of the SFIA is approximately 170 hectares and comprises Lots 5 (596), 7 & 9 Oxley Road, Lot 5066 Kargotich Road and portions of Lot 10 and Lot 2 Rowley Road, Forrestdale.

DETAILS OF PROPOSAL

The applicant requests that the Council initiate an amendment to TPS No.4 to:

- a. Rezone Lots 10 & 12 (863) Rowley Rd, Lots 5 (596), 7 & 9 Oxley Rd & Lot 5066 Kargotich Rd Forrestdale from Rural Living 20 zone to Industrial Development zone as shown on the Scheme Amendment map. Note: some portions of these lots that are affected by wetlands and buffers to wetlands and/or Bush Forever or other conservation areas are proposed to retain a Rural Living 20 zone.
- b. Amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include Lots 10 & 12 (863) Rowley Rd, Lots 5 (596), 7 & 9 Oxley Rd & Lot 5066 Kargotich Rd Forrestdale; and
- c. Amend Schedule 8 Development (Structure Plan) Areas in the Scheme Text by:
 - i amending the “Description of Land” for Development Area 46 to include the lots detailed above.
 - ii Insert a new provision 46.4 to address particular issues relating to the need for buffers between the industrial development and various environmental areas including Bush Forever Area 345 and the wetland within Stage 2.
 - iii Renumbering existing provision 46.4 as 46.5.

The applicant’s justification for the proposal is summarised as follows:

- i The amendment to the zoning will bring the Scheme into consistency with the current MRS zoning that applies to the land.
- ii Zoning the site ‘Industrial Development’ will ensure that comprehensive planning will be undertaken by way of a structure plan, which provides the mechanism to manage the relationship with adjoining environmental features, confirm drainage areas and a network of local roads.
- iii The associated provisions outlined in Schedule 8 will ensure that key site considerations will be addressed by the future structure plan, responding to advice from the EPA and other referral agency comments received as part of the MRS Amendment process.
- iv The landholdings subject to the amendment proposal are identified as a Priority Industrial Site for further investigation under the WAPC’s Economic and Employment Land (EELS) (non-heavy industry) Strategy 2012 and the Directions 2031 Strategy and as an Industrial Expansion Area in the Perth and Peel @ 3.5 Million South Metropolitan and Peel Sub-regional framework. The delivery of a mix of light, general and service industry and complementary commercial activities will be contemplated through subsequent structure planning; as encouraged in the State strategic planning framework.

- v The proposed amendment is timely in its submission, facilitating ongoing planning and development of the subject land, as a Priority Industrial Site, in conjunction with the delivery of residential development to the east, south and north within the Southern River / Brookdale / Forrestdale / Wungong District Structure Plan area and beyond.
- vi The amendment will facilitate employment and economic growth within the south-east sub region and improve the quality of life for residents in the City through improved access to necessary goods, services and employment opportunities.

In support of the request for the Scheme Amendment, the following Technical Studies have been submitted:

- Engineering Servicing Report;
- Bushfire Hazard Level Assessment;
- Traffic Impact Assessment;
- District Water Management Strategy; and
- Environmental Impact Assessment.

The outcomes of these technical assessments are discussed in the Comment section of this report.

COMMENT

Development Control Unit (DCU)

Comments were received from various technical teams within the City. Most of the comments related to matters to be addressed at a later stage of the Planning Process (eg the Structure Planning stage).

Only those issues which need to be addressed at the Scheme Amendment stage are detailed below:

Environment Services

Environment Services advised that the Scheme Amendment needs to address both EPA and DBCA requirements for provisions addressing need for buffer between industrial development and adjacent conservation areas. Provisions are to specifically address retention management, revegetation, access, road layout, fire management and drainage to ensure no negative impacts to Forrestdale Lake and Conservation Category Wetlands.

To address the matters raised by the City's Environment Services, modifications are proposed to provisions 46.3 and 46.4 in Schedule 8 Structure Plan Development Areas. The proposed new clause 46.4 is detailed and discussed within the Analysis section of this report.

Generally the planning processes completed for Stage 1 of the industrial area have set the standards and requirements that will apply to Stage 2 of the industrial area.

Bushfire Hazard level Assessment

The site is identified as 'bushfire prone' under the Department of Fire and Emergency Services (DFES) 'Map of Bushfire Prone Areas'. Accordingly, the application includes a Bushfire Hazard Level Assessment (BHLA). The BHLA assesses the potential risk of bushfire in relation to the site and concludes that the potential risks can be suitably managed under an industrial land use scenario through methods such as setbacks, hardstand areas, building methods and materials and using species that have low flammability and are spaced appropriately within landscaping areas.

A detailed Bushfire Management Plan (BMP) will be required at the local structure plan stage to determine the measures necessary to achieve a suitable Bushfire Hazard Level for the estate and subsequent developments within the estate in accordance with State Planning Policy 3.7 – 'Planning in Bushfire Prone Areas'.

Servicing

Water Supply

Scheme water supply is not currently available to the land included in the South Forrestdale Industrial Area. The Servicing Report lodged with this application states that the Water Corporation has advised the area could be served through the Armadale-Kelmscott scheme subject to supply being via 5.8km extension from the existing main on Armadale Road. All mains extensions to serve the industrial area will be at the developer's cost. Stage 2 will benefit from the Water Supply extension that will be undertaken by the developers of stage 1 of the industrial area which will bring the supply closer to Stage 2 as approval of the subdivision application for Stage 1 is imminent and works are expected to commence before the end of 2021. However, it will be up to the developers of Stages 1 and 2 to liaise with regard to cost sharing for the works, which are coordinated by the Water Corporation.

Sewer

There is no existing wastewater scheme for the subject land. The Servicing Report lodged with the application states that advice from Water Corporation (WC) is that they have previously undertaken some preliminary desktop considerations of likely servicing options for the subject land and that the land could be serviced for sewerage via a temporary pump station located at a suitable low point within the industrial area, with discharge to the east to the Armadale Pump Station 2 in Hilbert Road. The temporary pump station, pressure main and related works would be undertaken at the developers' cost but costs would likely be shared between the developers' of Stages 1 and 2.

Drainage

The Servicing Report states that the Water Corporation have advised that it is unlikely that drainage discharge to existing rural drains in the area will be permitted. The subject land falls largely within the within Peel-Harvey Catchment but a small area also drains towards two other locations within the Forrestdale Main Drain catchment and the Department of Water's Forrestdale Main Drain Arterial Drainage Study (FMDADS) has assumed rural land use only for the subject land to date.

The Water Corporation previously advised the WAPC that it was opposed to rezoning Lots 6, 8 and 200 Rowley Road to the Industrial zone under the MRS until the Department of Water had reviewed district level drainage planning for the wider area. However, the WAPC did approve the amendment as the proposal was supported by a District Water Management Strategy (DWMS) that was then progressed.

The DWMS has been prepared in liaison with the Department of Water and Environment Regulation (DWER) and proposes the following:

- Water sustainability measures including the installation of Waterwise fixtures and fittings, grey water recycling, rainwater harvesting, waterwise landscaping and use of groundwater for landscaping irrigation;
- Retention and/or detention of the 1 year, 1 hour ARI event at source for infiltration, slow release into system or reuse;
- The installation of vegetated swales, rain gardens and bioretention pockets to treat surface water before discharge;
- Pre-development runoff flow rates and paths to be maintained post development through the installation of stormwater compensating basins;
- Maintenance of pre-development flood storage volumes;
- Habitable floor levels set a minimum of 0.5m above natural waterway flood levels and 0.3m above 100year ARI stormwater levels; and
- Placement of fill and installation of subsoil drainage to provide a controlled groundwater level where required to provide adequate separation between lot levels and groundwater.

A more detailed Local Water Management Strategy (LWMS) will be required to be prepared by the applicant to support the Structure Planning process.

The drainage strategy for Stage 1 initially proposed the use of open swales in verges throughout the estate for drainage but was modified at the request of the City during the Structure Plan process due to concerns about the ability of the City to maintain open swales in verges and many issues (including maintenance costs) that had arisen in Forrestdale Business Park with the extensive use of open swales within front verges. The City supports open swale drainage in medians only and not verges fronting private property or within private property. The WAPC supported the City's stance in this regard and required modifications to the DWMS and the Structure Plan prior to approving it. Accordingly, the same requirements will be applied to Stage 2.

Power

The Servicing Report states that Western Power have advised that power supply to the industrial estate can be extended from an existing High Voltage Feeder located 1.2km to the east of the industrial estate until such time as capacity due to increased demand is exceeded at that existing feeder as a result of continuing development in the Wungong Urban area and subsequently development in the industrial estate. Western Power would have to upgrade Feeder availability in the area before this occurs. The final solution would depend on the network capacity available when a full application is submitted.

Gas

There is no gas supply infrastructure available to the proposed industrial state currently but there is capacity to extend supply from the existing gas main located east of Tonkin Highway. The developers will be responsible for the connection to the gas network if it is required.

Telecommunications

The timing for NBN installation to the industrial area is unknown, however it is expected that NBN's current policy of servicing larger scale new developments would remain and NBN could be provided in developer installed pit and pipe at the time of construction. Should NBN not wish to service the development, as the provider of last resort, Telstra would be required to service the development and this would be via a connection to the existing network in Rowley Road.

Summary

The Servicing Report confirms that the necessary infrastructure for the development can be extended to the development however, the likely required utility upgrades to service the development include:

- Construction of a water main extension from Armadale Road.
- Construction of a sewer pump station and an approximately 4.1km long pressure main;
- Construction of a 1.2km extension to Western Power's electrical supply network;
- Construction of a 950m gas main extension;
- Implementation of recommendations contained in the DWMS for drainage management.

The Engineering Servicing Report was prepared to support the MRS Amendment in 2015. It is likely that more up to date information will improve servicing requirements and provide more detail on current requirements. An updated Servicing Report should be prepared and submitted to the City, prior to the Council considering a report on the TPS Amendment for final adoption and recommendation to the Hon Minister for Planning.

Traffic Impact Assessment

A Traffic Impact Assessment (TIA) was prepared to accompany the MRS Amendment request. Using high-level trip generation assumptions, the TIA assesses the ability for the external road network to support post-development traffic volumes from Stage 2, concluding that the additional volumes can be accommodated.

The MRS Amendment process resolved a number of key traffic considerations for Stage 2, specifically it:

- Confirmed the area of land required for the widening of Rowley Road by retaining this land within the 'Rural' zone for at least four (4) lanes for Rowley Road;
- Confirmed the location of the Stage 2 intersections with Rowley Road; and
- Confirmed the land required to accommodate a four-way roundabout at the intersection of Rowley Road and Blair Road (Blair Road is located on the south side of Rowley Road within the Shire of Serpentine Jarrahdale) by retaining this land within the 'Rural' zone. This full movement intersection will be the primary access into Stage 2 from Rowley Road and will be further documented as part of the local structure plan.

As the proposed amendment to TPS No.4 is a rezoning process the same as the MRS amendment, there is no further traffic information that can be documented and assessed at this stage. A subsequent and more detailed TIA will be prepared as part of the future structure plan process once a concept design has been prepared for the site. This will address matters such as key road alignments, road widths/cross sections and updated land use assumptions that will inform updated traffic modelling and intersection analysis.

Schedule 8 (Development (Structure Plan) Areas) of TPS No.4 contains a requirement for a “transport assessment to be prepared in accordance with Western Australian Planning Commission’s Guidelines” at structure plan stage for land within the South Forrestdale Industrial Area.

Environmental Impact Assessment (EIA)

The site is predominantly cleared as it has historically and currently been predominantly used for grazing of cattle. Tree coverage is generally scattered except for some more substantial vegetation coverage within the wetland on Lot 12, within the Western Power easement on the western side of Lot 7 and cluster of trees in the north-west corner of Lot 9 abutting the northern part of the Western Power easement.

The majority of the existing vegetation on Lot 12 is within part of Bush Forever Site 345 and the remainder is within the portion of the site that retained a Rural zoning when the MRS amendment for Stage 2 was completed. The eastern boundary of Bush Forever Site 345 follows the boundary of the portion of the Conservation Category Wetland that is on Lot 12.

The EIA recommends that mature native trees should be retained where possible and that drainage infrastructure in association with development may present an opportunity to restore some vegetation types which were formerly present. Future Structure Planning for Stage 2 will include the preparation of a detailed Environmental Assessment Report (EAR) which will identify any mature native trees for retention as well as any measures required to be implemented to retain and protect them. This assessment will need to address the requirements of the City’s Local Planning Policy PLN 2.4 Landscape Feature and Tree Preservation which identifies the criteria for retention of a significant tree/group of trees.

It is recommended that the buffer areas (Rural Living 20 zone) be required to be ceded as Crown Reserves for Conservation, Public Open Space and Drainage purposes. This would enable adequate protection for the buffers in perpetuity and enable maintenance and rehabilitation of the existing vegetation in these areas. This will also prevent them being used for purposes (rural or industrial) that may impact vegetation both in the buffers and in the adjacent Bush Forever and Regional Parks reserves. Continued use of the land for grazing purposes would damage the environmental values proposed to be protected. This requirement would need to be addressed in the Structure Plan provisions for the estate in Schedule 8 of TPS No.4.

The ceding of the buffer areas could potentially add approximately 12 hectares of land to the conservation estate in that area.

There is the potential for drainage serving the Industrial estate to be developed within the land that will form the buffer between the Industrial area and the wetland on Lot 12 and Bush Forever site 345. The potential for drainage infrastructure to be placed within the buffer areas would be developed more when the Local Water Management Strategy is prepared at the Structure Planning stage. Strategic fire breaks for the Industrial Area could also be located within the buffer areas.

There are a number of offsite environmental features adjacent to the lots included in Stage 2 that will require consideration as part of this amendment as well as the subsequent local structure planning process. These include:

- Forrestdale Lake to the north of the site;
- The remainder of Bush Forever site 345 to north and west of the site;
- The remainder of the Conservation Category Wetlands (CCWs) within Bush Forever site 345 to the north and west; and
- Resource Enhancement Wetlands (REWs) on the eastern boundary of Lot 10 and northeast of the amendment area.

The final version of the MRS Amendment to rezone the land within Stage 2 to Industrial zone partly addressed these matters raised by the EPA during the amendment process by retaining a Rural zone over the land adjoining the northern and western boundaries. This was to ensure that the land is not capable of development for industrial purposes thereby serving as a buffer to the offsite environmental features.

This final outcome under the MRS amendment was also consistent with the Department of Biodiversity, Conservation and Attractions (DBCA) submission on the MRS amendment where the DBCA noted the expectation that *“a future structure plan for the area will include both the ‘Industrial’ and ‘Rural’ zoned portions and that appropriate buffers to the conservation areas and wetlands will be identified at that time.”*

However, there are no mechanisms within the applicant’s amendment submission to enable the protection of the Bush Forever area and wetland on Lot 12. In the WAPC’s final report on submissions on the MRS amendment for Stage 2 it is detailed that the owner of Lot 12 requested that the WAPC reserve the Bush Forever Site for Parks and Recreation as part of the MRS Amendment process. The WAPC’s response to this in the Report on Submissions for the MRS Amendment was that the owner of Lot 12 should write to the WAPC requesting the Commission purchase the land designated as Bush Forever. Accordingly, the owner of Lot 12 wrote to the WAPC requesting that they acquire the land to which the WAPC responded, stating that they would not purchase the land and that it was of *“a regular size and shape to facilitate subdivision consistent with the Rural Living 20 zoning under the City’s Town Planning Scheme”*.

As a result of WAPC’s response the applicant advises that Amendment 116 proposes the ‘status quo’ in terms of ownership and tenure of the portion of Lot 12 containing a portion of Bush Forever Area 345 and the CCW within the Bush Forever Area. The applicant advises that Amendment 116 will provide a framework for the protection of the Bush Forever Area and CCW from the potential impacts of industrial development through the establishment and management of buffers. However, it is important to consider that there are not any specific provisions included in Schedule 8 of TPS No.4 relating to the Bush Forever area on Lot 12 as it is outside the amendment area. This means that activities currently carried out on Lot 12 (grazing of cattle) could continue to the detriment of the vegetation in the Bush Forever area. In addition, as the land is zoned Rural Living, the applicant could apply for other rural land uses over the balance area of Lot 12 that could impact the Bush Forever area.

It is recommended that the City write to the WAPC requesting that the portion of Bush Forever Area 345 on Lot 12 be reserved for Parks and Recreation under the Metropolitan Region Scheme (MRS) through a future Omnibus Amendment to the MRS, which will enable the WAPC to acquire the land from the landowner in the future. This will ensure an adequate level of protection is provided to the whole of Bush Forever Area 345.

ANALYSIS

Town Planning Scheme No.4

The following provision of TPS No.4 requires a Structure Plan to be prepared before any development occurs in the Industrial Development zone:

4E.1 Subdivision and Development

4E.1.1 Subdivision and Development within the Urban Development Zone and the Industrial Development Zone shall be in accordance with an approved Structure Plan prepared in accordance with Part 4 of the Deemed Provisions.

Accordingly, it will be necessary to add the lots within Stage 2 to Schedule 8 of TPS No.4 under Development Area 46 so that the requirement for development to be consistent with an approved structure plan and other requirements that will need to be met by the developers can be enforced. Currently, the listing for Development Area 46 only includes those lots that comprise Stage 1. It will also be necessary to amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include the lots comprising Stage 2.

The application report indicates that future structure planning for Stage 2 will only include those parts of the subject lots that are zoned "Industrial" under the Metropolitan Region Scheme (MRS). This is contrary to the WAPC's determination on the MRS Amendment (1340/57) that was detailed in the submissions report for the MRS Amendment which stated as follows:

"the environmental values within and adjacent to the amendment area, including at its northern and north-western boundaries as discussed above, will need to be addressed through subsequent stages of the planning process. It is the WAPC's expectation that future local planning scheme amendments, and structure plans will address these values and interface areas having regard to the advice of the EPA and DBCA".

The EPA advice in the Submissions' Report for MRS Amendment 1340/57 was that they recommended that the future City of Armadale local scheme amendment will need to contain specific mechanisms and provisions to adequately secure, protect and manage the environmental values within the amendment area. The EPA recommended that the Department of Planning, Lands and Heritage and the Department of Biodiversity, Conservation and Attractions liaise with the City of Armadale to develop appropriate mechanisms which can be included in the local scheme amendment to ensure no negative impacts to Bush Forever site 345, Forrestdale Lake and adjacent wetlands. Accordingly, the amendment text (including modifications to the existing provisions relating to the South Forrestdale Industrial Area) includes requirements for the buffers to be ceded for purposes such as conservation, recreation and drainage as determined appropriate.

It is considered that the retention of a Rural Living zoning over the portion of Lot 12 not included in the buffer areas and containing the Bush Forever Area and CCW will mean that these environmental assets will potentially be subject to further degradation and clearing as a result of Rural land uses being continued on the land. Lot 12 has been used for grazing purposes for many years and this use will be able to continue unrestricted in the future. The landowner also has the ability to seek approval for other intensive rural land uses on the balance of Lot 12 that will be outside the future Structure Plan area and the Industrial Development zone, unless the WAPC moves to provide greater protection for the area through reserving the land for Parks and Recreation under the MRS and acquiring the land containing the Bush Forever area. Also until such time as the buffer areas are ceded for Parks and Recreation there is a risk they will be further degraded through rural land uses continuing. Once the Structure Plan is in place there will be some protection for the buffer areas as they will be designated on the Structure Plan and provisions can be included in the Structure Plan restricting land uses within them until they area ceded as local reserves at the subdivision stage.

City officers and the applicant met with officers of the Department of Planning, Lands and Heritage (DPLH) to determine:

- The intentions of DPLH/WAPC in excluding the proposed buffer areas and the Bush Forever Area/Conservation Category Wetland on Lot 12 from the Industrial zone as part of the MRS Amendment.
- The rezoning of the land comprising Stage 2 of the Industrial area under the City's Town Planning Scheme (TPS).
- What mechanisms are able to be put in place to enable the protection, rehabilitation and maintenance of the Bush Forever Area/CCW on Lot 12.

DPLH Officers advised that only the land zoned Industrial and the land identified for buffers between the Industrial Area and adjacent environmentally sensitive areas in the MRS Amendment for Stage 2 should be included in the Development (Structure Plan) Area and Amendment 116. DPLH advised that the remainder of Lot 12 should not be included in Amendment 116 and the City should not require the Bush Forever Area to be ceded as part of the Structure Plan provisions in this town planning scheme amendment.

The current details and provisions relating to the South Forrestdale Industrial Area are as follows:

Schedule 8 Development (Structure Plan) Areas

No.	Description of Land	Additional provisions applicable to subdivision and development
46.	'South Forrestdale Industrial Centre, Lots 6, 8 and 200 Rowley Road, Forrestdale (Rowley Road Industrial Area).	46.1 Subdivision and development should be generally consistent with a Structure Plan for Development Area 46 – Rowley Road Industrial Area to be prepared pursuant to Part 4 of the Deemed Provisions. 46.2 A transport assessment shall be prepared in accordance with applicable Western Australian Planning Commission Guidelines. 46.3 The Structure Plan shall make adequate provision for the rehabilitation and protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the local government.

No.	Description of Land	Additional provisions applicable to subdivision and development
		<p>46.4. The Structure Plan for Development Area No.46 - Rowley Road Industrial Area shall:</p> <ol style="list-style-type: none"> a. include a servicing report detailing load demand and indicative network augmentation / reinforcement requirements for review and ratification by Western Power; b. delineate the Western Power registered easement and <ol style="list-style-type: none"> i transmission infrastructure; ii include detailed designs and information for review, assessment and written consent of Western Power to any proposals below, if applicable, within the registered easement, in accordance with standard easement conditions: <ul style="list-style-type: none"> ▪ Landscaping plans (including mature heights and location of species); ▪ Ground level changes; ▪ Permanent structures; ▪ Drainage plans; ▪ Conservation controls

All of the existing provisions for Development Area 46 in Schedule 8 will apply to Stage 2 if they are not modified via Amendment 116.

It is recommended that modifications are required to provisions 46.3 and 46.4 in Schedule 8.

With regard to provision 46.4 modifications are required to address the requirement for a Local Water Management Strategy to be prepared and to address any drainage within the buffer area raised by the EPA at the Metropolitan Region Scheme Amendment stage. Accordingly, it is proposed to add a new part c. to provision 46.4 in Schedule 8 as follows:

- c. A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any stormwater drainage features within the buffer. The Local Water Management Strategy is to be prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the local authority.*

With regard to provision 46.3, modifications are proposed as the provision is not consistent with the outcome of the MRS amendment and does not deal with the need for buffers between the industrial development and adjoining environmental elements, rehabilitation and management of the buffers and protection of the buffers through reserving them for public open space. Currently provision 46.3 states as follows:

- 46.3 The Structure Plan shall make adequate provision for the rehabilitation and protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the local government.*

The provision is too broadly worded such that it would require developers of the industrial area to carry out rehabilitation of lands that are not within their control such as the Forrestdale Nature Reserve, the whole of Bush Forever site 345 and other MRS Regional Reserve to the north and west of the industrial area. It is recommended that Provision 46.3 be modified to read as follows:

46.3 The Structure Plan shall make adequate provision for the protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the local government through:

- i The provision of appropriate buffers between future industrial development and the Bush Forever site and Conservation Category Wetland on Lot 12 and environmentally sensitive areas abutting the northern boundaries of Lots 5, 7 and 9 Oxley Road. The buffer areas are to be detailed on the Structure Plan. The extent/width of the buffers is to be to the satisfaction of the EPA and the DBCA.*
- ii A Buffer Management Plan for the buffer areas determined by the EPA and DBCA. The Buffer Management Plan is to address the retention of any native vegetation within the buffer, revegetation of cleared areas, bushfire management, access and drainage. The Buffer Management Plan is to be prepared in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the local authority.*
- iii At the Subdivision stage, the land identified for buffer areas is to be ceded free of cost as reserves for Public Open Space and Drainage.*

City of Armadale Local Planning Strategy 2016

The City's current Local Planning Strategy (LPS) accommodates the land use intentions identified in the Directions 2031 Strategy and the Economic and Employment Lands Strategy.

Accordingly, the proposed South Forrestdale Industrial Area is included in the LPS strategy map as an Employment Area and this supports the rezoning of Stage 2 of the industrial area to the Industrial Development zone. Specifically the LPS Activity and Retail (Commercial) Centres Strategy Actions 1 and 8 apply to this Amendment and subsequent Structure Planning process as follows:

- 1. Prepare and maintain controls over a hierarchy of activity centres and indicative floorspace quantity to ensure the centres hierarchy is maintained, while also allowing a degree of flexibility responsive to changes in community and market preferences for commercial activities and centres.*
- 8. Allocate enough land for the long term floorspace potential of planned mixed use centres and ensure that developers comply.*

The following Bushfire Protection Strategy actions contained in the LPS are relevant to this amendment and subsequent planning proposals:

- 1. Establish the goal of protection of life and property from bushfire attack as the highest priority in the planning of new land developments in areas with an elevated bushfire risk.*

2. *At rezoning stages designate areas determined by bushfire hazard analysis as sites of elevated bushfire risk into the TPS No.4 Special Control Area of “Prime Bushfire Hazard Protection Area” to ensure the appropriate Australian Construction Standard is applied to habitable buildings commensurate to the level of bushfire attack.*
3. *Ensure that bushfire risks and impacts in new areas of closer subdivision and development are reduced and minimised by implementing a Bushfire hazard analysis and preparation of Bushfire Management Plans in risk areas from the earliest stages in planning assessment processes at the rezoning, structure plan, subdivision and development stages.*

With regard to Action 2 above, it should be noted that the Department of Fire and Emergency Services mapping of Bushfire Prone Land supersedes this Action in the 2016 LPS. As a result it is not necessary for the City to include Bushfire Prone Land on the Special Control Area maps that are part of TPS No.4.

The following Biodiversity Strategy Actions contained in the LPS are applicable to this proposed Scheme Amendment:

2. *Balance objectives for protection and management of areas of significant local natural bushland and other natural areas with social and economic development objectives in the City’s land use and development decisions.*
3. *Have regard to the management and protection of biodiversity in recommendations and decisions for land use and development, particularly in rezoning, structure plans and subdivisions.*

City of Armadale Retail (Commercial) Centres Strategy 2020

Industrial areas including the proposed South Forrestdale Industrial Area are included as Activity Centres in the City’s Retail (Commercial) Centres Strategy 2020 (adopted by Council at their meeting on 14 December 2020) as they do include in some instances Shop retail and generally in all instances Other Retail which generally takes the form of Bulky Goods Showrooms. The Strategy identifies a floorspace for Other Retail of approximately 16000m² by 2041 (development commencing from approximately 2021) but does not allow for any Shop retail floorspace.

There are several proposed and existing shopping centres (Wungong Urban Area) which will adequately accommodate the Shop retail needs of the adjacent residential areas and it is important not to diminish the capacity/viability of those centres by also allowing Shop Retail in the South Forrestdale Industrial Area. The extent of Other Retail in Stage 2 of the South Forrestdale Industrial Area will be addressed at the Structure Planning stage.

Local Planning Policies

A number of Local Planning Policies (LPP’s) will apply to development of this industrial area including:

- PLN 2.4 Landscape Feature and Tree Preservation
- PLN 2.6 Water Sensitive Design
- PLN 2.9 Landscaping
- PLN 4.1 The Design of Industrial Sites and Estates

As per the identified parameters within the “Application of the Policy” part of each policy, these policies will predominantly be applied during the Structure Plan and Subdivision stages of the planning processes which is when detailed design of the layout of the estate is carried out. The provisions of these policies will impact such elements as road layout, drainage methods and public open space locations. For example, at the Structure Planning stage PLN 2.4 Landscape Feature and Tree Preservation will be implemented through the identification of Public Open Space areas within Stage 2 that will enable retention of existing vegetation in bulk and the design of the alignment and widths of road reserves to enable the retention of trees within verges and medians where possible. Preparation of the Local Water Management Strategy (LWMS) will be when the details of how the developers will implement the requirements of PLN 2.6 Water Sensitive Design will be achieved. PLN 2.9 Landscaping is generally implemented at the Development Application stage for individual lots but will also be implemented through the preparation of Landscape Plans for Public Open Space Areas and Tree Planting within verges and medians in roads during the Subdivision process. PLN 4.1 - The Design of Industrial Sites and Estates is specific to the subdivision design stage of development.

State Planning Instruments

The following State planning instruments are relevant to the assessment of the proposal.

Metropolitan Region Scheme

The subject land is now predominantly contained within the 'Industrial' zone under the Perth Metropolitan Region Scheme (MRS). The MRS Amendment assessment process resulted in land for the future widening of Rowley Road reservation being left in the Rural zone under the MRS at the request of Main Roads WA and the Department of Planning, Lands and Heritage. This will enable the road reserve for Rowley Road to be widened to 40 metres in the future. The road widening areas retaining the Rural zone under the MRS will retain a 'Rural Living' zoning under TPS No.4 through this scheme amendment.

The “Rural” zone under the MRS was also retained over portions of the lots comprising Stage 2 that contain environmental assets or required buffers between the environmental assets and future industrial development. This will also be reflected in Amendment No.116 to TPS No.4.

Refer Attachment - Current MRS Zoning

Directions 2031 Strategy

The Directions 2031 Strategy identifies Priority Industrial sites to meet demand for industrial land over the coming 20 years, to provide employment land supporting economic growth and a balanced distribution of employment across the Perth and Peel regions.

The subject land is identified as a Priority Industrial site, which will substantially contribute to meeting metropolitan employment and economic growth needs, along with the needs of households. The Strategy identifies a need to provide a balanced distribution of industrial centres across Perth to reduce freight handling and improve the provision of products and services for the broader community into the future. The timely delivery of lots for general industry and industrial business development on the subject land will serve to meet the intent of the Strategy.

The Directions 2031 Strategy identified six sub-regional planning areas for distinct planning and policy development measures. The south east sub-region is estimated to experience population growth of up to 228,000 persons, being a 34 per cent increase on current population levels. The Strategy also identifies an employment self-sufficiency target of 55 per cent for the sub-region, requiring 31,000 new jobs by 2031. In order for this to be realised, concerted action will be required over the next two decades.

This amendment is therefore timely in its preparation; as it will enable subsequent detailed structure planning to take place in the near future, enabling the delivery of additional new employment land in the medium term.

Economic and Employment Lands Strategy (non - heavy Industrial) for Perth and Peel (WAPC, 2012)

The Economic and Employment Lands Strategy 2012 (EELS) identified several locations where future industrial sites may be considered, to accommodate future demand and economic growth in the south east sub-region, in response to and in order to achieve the following:

- Population growth;
- Sustained levels of economic growth and employment targets;
- Improved freight infrastructure; and
- De-constraining existing industrial land.

The subject land was included within an area identified as a medium term non-heavy industrial site (4-10 years/2016-2022) under EELS.

The EELS Strategy states the predominant type of industrial development for the South Forrestdale site will include general industrial development. However, it also states that some of the site should also be zoned 'Industrial Business' in order to enable the provision of additional employment opportunities for nearby residential areas (both existing and future). In this regard, the EELS Strategy identifies land uses such as commercial vehicle parking, storage and warehousing along with activities such as recreation-public, garden centre and showrooms. The land use mix in Stage 2 of the South Forrestdale Industrial area will be determined through the subsequent Structure Planning process following completion of Amendment 116.

Perth and Peel @ 3.5 Million – South Metropolitan and Peel Sub-regional Framework

The South Metropolitan and Peel Sub-regional Framework was published in 2018 and identifies Stage 1 of the industrial area as Industrial (as the land had already been zoned for Industrial development at both the MRS and TPS levels) and the land that will comprise Stage 2 as Industrial Expansion. At the time the MRS amendment relating to Stage 2 of South Forrestdale had not been commenced.

State Planning Policy 4.2 - Activity Centres for Perth and Peel

The State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP4.2) sets out broad planning requirements guiding the development of new and existing activity centres. With regards to land for industrial purposes, the policy aims to ensure that the key uses for industrial land are to be maintained and commensurate with industrial purposes. To this end, the future structure plan adopted by the City and endorsed by the WAPC will ensure an appropriate response meeting with the intent of this policy.

OPTIONS

1. Council may initiate the Scheme Amendment as proposed or with modifications.
2. Council may decline the initiation of the Scheme Amendment if it considers the proposed rezoning to be contrary to the orderly and proper planning of the area or for any other reason.

CONCLUSION

The amendment proposes to rezone Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road Forrestdale from Rural Living 20 zone to Industrial Development zone to enable the local Structure Planning to progress.

To implement the recommendations of the EPA and DBCA Provisions 46.3 and 46.4 in Schedule 8 (Development (Structure Plan) Areas) in TPS No.4 be proposed to detail the requirements with regard to wetland and bushland protection (buffers) and stormwater management. Special Control Area Map 3 is also required to be amended to include the lots the subject of Amendment No.116 within Development Area 46

In summary, the proposed Scheme Amendment:

- Achieves the aims and objectives of the City of Armadale Town Planning Scheme No.4 and the applicable Local and State planning frameworks.
- Will assist in achieving relevant objectives contained in the City's Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2030.
- Will implement a framework enabling more detailed consideration of impacts on environmental features and appropriate solutions during subsequent structure planning over the land.
- Will assist the City in working towards achieving new job creation within the City of Armadale.

DPLH have advised the City that the Bush Forever Area and Conservation Category Wetland on a portion of Lot 12 Rowley Road were not intended to be included in the Local Scheme Amendment and would remain in the Rural zone under the MRS and Rural Living zone under TPS No.4. It is therefore recommended that the City write to WAPC requesting that the Bush Forever Area and CCW be included in a future MRS Omnibus amendment to transfer the land to Parks and Recreation reservation in the MRS and the land being subsequently acquired by the WAPC. This when enable the protection of these environmental assets into the future.

Following the closure of the advertising period, the proposed amendment and any submissions received during the advertising period will be forwarded to Council for its consideration for final adoption.

Given the above, Option 1 is recommended.

ATTACHMENTS

1. MRS Zoning Plan - Amendment 116 - TPS No.4 - South Forrestdale Industrial Area Stage 2
2. Existing and Proposed Zoning Map - Amendment 116 - TPS No.4 - South Forrestdale Industrial Area Stage 2
3. SCA Map3 - Amendment 116 - TPS No.4 - South Forrestdale Industrial Area Stage 2
4. Environmental Features - Amendment 116 - TPS No.4 - South Forrestdale Industrial Area Stage 2

Committee Discussion

Committee discussed the proposed drainage design for the structure plan area, installation of drainage basins, open swales, use of the buffer areas, landscaping requirements and the submission of a more detailed Local Water Management Strategy to support the Structure Planning process.

To clarify Condition 1.c.iii, Committee requested the word “proposed” be included in the sentence “A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any proposed stormwater drainage features within the buffer. The Local Water Management Strategy is to be prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the local authority”.

D32/9/21

RECOMMEND

That Council:

1. Pursuant to section 72 of the *Planning and Development Act 2005*, amend Town Planning Scheme No.4 (Amendment 116) by:
 - a. Rezoning Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road Forrestdale from “Rural Living 20” zone to “Industrial Development” zone as shown on the Scheme Amendment map and, amend the Scheme Maps accordingly;
 - b. Amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 & 9 Oxley Road & Lot 5066 Kargotich Road, Forrestdale; and
 - c. Amend Schedule 8 Development (Structure Plan) Areas in the Scheme Text by:
 - i amending the “Description of Land” for Development Area 46 to include the land the subject of Amendment No.116 as follows:

“South Forrestdale Industrial Area” - Lots 6, 8 and 200 Rowley Rd, Forrestdale (Stage 1) and Lot 10 & portion of Lot 12 (863) Rowley Rd, Lots 5 (596), 7 & 9 Oxley Rd and Lot 5066 Kargotich Road, Forrestdale (Stage 2)”.
 - ii Amending provision 46.3 to the following:

46.3 The Structure Plan shall make adequate provision for the protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the local government through:

 - i *The provision of appropriate buffers between future industrial development and the Bush Forever site and Conservation Category Wetland on Lot 12 and environmentally sensitive areas abutting the northern boundaries of Lots 5, 7 and 9 Oxley Road. The buffer areas are to be detailed on the Structure Plan. The extent/width of the buffers is to be to the satisfaction of the EPA and the DBCA.*

***1.1 - SWIMMING POOL TENDER 32/2021 - PRIVATE SWIMMING POOL
INSPECTION SERVICES***

WARD : ALL
FILE No. : M/273/21
DATE : 16 September 2021
REF : AB/RM
RESPONSIBLE MANAGER : ED DS

In Brief:

- Tender 32 of 2021 was recently advertised for Private Swimming Pool Inspection Services.
- One compliant tender was received by the specified closing time.
- Council approval is sought to reject all tenders.

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.
- 4.3.2 Undertake active financial management to ensure that the annual budget is achieved and any variances are promptly identified and addressed.

Legal Implications

Assessment of legislation indicated that the following apply:

- Section 3.57 *Local Government Act 1995* – Tenders for providing goods or services
- Division 2 *Local Government (Functions and General) Regulations 1996* – Tenders for providing goods or services
- *Building Act 2011*
- *Building Regulations 2012*

Council Policy/Local Law Implications

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

- Council Policy ADM 19 – Procurement of Goods and Services

Budget/Financial Implications

- Provision has been made in the Pool Inspections budget with revenue from the City's yearly Swimming Pool Levy used to fund the Private Swimming Pool/Spa fence inspection regime.
- Should the City award tender 32/21 to Royal Life Saving WA additional funding will be required.

Consultation

- Intra Directorate

BACKGROUND

The Provisions of Division 2 - Private Swimming Pools of the *Building Regulations 2012* requires that each local government inspect the barrier to the private swimming pools and spas in their district at intervals of not more than 4 years for the purpose of monitoring whether the provisions are being complied with.

This service contributes to attainment of the Environmental Outcomes and Strategies pertaining to administration, inspection and operations concerned with application of building standards in the City's Corporate Business Plan.

A local government can fix a charge to be imposed on each owner or occupier of land on which there is a private swimming pool containing water that is more than 300mm deep to meet the estimated cost per financial year of carrying out such inspections. As such the City of Armadale charges each pool owner \$35 per year resulting in the approved budget of \$175,200. The City currently has 5192 swimming pools and spas in its district which require four yearly mandatory inspections with new pools and spas built each year.

On 25 February 2019, Council awarded the previous tender to C.E. Nicholls & Son Pty Ltd to undertake the inspection program on its behalf. The contract had been renewed for a further 12 months effective from 23/03/2021, in accordance with Clause 6.1 of the contract. However the contract was terminated by C.E. Nicholls & Son Pty Ltd on 28 February 2021 due to ill health of the Director, Mr Nick Nicholls who has since sadly passed away.

Subsequently, Tender 19 of 2021 - Private Swimming Pool Inspection Services was advertised to gain the services of a suitable contractor and closed at 2:00pm on 21 April 2021. No tenders were received.

In accordance with Division 2 Regulation 11(2)(c)(i) *Local Government (Functions and General) Regulations 1996* – Tenders for providing goods or services, local governments do not have to further publicly invite tenders if within the last 6 months the local government has previously publicly invited tenders for the supply of the goods or services and no tender was submitted.

Building Services obtained quotes from three service providers and following assessment, engaged Royal Life Saving WA to conduct the City's swimming pool inspection services for a contract period of six months ending on 23 November 2021. This allowed the City time to return to market and re-advertise a new tender.

Due to the ongoing cost of the service being higher than the tender threshold and in accordance with Division 2 *Local Government (Functions and General) Regulations 1996* – Tenders for providing goods or services, Building Services advertised a new Tender 32 of 2021 - Private Swimming Pool Inspection Services which closed at 2:00pm on 25 August 2021.

Tender 32/21 for Private Swimming Pool Inspection Services was advertised in the West Australian newspaper, the City's e-Tendering portal Vendor Panel and in a notice which was displayed on the Administration Centre, Armadale, Kelmscott and Seville Grove Libraries' public notice boards.

DETAILS OF PROPOSAL

Tenders were received from:

	Tenderer's Name
1.	Moonyah Services Pty Ltd
2.	Royal Life Saving WA

No tenders were received after the close of deadline.

ANALYSIS

All tenders were assessed against the compliance criteria and the tender submitted by Moonyah Services Pty Ltd was deemed non-conforming on the basis that their tender did not address the mandatory scope of works.

The tender from Royal Life Saving WA proceeded to be assessed against the following Qualitative Criteria.

Criterion	Weighting
Service Quality and Experience	40%
Key Personnel Experience	30%

Upon completion of the evaluation, final scores and pricing were entered into the Evaluation Matrix as shown in the Confidential Attachment, where a final analysis was undertaken.

CONCLUSION

One (1) tender for Private Swimming Pool Inspection Services was assessed by an evaluation panel against Service Quality and Experience and Key Personnel Experience.

As financial considerations associated with the award of the tender necessitate the report being given confidential consideration, the full recommendation is contained within the confidential evaluation report provided in the Confidential Attachment.

ATTACHMENTS

1. Price Schedule - Tender 32/21 for Private Swimming Pool Inspection Services - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*
2. Evaluation Report - Tender 32/21 for Private Swimming Pool Inspections - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*

RECOMMEND

D33/9/21

That Council, in regard to Tender 32/21 for Private Swimming Pool Inspection Services, adopt the recommendation detailed within the Confidential Attachment, i.e.:

Recommendation Part 1

That Council pursuant to Regulation 18(5) of the Local Government (Function and General) Regulations 1996 with regard to tender 32/21 for Private Swimming Pool Inspection Services:

1. **Not award tender 32/21.**

Recommendation Part 2

That Council:

1. **Support in house provision of Employing a FTE Swimming Pool Safety Barrier Inspector.**
2. **Pursuant to s6.8 of the Local Government Act 1995, Amend* the 2021/22 budget as follows:**

Decrease in Operating Expenditure

Pool Inspections - Consultancy – Pool Inspector \$77,818

Increase in Operating Expenditure

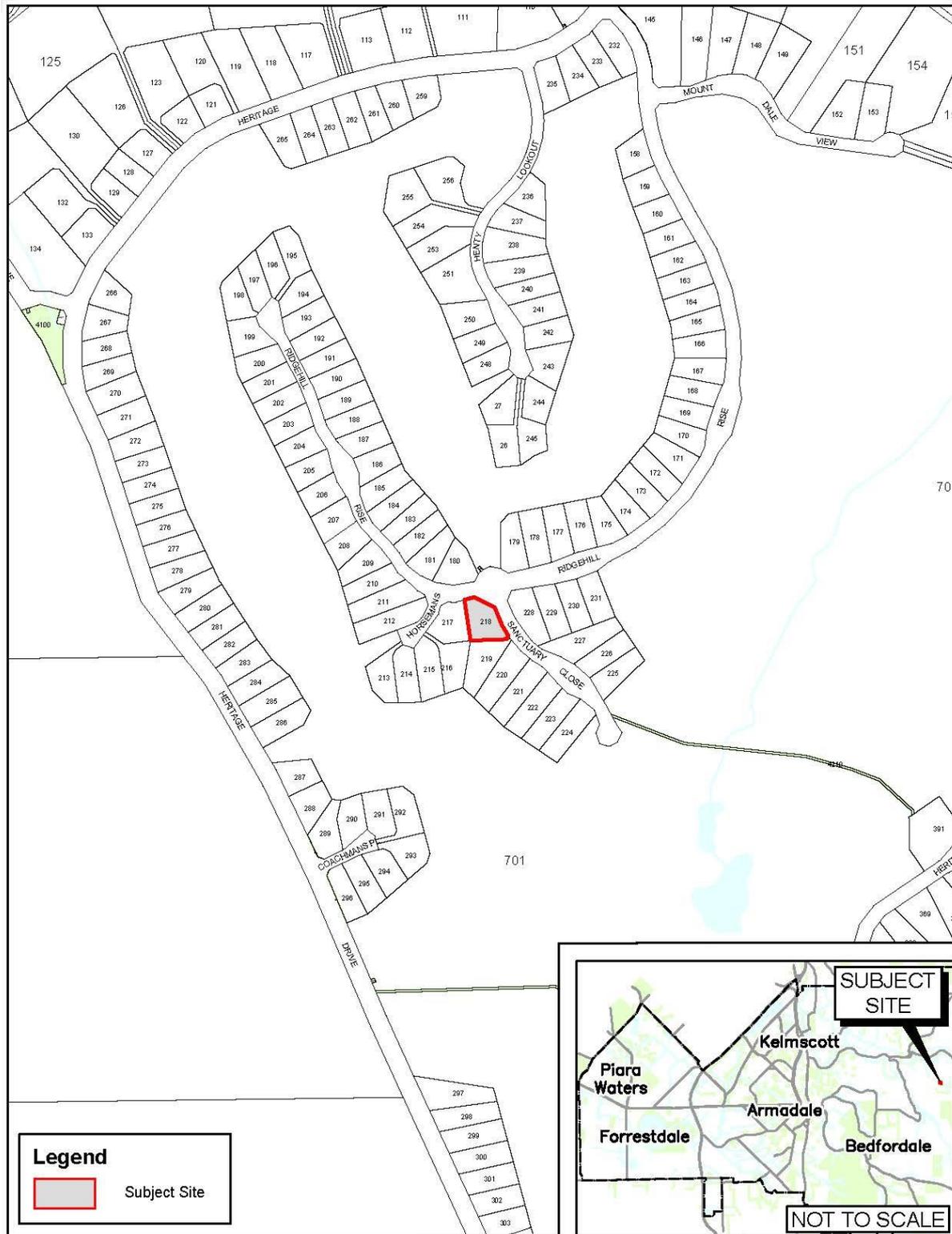
Pool Inspections - Salaries and Superannuation \$77,818

3. **Amends the Four Year Budget accordingly.**

*** ABSOLUTE MAJORITY RESOLUTION REQUIRED**

**Moved Cr C M Wielinga
MOTION CARRIED**

(5/0)



LOCATION PLAN

Lot 218 No.1 Sanctuary Court, Roleystone PR6487



SCALE 1 : 8000



DATE 1 September 2021 – REVISION 2102
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Based on information provided by and with the permission of the
Western Australian Land Information Authority (LIRA) or Landgate, Geospatial
Aerial photography supplied by Landgate, Melbourne by WestMap.

2.1 - PRIVACY SCREEN- LOT 218 (NO.1) SANCTUARY COURT, ROLEYSTONE

WARD : HILLS
FILE No. : - M/571/21
APPLN NO. : DD010.2021.00000209.001
DATE : 16 September 2021
REF : GW
RESPONSIBLE MANAGER : EDDS
APPLICANT : T & L Irving
LANDOWNER : T & L Irving
SUBJECT LAND : Property size 0.2290 ha
(2290 m²)
ZONING
MRS / : Rural
TPS No.4 : Special Residential /
Additional Use No.30

In Brief:

- The City received a retrospective application for a privacy screen on 3 August 2021.
- The application is considered to be compliant with *Planning Policy 3.7-Araluen Residential Estate*.
- Recommend that the Council approve the application subject to appropriate conditions.

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 218 No.1 Sanctuary Court, Roleystone PR6487



SCALE 1 : 5000

DATE: 1 September 2021 - REVISION 2101
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Western Australian Land Information Authority in doing so, the relevant
Aerial photograph supplied by Esri/ArcGIS. Photo credit to Esri/ArcGIS.

Strategic Implications

- 2.2 Attractive, inclusive and functional public spaces
 - 2.2.2 Improve the amenity of streetscapes in established suburbs to provide an attractive, shaded network that connects residents to locations of interest.
- 2.5 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.
 - 2.5.6 Constantly seek improvements to the nature and standard of developments within the City.

Legal Implications

Planning and Development Act 2005
Town Planning Scheme (TPS) No.4
Local Planning Strategy 2003
Metropolitan Region Scheme

Council Policy/Local Law Implications

PLN 3.7 Araluen Residential Estate

Budget/Financial Implications

Nil

Consultation

Nil

BACKGROUND

The City granted approval for a Single House and Ancillary Accommodation on 3 October 2019 subject to standard conditions. The house has been under construction.

On 24 May 2021, officers received a Councillor query providing feedback on behalf of residents raising concern over the appearance of the development site, in particular, the height of the privacy screen fence that had been erected. It should be noted that the City has not received any formal written complaints directly from residents to date.

The City sought legal advice to confirm that the privacy screen required development approval under the *Planning and Development (Local Planning Schemes) Regulations 2015*. Planning Compliance officers subsequently requested the landowner to lodge a retrospective Development application for the unauthorised works and provided advice on the City’s Policy PLN 3.7 for Araluen.

The unauthorised privacy screen has been constructed to a height of 2.4m.

DETAILS OF PROPOSAL

The application proposed the erection of a 2.1m (reduced from the current constructed height of 2.4m) high privacy screen to enclose an internal courtyard/ future pool area. Following officer requests, the landowner has subsequently agreed to further reduce the overall height of the privacy screen to 1.8m in response to concerns raised by officers during the assessment process that any height exceeding 1.8m was considered to be unwarranted.

The privacy screen is proposed to be finished in the same materials and color scheme to match the existing dwelling.

The applicant has provided the following arguments in support of the application:

- *Whilst I believe that the height of the privacy screen is in keeping with the scale of the constructed dwellings, I propose a reduction in height to 2.1 metres. I feel that this should be the minimum height for several reasons. NB: The landowner has subsequently agreed to reduce the height to 1.8m.*
- *If I reduce the height any further the cladding portion will be out of proportion and I specifically made the cladding identical to the existing house so as to be fully compliant with PLN 3.7 Part 4.3.4. I believe that the identical materials "compliment the dwelling" as required.*
- *As this privacy screen also serves as exclusion fencing for the swimming pool the 2.1 metre height also adds additional safety in excluding unauthorised access by children.*
- *The privacy screen is important in this location as the property fronts a roundabout and is more exposed to vehicular headlights and noise than any other property in the estate.*
- *The proposed screen adds to the amenity of the area for several reasons. The materials are identical to the dwellings instead of generic colorbond fencing which would have been a cheaper option. The materials and height will lessen the transmission of noise from the pool area which will be used extensively in the late evening in the warmer weather which otherwise would impact the neighbouring properties. The height and opaque nature of the privacy screening will prevent the accidental exposure to neighbours and passers-by who may be offended by such exposure.*
- *Proposed trees and shrubs will soften and mostly obscure the proposed screening and fencing.*

In addition to the above information outlined by the applicant above, it should be noted that the applicant also proposes to erect a 1.8m high visually permeable (wooden picket style) fence in front of the existing ancillary dwelling offset from the boundary. As boundary fencing is generally exempt from the need to obtain development approval under Clause 61 (1)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, this fence should be excluded and not form part of this development application. Such fencing is regulated by a separate process pursuant to the City's *Fencing Local Law*. In this regard, the proposed picket fence contravenes Clause 2.1(3)(c) of the City's *Fencing Local Law*, which requires rural style (post and rail/wire) fencing as per the specifications of Schedule 3, and therefore is not supported.

ANALYSIS

Town Planning Scheme No.4

The objective of the ‘Special Residential’ under TPS4 are as follows (Clause 3.2.2):

- (a) *To provide for low density residential development in a rural setting, in which natural environmental values are conserved as far as possible for the enjoyment of residents as well as the maintenance of ecological and landscape values.*
- (b) *To ensure development is sited and designed to achieve an integrated and harmonious character within each of the estates.*

In accordance with condition 30.4 of Schedule 2 Additional Use No.30, *in approving all development or exercising its discretion under the Scheme, the local government shall have regard to Policy for the Araluen Special Residential Area (PLN 3.7 Araluen Residential Estate), adopted as a Local Planning Policy under Part 2 of the Deemed Provisions.*

The proposal is relatively incidental and is considered to be consistent with the intent of TPS4. Further discussion and regard to PLN 3.7 is outlined below.

Local Planning Policy PLN 3.7 Araluen Residential Estate

Relevant policy provisions applicable to this proposal are outlined and discussed further below:

Clause 4.3.4 contemplates and allows for privacy screening that is constructed with materials that complement the dwelling. In this instance, the privacy screen will be finished in the same colour and materials to match the house. This is considered to be a better quality outcome than other complementary materials such as colorbond for example, which would also be compliant. It should be noted that such forms of screen fencing are not uncommon within the estate and are considered reasonable where they provide a genuine and practicable need for privacy.

Clause 4.1.3 requires that clothes drying areas, service areas, storage areas, air conditioning units and hot water storage tanks shall be located behind the front setback line and screened from public view. Officers are of the view that it is reasonable to apply this provisions to pool areas, where privacy is desirable. The screen is not positioned forward of the approved building setback and is considered compliant with this policy provision.

Clause 4.2.3 requires development that is highly visible from public areas shall be screened by landscaping using local native species. The applicant has agreed to install landscaping and it would be appropriate to implement a landscaping plan to achieve softening of the privacy screen and to reduce any visual impact on the streetscape, as a condition of approval.

Whilst there is no prescribed heights for screen fencing under PLN 3.7, the applicant has agreed to reduce the overall height from 2.4m down to 1.8m. The height is considered reasonable and is now consistent with a standard fence height, that is common around swimming pools. Whilst there is no prescribed heights for screen fencing under PLN 3.7, the applicant has agreed to reduce the overall height from 2.4m down to 1.8m. The height is considered reasonable and is now consistent with a standard fence height, that is common around swimming pools. It should be noted that the privacy screen is enclosing an existing gap between two separated parts of the dwelling, which would usually be a continuous building façade in most house designs. In this regard, the proposal is relatively incidental and poses minimal visual impact on the streetscape, particularly once additional landscaping is planted and established to soften the privacy screen.

The proposal is considered to be compliant with PLN 3.7 in this regard.

Streetscape/Passive Surveillance

It is important to note that the existing dwelling has been designed to address both Ridgehill Rise and Sanctuary Court streets.

Corner lots, particularly where they abut a roundabout and are restricted to open style (post and rail) fencing present obvious design challenges in terms of privacy. It is considered reasonable to expect a need for some level of screen privacy from passing traffic etc in such circumstances. The privacy screen does not adversely impact on passive surveillance in this instance noting that existing major openings (windows) of the dwelling still overlook both streets.

OPTIONS

Council has the following options:

1. Conditionally approve the proposal; or
2. Resolve to refuse the application and provide planning reasons for its decision.

CONCLUSION

The proposal is relatively incidental and poses minimal visual impact on the streetscape whilst providing reasonable privacy to the internal courtyard/pool area and acknowledging that the applicant has agreed to reduce the overall height from 2.4m to 1.8m.

The proposal is compliant with TPS4 and associated Local Planning Policy PLN 3.7 noting the privacy screen will be constructed from materials and colour scheme to match the existing dwelling. Additional landscaping will further soften and reduce any visual impact on the streetscape.

It is recommended that Council approve the application in accordance with Option 1 above, with appropriate conditions.

ATTACHMENTS

1. [↓](#) Photograph 1 - Lot 218 Sanctuary Court, Roleystone
2. Site Plan - Lot 218 Sanctuary Court, Roleystone
3. Elevations Plan 1 - Lot 218 Sanctuary Court, Roleystone
4. Elevations Plan 2 - Lot 218 Sanctuary Court, Roleystone
5. Floor Plan - Lot 218 Sanctuary Court, Roleystone
6. Landscape Plan - Lot 218 Sanctuary Court, Roleystone

Committee Discussion

Committee discussed the privacy screen fencing, the street frontage view of the site, site and elevation plans, and the installation of landscaping from Ridgehill Rise and Sanctuary Court, to achieve softening of the privacy screen.

RECOMMEND

D34/9/21

That Council:

A) Approves the application for Planning Approval for Privacy Screen on Lot 218 (No.1) Sanctuary Court, Roleystone, subject to the following conditions:

1. **Within 90 days of this approval, the privacy screen fence shall be reduced in height to no more than 1.8 metres and finished in materials and colour scheme to match the existing Single House.**
2. **Within 90 days of this approval, a Landscape Plan shall be submitted to and approved by the Executive Director Development Services to achieve softening of the privacy screen from Ridgehill Rise and Sanctuary Court. All landscaping shall be installed as per the approved plan prior to occupancy of the development and maintained thereafter.**
3. **The 1.8m high visually permeable (wooden picket style) fence as shown on the submitted plans does not form part of this approval.**

Advice Note:

1. **With regard to Condition 3, the proposed fence is not included within this development approval. The proposed fence contravenes Clause 2.1 (3)(c) of the *City's Fencing Local Law*. Whilst a separate application could be lodged for consideration under Clause 6.1 of the *City's Fencing Local Law*, the City advises that it does not support this style of fence and recommends if any fencing is installed then it shall comply with the specifications and requirements of Schedule 3 of the Local Law.**

**Moved Cr J H Munn
Opposed Cr C M Wielinga
MOTION CARRIED**

(4/1)

***2.2 - PROPOSED OUTBUILDING - LOT 42, NO.1 CHURCHMAN BROOK ROAD,
ROLEYSTONE***

WARD : HILLS
FILE No. : - M/575/21
APPLN NO. : 10.2020.340.1
DATE : 16 September 2021
REF : CV
RESPONSIBLE MANAGER : EDDS
APPLICANT : Dale Design Service
LANDOWNER : Shannon Luke Coward
SUBJECT LAND : Lot 42 (1) Churchman Brook Road, Roleystone
ZONING : 11.3 ha
MRS / : Rural
TPS No.4 : Rural Living 4

In Brief:

- The City received an application for alterations to an existing outbuilding on 16/11/20.
- The application originally proposed increasing the roof and wall heights of an approved 1984 outbuilding from 5.2m to 8.3m and 3.65m to 7.3m respectively
- The application was advertised for a period of 2 weeks. A total of five (5) submissions were received, all objecting to the proposal.
- The City advised the applicant that it did not support the proposed variations to PLN 3.4 – Outbuildings on the grounds that the outbuilding was of excessive scale and visual prominence.
- Following an extended period of discussions, the applicant has amended the application to show a compliant roof height of 4.9m, while a wall height variation of 4.3m in lieu of 3.6m is proposed.
- The City considers that the amended proposal suitably addresses the concerns with the first iteration. The reduced scale provides a more acceptable visual outcome that is capable of being screened by landscaping.
- Recommend that the Council approve the application subject to appropriate conditions.

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.



AERIAL PLAN

Lot 42 (No.1) Churchman Brook Road, Roleystone



SCALE 1 : 10000

DATE 6 September 2021 - REVISION 2102
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Based on information provided by and with the permission of the
Western Australian Land Information Authority in doing so, LandInfo (2015)
Aerial photography supplied by Landgate, Perthshire by GeoMap.

Officer Interest Declaration

Nil

Strategic Implications

- 2.2 Attractive, inclusive and functional public spaces
 - 2.2.2 Improve the amenity of streetscapes in established suburbs to provide an attractive, shaded network that connects residents to locations of interest.
- 2.5 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.
 - 2.5.6 Constantly seek improvements to the nature and standard of developments within the City.

Legal Implications

Planning and Development Act 2005
Town Planning Scheme (TPS) No.4
Local Planning Strategy 2016
Metropolitan Region Scheme

Council Policy/Local Law Implications

PLN 3.4 – Outbuildings.

Budget/Financial Implications

Nil.

Consultation

The proposal was advertised to nearby landowners.

BACKGROUND

The subject property at Lot 42, No.1 Churchman Brook Road is located within the Rural Living zone. The property is characterized by steep terrain and is predominately vegetated. A single house is located on the property. The property was approved for use as a commercial deer farm in 1981. The outbuilding on the property was approved by the City in 1984 and dates from the time the property was used for this purpose. This approved outbuilding has a floor area of 316.6m² and a wall height of 3.65m and a roof pitch height of approximately 5.2m.

The property was purchased by the current owner in 2020. In September 2020, the City received a complaint regarding building works being undertaken on Lot 42. Upon investigation by the City’s Building and Planning Services it was identified that unauthorised works to increase the height of the existing 1984 outbuilding had commenced. The landowner was requested to stop work and submit a development application to the City for consideration of the changes. The works were only partially complete at the time they ceased. This resulted in the sides of the outbuilding being left open for some time.

The development application was submitted to the City on 12/11/20. The application requested consideration of the building heights as partially constructed to that point, with a wall height of 7.6m and a roof pitch height of 8.3m in lieu of the 3.6m and 5.0m respectively allowed by the City’s PLN 3.4 - Outbuildings.

Please note that the above heights were those advertised to the local community. The applicant was subsequently advised by the City that variations of this extent would not be supported and the applicant chose to amend the proposal to reduce the building heights.

The City's officers have recently identified through recent aerial photography information that another outbuilding may have been erected on Lot 42. The City is currently investigating this as a compliance matter.

DETAILS OF PROPOSAL

The applicant proposes the following revisions to the existing outbuilding:

- The wall height increasing from 3.6m to 4.3m and a roof pitch height of 4.9m;
- The addition of an internal mezzanine floor containing an home office and storage area is proposed as open sided verandahs additions on each end of the building;
- The total proposed dimensions of the building are 32.15m by 12m, with a total enclosed building footprint of 316.6m² in keeping with the 1984 approval;
- The proposed verandah additions increase the original length of the building from 26.3m to 32.1m. The southern upper floor verandah adjoining the office is depicted as having glass panel windows. These verandahs do not appear to have been part of the unauthorised works; and
- The applicant is also proposing the construction of an earthen bund on the western side of the outbuilding to reduce the external appearance of the wall height.

The applicant has proposed the above amendments as he was previously advised that the City's officers would not support approval of a wall height of 7.3m and a roof pitch height of 8.3m.

The landowner has advised the City that they intend to use the outbuilding for a home office and storing personal items such as equipment used for managing the property.

The landowner has undertaken temporary works during mid-2021 to commence reducing the height of the partially completed outbuilding works and to secure the interior of the unenclosed outbuilding against the weather. There are photos dating from May 2021 and August 2021 included as an attachment to the report reflecting these works.

COMMENT

Public Advertising

The application was advertised for two weeks, closing on 31/03/21. Advertising was carried out by way of letters to affected and nearby landowners.

Total No. of letters sent to residents/owners:	14
Total No. of submissions received:	5
No. of submissions of conditional support/no objection:	0
No. of submissions of objection:	5
No. of submissions of general advice by Service Agencies:	0

The main issues raised in submissions, together with a comment on each issue are outlined below.

Key Issues

Issue 1 - The appearance of the 8.3m high outbuilding was unappealing and did not comply with the intent of the City's Special Control Area No. 1 – Prime Landscape Area.

Comment

The City agrees with submitters that the initial plans of the proposal with wall heights at 7.3m and a roof pitch height at 8.3m was not supported and presented an undue visual prominence as seen from Churchman Brook Road. The applicant has amended the proposal to show a compliant roof height of 4.9m. While a wall height variation of 4.3m in lieu of the permitted 3.6m is proposed, this is considered to be acceptable as it now allows vegetation screening to be more feasibly implemented. The City therefore considers that the applicant has satisfactorily addressed the undue building height impacts of the unauthorized works.

Recommendation

That the issue is supported.

Issue 2 - The size of the 8.3m high outbuilding raised concerns that it could be used for industrial purposes. The presence of commercial vehicles on the property underscores this concern.

Comment

The City agrees with submitters that the scale of the unauthorized works were excessive and could be perceived as being beyond the needs of a rural property, thereby implying the intention to use it for non-residential purposes. The applicant has provided plans to the City that reduce the scale of the outbuilding to comparable roof height with the 1984 approval. Given there has historically been an outbuilding of similar size on the property and the proposal has been reduced in scale from its first version, the City considers the proposal to now be more appropriate to the Rural Living zone.

The City's Town Planning Scheme No.4 does not permit Industry land uses in the Rural Living zone with the exception of Industry – Cottage which can be considered as a discretionary (D) land use. If any unauthorized Industry land uses are occurring on the property, the City could investigate and take appropriate action.

The City acknowledges the concerns raised by submitters in relation to the sighting of commercial vehicles on the property being two trucks, one being a crane truck. Since April 2020 the parking of commercial vehicles has been exempt from requiring development approval under the state of emergency planning exemptions. Should the requirement to obtain development approval for parking of a commercial vehicle return at a future stage, the landowner would be required to submit a permit application to the City for consideration.

If multiple trucks are onsite, this may be a "transport depot" which is not permitted. The City's Planning Compliance officers will investigate the vehicles.

Recommendation

That the issue is supported.

ANALYSIS

Town Planning Scheme No.4 Part 4B – Rural Living, General Rural and Special Rural Zone Requirements

4B.1 Setbacks

The outbuilding is based on the footprint of the approved 1984 structure and complies with the 15m minimum boundary setbacks, being approximately 17m at the closest setback.

4B.2 Building Height

TPS 4 specifies wall heights and roof heights to 6m and 9m respectively in the Rural Living zone unless otherwise approved by the City of Armadale. The proposed 4.3m wall height and 4.9m roof height are within these limits but are variations to the City's Policy PLN 3.4 which permits outbuildings to have a wall height up to 3.6m. The proposed roof pitch height is compliant with PLN 3.4.

4B.3 Building Coverage

TPS 4 states that building coverage shall not exceed 500m² unless otherwise approved by the City. The outbuilding maintains its coverage of 318m². The dwelling and outbuildings combined likely account for building coverage over 500m². Given this figure is consistent with the prior development that was approved in 1984, no variation is requested for this application.

Part 4B.4 Car parking and vehicular access (including parking of commercial vehicles)

There is evidence that two commercial vehicles (trucks) have been parked at times on the property recently. The requirements of Part 4B.4 are temporarily overridden by the state wide exemptions from requiring development approval for commercial vehicle parking under the state of emergency powers as of 30 April 2020. If two or more commercial vehicles are parked on site then may be a "transport depot use" and vehicles will need to be removed to allow only one commercial vehicle.

Should the requirement to obtain development approval for commercial vehicle parking be reinstated at a future stage, the landowner will need to demonstrate compliance with part 4B.4 of TPS 4 or remove the vehicles. The Planning Compliance officers will investigate the commercial vehicles to ensure compliance.

4B.7 Remnant vegetation protection

No remnant native vegetation is proposed to be removed.

Town Planning Scheme No.4 – Part 5 Special Control Areas

5.5 Land and bushland protection areas

The subject site and surrounding valley is within an area designated as Prime Landscape Quality under Special Control Area 1. This means that impacts upon the vegetation and landscape values of the area must be evaluated when considering development. The City considers that the initial version of the outbuilding proposal, which incorporated wall heights up to 7.6m and a roof pitch of 8.3m, had an overbearing effect on the landscape values of the area and was unduly visually prominent.

Changes to the proposal to bring the roof pitch down to a compliant 4.9m and the wall height to 4.3m (albeit as a variation to Policy PLN 3.4) have reduced the scale of the proposed outbuilding and make screening with new vegetation more feasible to achieve. The landowner has indicated their intention to install new plantings to grow trees to screen the outbuilding. If Council supports the proposal then a condition requiring the submission of a landscaping plan could be applied.

The applicant has also proposed installing an earthen bund on the western side of the outbuilding in order to lower the externally visible extent of the wall height to 3.6m. The City has no objection to this treatment. The City notes that a retaining wall alongside the outbuilding is likely to be required in order to safely add fill outside the outbuilding above the existing floor level. The landowner would need to demonstrate a suitable treatment on the Building Permit application.

Policy PLN 3.4 – Outbuildings

Part 4.1 Siting of Outbuildings

The outbuilding is located forward of the main dwelling, however it was approved by the City in this position in 1984.

4.2 Floor Area of Outbuildings

The floor area of the outbuilding remains unchanged from its 1984 approval at 316.6m². The applicant proposes adding verandahs to both ends of the outbuilding. These are not counted as floor area under Part 4.2 of Policy PLN 3.4.

4.3 Height of Outbuildings

Table 1 states that properties over 4ha in area may have an outbuilding with a maximum roof pitch height of 5.0m and a wall height of 3.6m. The proposed roof height of 4.9m is compliant with Table 1.

The proposed wall height of 4.3m is a variation to Table 1. The applicant has explained that they request the additional height in order to install an internal mezzanine space for storage and a home office space. The proposed variation amounts to 0.7m and is considered to be minor in comparison to the 7.3m wall height originally proposed. The applicant has advised that they intend to install an earth bund with landscaping in order to reduce the external appearance of the wall to 3.6m. Given this, it is recommended that the proposed variation be approved.

OPTIONS

Council has the following options:

- Approve the application subject to appropriate conditions, or
- Refuse the application and specify its reasons for doing so.

CONCLUSION

The application proposes alterations to an outbuilding that was originally approved by the City of Armadale in 1984 and constructed shortly thereafter. The outbuilding was originally approved with a 3.65m wall height and approximately 5.2m high ridge height. The enclosed floor area of the outbuilding was 316.6m².

In September 2020 the present landowner was found to have undertaken works (to partial completion) that increased the roof pitch to 8.3m and the wall height to 7.3m. The floor area of the outbuilding remained the same. The landowner stopped works and submitted a development application to the City requesting consideration of these heights.

Following public advertising of the proposal and assessment by the City's Planning Services, the City advised the applicant that it did not support the proposed heights on the grounds that they unduly impacted upon the landscape values of the locality by making the outbuilding excessively prominent. Furthermore, the scale of the outbuilding was not considered to be consistent with domestic use on a property in the City's Rural Living zone.

The applicant subsequently amended the application to make the overall roof pitch height 4.9m, which is compliant with the City's Policy PLN 3.4 – Outbuildings and reduce the wall height to 4.3m which is a variation to Policy PLN 3.4's permitted 3.6m. While this is a 0.7m variation to Policy PLN 3.4 it is considered that this height can be adequately mitigated through feasible landscape planting and the construction of an earthen embankment to reduce the external appearance of the wall. The site and surrounding area exhibit steep topography and is heavily vegetated in general. The outbuilding itself sits atop a steep, vegetated embankment above Churchman Brook Road. Provided that the earth embankment and foreground to the shed is appropriately landscaped, the overall visual appearance should not detract from the streetscape.

Given the above the City recommends that the application be approved, subject to appropriate conditions

ATTACHMENTS

1. Photograph 1 - Lot 42 Churchman Brook Road, Roleystone
2. Photograph 2 - Lot 42 Churchman Brook Road, Roleystone
3. Original Plans - Lot 42 Churchman Brook Road, Roleystone
4. Proposed Elevations Plan 1 - Lot 42 Churchman Brook Road, Roleystone
5. Proposed Elevations Plan 2 - Lot 42 Churchman Brook Road, Roleystone
6. Proposed Tree Layout Plan - Lot 42 Churchman Brook Road, Roleystone
7. Proposed Landscape Plan 1 - Lot 42 Churchman Brook Road, Roleystone
8. Proposed Landscape Plan 2 - Lot 42 Churchman Brook Road, Roleystone
9. Proposed Landscape Plan 3 - Lot 42 Churchman Brook Road, Roleystone
10. Proposed Landscape Plan 4 - Lot 42 Churchman Brook Road, Roleystone
11. Proposed Landscape Plan 5 - Lot 42 Churchman Brook Road, Roleystone
12. Proposed Landscape Plan 6 - Lot 42 Churchman Brook Road, Roleystone
13. Submitter Plan - Lot 42 Churchman Brook Road, Roleystone - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relates to the personal affairs of a person*

RECOMMEND

D35/9/21

That Council:

- A) Approves the application for Planning Approval for an outbuilding on Lot 42, No.1 Churchman Brook Road Roleystone in accordance with the plans dated 30/06/21 subject to the following conditions:**
- 1. The outbuilding shall only be used for purposes incidental to the rural use of the property and shall not be used for habitable, commercial or industrial purposes to the satisfaction of the Executive Director Development Services.**
 - 2. The outbuilding shall have a maximum roof pitch height of 4.9m and a maximum wall height of 4.3m.**
 - 3. A Landscape Plan shall be submitted to and approved by the Executive Director Development Services to achieve screening of the outbuilding from Churchman Brook Road. All landscaping shall be installed as per the approved plan prior to occupancy of the development and maintained thereafter.**
 - 4. A schedule of external colours and materials shall be submitted to the City's Planning Services and approved by the Executive Director Development Services. The development shall be completed and maintained in accordance with the approved schedule to the satisfaction of the Executive Director Development Services.**

Advice Notes

- A. With regard to the Condition requiring submission of a colour and material schedule, it is expected that the colour and material schedule will be submitted and approved prior to the submission of a Building Permit Application.**
- B. All noise emitted from the premises must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.**
- C. The applicant and landowner are advised that it is a statutory requirement to comply with all conditions of this approval, and that not complying with any condition is therefore illegal. Failure to comply with any condition of this approval or the approved plans constitutes an offence under the *Planning and Development Act 2005*. The City can issue a Planning Infringement Notice of \$500 (without notice) and/or commence legal action with higher penalties up to \$200,000 for each offence and a daily penalty of \$25,000 per day for the continuation of that offence. It is the responsibility of the applicant and/or landowner to inform Council in writing when they consider the development to be complete and all conditions of this approval have been satisfied.**
- D. A Building Licence application is required prior to the erection of any structures on the property.**
- E. The developer is reminded of the requirement under the provisions of the**

Environmental Protection Act that all construction work (which includes earthworks and similar) be managed with due regard for noise control. Works generating noise and rock breaking in particular, are not permitted:-

- Outside the hours of 7:00am to 7:00pm; or
- On a Sunday or Public Holiday.

- F. If the applicant is aggrieved by a Refusal to Approve his/her application, or, where Approved, is aggrieved by any Condition imposed in that Approval he/she may apply for a Review to the State Administrative Tribunal pursuant to the provisions of Part 14 of the *Planning and Development Act 2005* against such refusal or imposition of such aggrieved Condition.

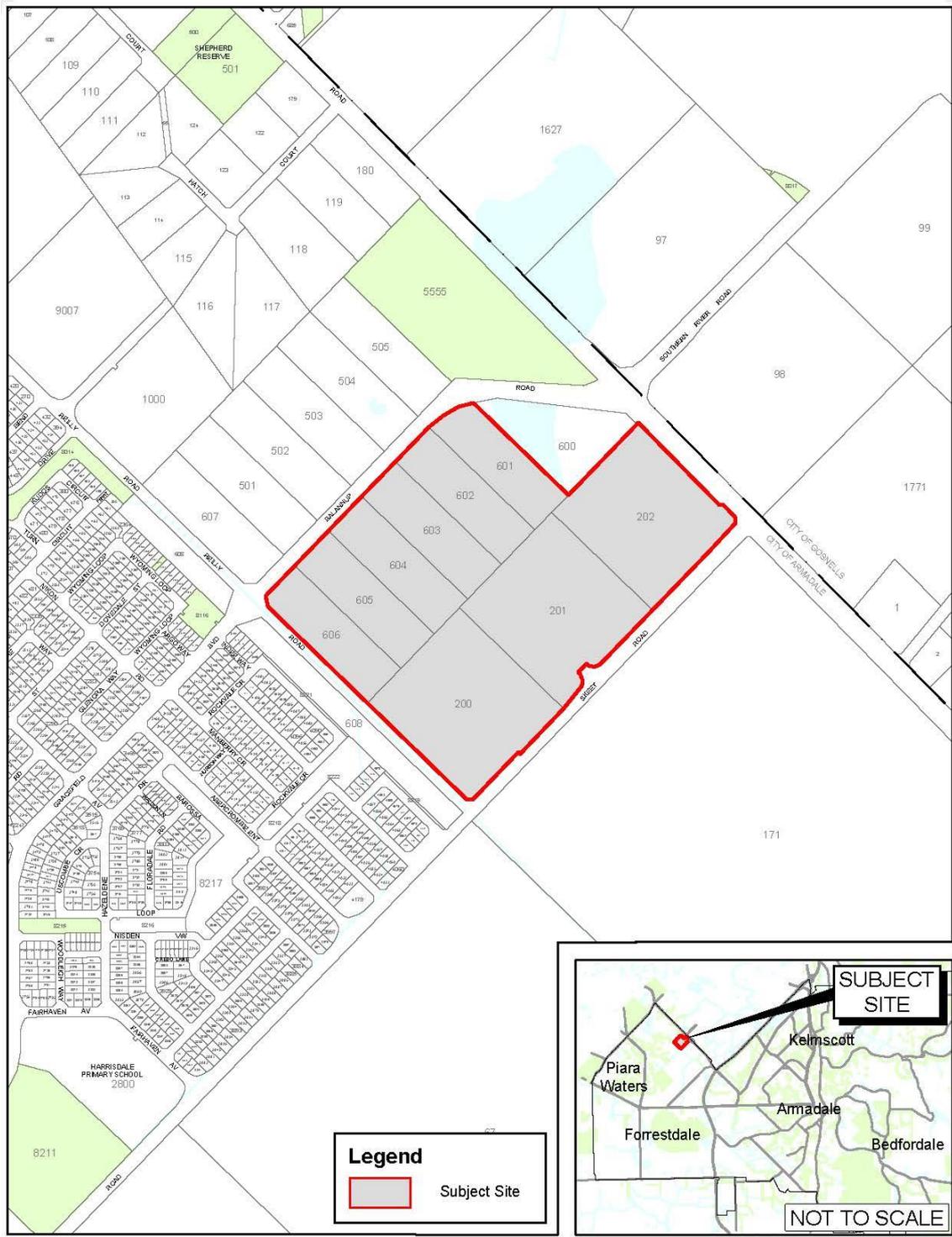
Such application for Review must be made not more than twenty eight (28) days after the date of Council's decision via the form available from the State Administrative Tribunal (copies available from the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, Perth, WA, 6000 or GPO Box U1991, Perth, WA, 6845, or www.sat.justice.wa.gov.au or from Council's offices), and should be accompanied by the relevant fee detailed in Schedule 18 of the *State Administrative Tribunal Regulations 2004*).

- G. If the development the subject of this approval is not substantially commenced within a period of 24 months from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
- H. Where the approval has so lapsed, no development shall be carried out without the further approval of the City having first been sought and obtained.

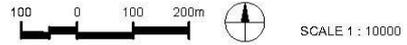
- B) Advise the submitters of the Council decision in this regard.

Moved Cr C M Wielinga
MOTION CARRIED

(5/0)



LOCATION PLAN
 TPS No.4 Amendment 121
 Lots 601-606 Balannup Road and Lots 200-202 Skeet Road,
 Harrisdale



Based on information provided to and with the permission of the
 Western Australian Planning Authority using an aerial photograph.
 Aerial photograph supplied by LandImage, Perth based by their staff.



DATE 19 August 2021 - REVISION 2101
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***3.2 - PROPOSED AMENDMENT NO.121 TO TOWN PLANNING SCHEME NO.4 -
REZONING OF LOTS 601-606 BALANNUP ROAD & LOTS 200 - 202 SKEET ROAD,
HARRISDALE***

WARD : Ranford

FILE No. : - M/537/21

DATE : 16 September 2021

REF : AR

RESPONSIBLE MANAGER : EDDS

APPLICANT : Hex Design and Planning

LANDOWNER : B & D Chester
L & J Decampo
Aboriginal Christian
Church Teaching Centre
of W.A. Inc.
A & T Pashby
Thomas Kavanagh
Liza Fowler
Richard Henderson
Bernard Blake
K & A McKay

SUBJECT LAND : Lots 601 - 606 Balannup
Road & Lots 200 - 202
Skeet road, Harrisdale

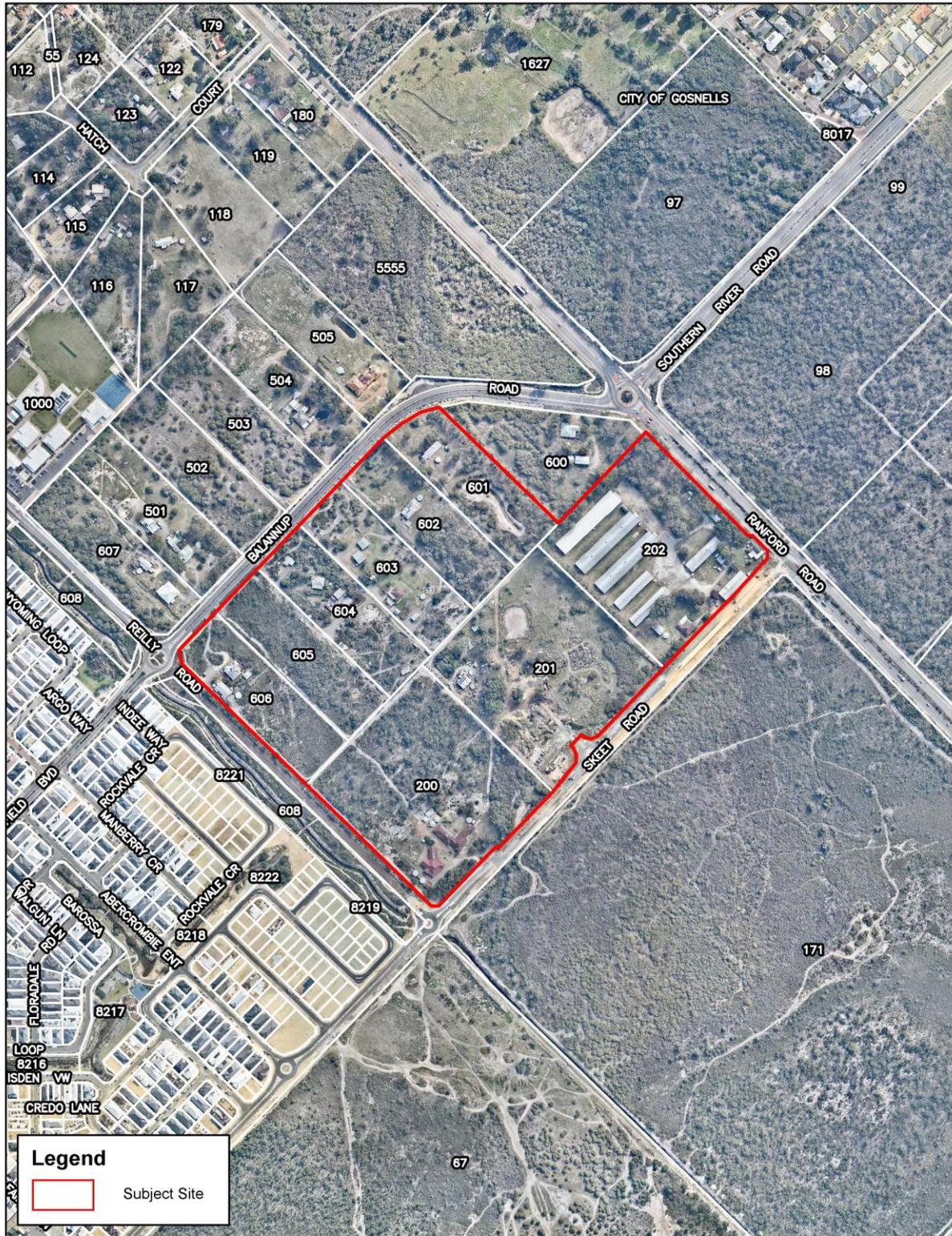
ZONING
MRS / : Urban
TPS No.4 : General Rural

In Brief:

- Council received a request to initiate an amendment to rezone Lots 601 - 606 Balannup Road & Lots 200 - 202 Skeet road, Harrisdale from 'General Rural' to 'Urban Development' under the City's Town Planning Scheme No.4
- The subject site consists of 9 Lots varying from approximately 2ha to 5ha in area.
- The proposed zoning proposal will facilitate development of the area for residential purposes in accordance with the intent of the MRS Urban zoning and City's Local Planning Strategy and a portion for commercial purposes.
- The Scheme Amendment request is accompanied by a draft Structure Plan, which will further guide residential and commercial development in the area and allocate suitable public open space for recreational and drainage purposes that is being assessed.
- The Scheme Amendment and draft Structure Plan include various provisions to facilitate the orderly and proper development of the area.
- The City considers that the site is a logical extension of the expanding urban fronts currently occurring to the south and west of the subject site.
- Recommended that Council initiate the scheme amendment as a 'Standard Amendment', forward the Amendment to the Environmental Protection Authority and advertise the Amendment for public review.

Tabled Items

Nil.



AERIAL PLAN
 TPS No.4 Amendment 121
 Lots 601-606 Balannup Road and Lots 200-202 Skeet Road,
 Harrisdale



SCALE 1 : 8000

DATE: 5 January 2021 - REVISION 2101
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Based on information provided by and with the permission of the
 Western Road and Land Information Authority & using as Landgate (2011)
 Aerial photograph supplied by Landgate, Perthshire by GeoMap



Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

Strategic Community Plan 2020-2030

Outcome 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.
- 2.5.2 Seek the retention of trees in new subdivisions and developments.

Corporate Business Plan 2020-2030

- 1.1.2 Cultivate the sense of place generated by the City's heritage, vegetation and escarpment, wetlands and waterways as well as the participation in vibrant community hubs.
- 1.2.3 Provide for a diverse range of active and passive recreational pursuits within the City.
- 2.1.7 Biodiversity is managed to preserve and improve ecosystem health.
- 2.5.1 Ensure the City's planning framework is modern, flexible, responsive and aligned to achieving the outcomes of the Strategic Community Plan and Corporate Business Plan.
- 2.5.6 Constantly seek improvements to the nature and standard of developments within the City.
- 3.3.1 Ensure the City has contemporary strategies and dynamic planning frameworks to be responsive to economic development opportunities and trends

Legal Implications

Planning and Development Act 2005

Town Planning Regulations 1967

Metropolitan Region Scheme

Town Planning Scheme No.4

Environmental Protection (Noise) Regulations 1997

Environmental Protection Act 1986

Environmental Protection and Biodiversity Conservation Act (Commonwealth) 1999

Planning and Development (Local Planning Schemes) Regulations 2015

Regional Land use Policy Implications

Perth and Peel @ 3.5 million - South Metropolitan Peel sub-regional planning framework (2018)

Southern River / Forrestdale / Brookdale / Wungong District Structure Plan (2001) (District Structure Plan)

State Planning Policy 2.0: Environment and Natural Resources Policy

State Planning Policy 2.5: Rural Planning

State Planning Policy 2.9: Water Resources
State Planning Policy 2.10: Swan-Canning River System
State Planning Policy 3.0: Urban Growth Settlement
State Planning Policy 3.7: Planning in Bushfire Prone Areas
State Planning Policy 5.4: Road and Rail Noise
Liveable Neighbourhoods (WAPC 2009; 2015 draft)

Council Policy/Local Law Implications

Local Planning Strategy 2016
PLN 2.4 Landscape Feature and Tree Preservation
Local Biodiversity Strategy

Budget/Financial Implications

Nil.

Consultation

- ◆ Development Control Unit.
- ◆ Preliminary applicant discussions.
- ◆ If initiated, the scheme amendment will undergo a process of advertising for public submissions in accordance with the requirements of *the Planning and Development (Local Planning Schemes) Regulations 2015*.

BACKGROUND

Site Location

The Balannup, Ranford, Reilly and Skeet Roads Precinct is one of the last remaining land parcels within the Harrisdale urbanisation area that remains undeveloped for Urban uses. It immediately abuts the development front extending from Keane Road to Reilly Road and Skeet Roads.

The site is located within Development Contribution Area No.3 under the City's TPS No.4. The North Forrestdale Development Contribution Plan provides a cost sharing framework for the equitable collection of contributions and the funding of common infrastructure works of benefit to the future community in a development area. In March 2021, Council initiated TPS No.4 Amendment No.115 which, among other proposals, aims to amend the Development Contribution Area No.3 Infrastructure Cost Schedule currently operating in the area, which includes:

- ◆ Acquisition of land for the development of the Harrisdale North - Site 'A' sporting and community facility. The City notes that the proposed construction costs for the development of this facility are already identified in the DCP;
- ◆ Land acquisition for a senior playing field associated to the Harrisdale North sporting and community facility; and,
- ◆ Acquisition of a wetland and rehabilitation of the wetland area located within Lot 200 Skeet Road, Harrisdale.

TPS Amendment 115 is subject to further assessment, advertising for public comment, and decisions by Council, the WAPC and the Minister for Planning. This amendment will progress through a complex amendment assessment pathway under the *Planning and Development (Local Planning Schemes) Regulations 2015*. Amendment 115 is currently being advertised for public comment with submissions closing on 24 September 2021.

Perth and Peel @ 3.5 million (2018)

The subject land is identified as 'Urban Deferred' in the South Metropolitan Perth and Peel @ 3.5 million Region Planning Framework and is identified for short-term development, between 2015 and 2021, noting that environmental constraints (i.e. kennels and poultry farm) restricting urban development need to be addressed.

Previously, the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan (DSP) (2001) identified the majority of the site for future urban development, with a western and northern portion of the site identified for Rural living, primarily due to the existing poultry farm on the corner of Ranford and Skeet Roads and a buffer to Balannup Lake. Lot 601 Balannup Road and Lots 200 - 202 Skeet Road were not identified in the DSP as future 'Urban' due to the poultry (broiler) farm buffer at Lot 202 Skeet Road preventing development of the land for "Urban" uses (further discussed below), and the lots along Balannup Road also provided a rural buffer around Balannup Lake "Bush Forever" area and adjacent wetlands at the corner of Balannup Road and Ranford Road.

Local Planning Strategy (2016)

The City's Local Planning Strategy identifies the site as an 'Urban Development Area' with a small portion of land along the north western boundary as 'Rural' in order to provide a buffer around Balannup Lake and the adjacent wetlands and Bush Forever area at the corner of Balannup Road and Ranford Road.

The Strategy outlines the following actions for 'Urban Development Areas':

1. *Encourage landowners to prepare amendments to the MRS or MRA Redevelopment Scheme requirements in identified Urban Development Precincts and to conduct the environmental and servicing studies required to implement statutory land use zoning changes.*
2. *Initiate Scheme Amendments to TPS No.4 for the areas where adequate environmental baseline and servicing information has been provided and an Urban zoning has been advanced under the MRS.*
3. *Coordinate the assessment and processing of Structure Plans prepared by landowners where statutory land use change has been advanced through suitable Scheme Amendments.*

The Strategy states that the City will encourage land use zoning changes, where supported by appropriate environmental and servicing studies, to supply well-located land suitable for Urban residential development purposes.

MRS Urban zoning - Lifting of Urban Deferment (2021)

In response to a request by Hex Design and Planning on behalf of Yolk Property Group, the Western Australian Planning Commission gazetted the transfer of the subject site from the Urban Deferred zone to the Urban zone on 6 August 2021 pursuant to Clause 27 of the MRS (MRS 1383/27).

The following relevant supporting documentation were submitted with the request:

Deed of agreement-	Copy of contractual agreement for the closure of the poultry farm between Yolk Property Group and Poultry farm owners.
Environmental Report-	Identified potential flora and fauna species in the area and maps of wetlands and buffer requirements. Report confirmed that the area is suitable to be rezoned for Urban purposes whilst identifying how the sensitive environmental areas would be protected through the location of POS as part of the concept structure plan.
Concept Local Structure Plan-	Identifies potential road networks, land uses and POS locations based on the Environmental reporting
Concept Context Plan-	Identifies potential road networks connecting to the wider area to the west, being; Reilly Road and Shepherd Court Structure Plan areas, Hatch Court and remaining lots west of Balannup Road.
Bushfire Management Plan-	Identified that the area is within a bushfire prone area and provided BAL ratings based on the environmental report findings and concept Structure Plan.

The WAPC was satisfied with the proposal and resolved to transfer the land to the MRS Urban zone on 30 June 2021. Transferring the land from the 'Urban Deferred' zone to the 'Urban' zone does not constitute a formal amendment to the MRS and therefore does not require Ministerial approval or for the WAPC to advertise the request to surrounding landowners. Under Clause 27 of the Metropolitan Region Scheme, the 'Urban Deferred' zone may be transferred to the 'Urban' zone by resolution of the WAPC, notified in the Government Gazette.

The site represents approximately 70% of the area which had been rezoned from Rural zone to the Urban Deferred zone under MRS Amendment 1274/57, gazetted in 2015. The remaining Urban Deferred Lots 501 – 505, 600 and 607 Balannup Road are left Urban Deferred and would be subject to a separate MRS Urban Deferment lifting request.

Council had previously, resolved to support the land being rezoned Urban Deferred zone on 17 December 2012 (D80/12/12) and provided advice on various planning issues for the attention of the WAPC prior to transferring the area to the Urban zone (discussed further in the Analysis section).

The City's comments were reviewed by the Department of Planning Lands and Heritage and a report was presented to the WAPC recommending to support the lifting of 'Urban Deferment'. While the City also requested that a deed of agreement between the poultry farm owner and the City be made a condition of lifting the Urban Deferred zone, the WAPC did not cite this requirement. The WAPC did however, refer to maintaining the Special Control Area buffer around the poultry farm until it was permanently closed (discussed further in the Analysis section).

As requested by the City and the Environmental Protection Authority (EPA), the WAPC did not concurrently amend TPS No.4 under Section 126 of the Act, so that site constraints and coordination issues (including environmental factors) could be addressed at the Town Planning Scheme amendment phase. The Western Australian Planning Commission (WAPC) agreed with the City and the EPA that a subsequent rezoning Amendment provided the proper process for TPS No.4 Schedule 8 provisions to guide future structure plans and address the environmental and planning issues arising from future land development.

MRS Amendment 1274/57 (2015)

MRS Amendment 1274/57 was gazetted in 2015 and rezoned approximately 42 hectares of the Skeet Balannup precinct from the 'Rural' zone to the 'Urban Deferred' zone. The area included the subject site in addition to Lots 501 – 505, 600 and 607 Balannup Road. As part of the 'Urban Deferred' rezoning proposal, the following supporting documents were lodged:

- Environmental Assessment Report;
- District Water Management Strategy;
- Concept Structure Plan; and,
- Engineering Services Report.

The WAPC considered the MRS Amendment area to be potentially suitable for urban purposes in the future. However, the WAPC also identified the following treatable constraints that restricted the area from being developed at that time:

- Active kennels north and west of the site.
- Active poultry farm at Lot 202 Skeet Road, Harrisdale .
- Environmental constraints associated to the existing Resource Enhancement Wetland over Lot 600 Balannup Road and Conservation Category Wetland within Lot 200 Skeet Road.

Accordingly, the MRS amendment report outlined the following requirements that needed to be addressed to resolve the above issues as part of future requests for lifting of the 'Urban Deferred' zone under the MRS:

- *Arrangements for the closure of the poultry farm at Lot 172 (now Lot 202) Skeet Road;*
- *Agreement on the extent of kennel area buffers affecting the precinct;*
- *Finalisation of any new alignment of Ranford Road (if required - should the proposal to relocate it south of Balannup Lake proceed);*
- *Substantial progress on a local structure plan informed by supporting studies/further investigation into the various environmental issues affecting the subject land (as identified by the Environmental Protection Authority, Department of Parks and Wildlife and Department of Environment Regulation), including those relating to environmental issues, noise and traffic impact.*

These are further discussed in the Analysis and Comments sections below.

DETAILS OF PROPOSAL

The Amendment No. 121 rezoning request was lodged by Hex Design and Planning on behalf of Yolk Property Group, which has land under contract of sale on Lots 201, 202 Skeet Road and Lot 602 Balannup Road in the precinct. Consequential to the MRS Urban zone, the City is required to resolve to bring its TPS No.4 into conformity with the MRS.

Site Characteristics

The site has an approximate area of 27 hectares and consists of 9 Lots that are bound by Ranford Road to the north, Skeet Road to the west, Balannup Road to the east and unconstructed portion of Reilly Road to the south (discussed further in the Analysis section). The overall site is relatively flat sloping from the north east along Ranford Road down to the unconstructed portion of Reilly Road and Reilly Park along the southern boundary.

The Lots adjoining Balannup Road are approximately 2ha in area and are generally developed with single houses and associated outbuildings with several lots undeveloped. The lots along Skeet Road are approximately 5ha in area. Lot 202 Skeet Road is currently operating as a poultry (broiler) farm and includes the following structures site:

- 7 poultry farm sheds,
- 2 dwellings,
- various outbuildings; and
- a telecommunication tower along Ranford Road.

Lot 201 is being used for rural industry purposes as a storage/landfill area and Lot 200 is developed with an Aboriginal Evangelical Fellowship Bible College. High Voltage power lines also transverse the site through the unconstructed portion of Reilly Road and Lots 604 to 606.

Scheme Amendment

In line with the recent Urban zoning under the MRS, the Scheme Amendment proposes to rezone Lots 601 - 606 Balannup Road & Lots 200 - 202 Skeet road, Harrisdale from 'General Rural' to 'Urban Development' with the following modifications to TPS No.4:

1. TPS No.4 Scheme Map, to reflect the amended zoning;
2. Special Control Area Map 3 – Development Areas, to identify the new Structure Plan (Development) Area; and
3. Schedule 8 – Development (Structure Planning) Areas, to insert new provisions for the Development Area to guide further subdivision and development.

The applicant has proposed Schedule 8 provisions which look at addressing:

- Technical reports required as part of the Structure Plan.
- Wetland buffer distances to be addressed at Structure Plan stage.
- Wetland and buffer management plans to be addressed at subdivision stage.
- Restrictions on development occurring within the poultry farm buffer.
- Soil contamination studies to be carried out at subdivision stage.

The applicant advises that the associated provisions outlined in TPS No.4 Schedule 8 will ensure that key site considerations are addressed through structure plan, subdivision and development stages, while responding to City of Armadale and State agency (including Environmental Protection Authority) advice.

Structure Plan

The Scheme Amendment request is accompanied by a draft Structure Plan application which proposes:

- Residential land use with R30 densities throughout the majority of the site and R40 density within the southern corner of the site.
- The Structure Plan estimates that the site will have a yield of 300 lots and dwellings.
- The Structure Plan also identifies a Local Centre zone along Ranford Road.
- 33% of the site is shown as 'Parks and Recreation – Local' reservation, which includes public open space areas and environmentally sensitive banksia woodland species (including areas under the transmission lines) and Conservation Category Wetland areas and Resource Enhancement Wetland buffers.

The draft structure plan contains the following supporting technical reports:

- Environmental Assessment & Management Strategy
- Bushfire Management Plan
- Concept Subdivision Plan
- Landscape Masterplan
- Local Water Management Strategy
- Traffic Impact Assessment
- Economic Report
- Engineering Servicing Report

The Structure Plan and supporting documentation will be referred out with the TPS Amendment to the EPA and State Government agencies for their review, if the Scheme Amendment is initiated. The level of detail provided in the Structure Plan's Environmental report should allow the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority to review the wetland mapping, buffer areas and conservation significant flora/fauna and vegetation condition classifications.

Formal lodgement of the Structure Plan will be accepted once the Town Planning Scheme Amendment to rezone the site from General Rural to Urban Development zone has been initiated and the EPA and other State Government agencies have provided their comments on the level of information that is required to be addressed at Structure Plan and subdivision stages.

COMMENT

Development Control Unit (DCU)

DCU have reviewed the draft Structure Plan and proposed Schedule 8 which form part of the TPS No.4 Amendment 121 and raised no objections to the rezoning, however, several matters pertaining to the provisions of Schedule 8 were raised and are discussed below in further detail.

DCU also raised preliminary concerns with the draft Structure Plan, however these matters should be further addressed at later structure plan stage, once the TPS Amendment 121 has been initiated and the Structure Plan has been formally accepted by the City for assessment.

Noise Management Plan – Dog Kennels

The western half and north-eastern corner of the site is potentially affected by noise being emitted from dog kennels located within Hatch Court (approx. 480m west of the site) and within the City of Gosnells Dog Kennel area which is approx. 350m north-east of the site. Since 2001, the majority of operational dog kennels within Shepherd Court and Hatch Court, have ceased operations with only 1 dog kennel currently operating within Hatch Court.

The applicant's lifting of Urban Deferment report proposed that notifications be placed on titles at subdivision stage for all lots that are located within 500m of a property that has a kennel license and discusses potential to provide a noise study as part of the structure planning process in order to reduce buffers. In addition, the Department of Water and Environmental Regulations (DWER) comments to the Department of Planning, Lands and Heritage (DPLH) regarding the Urban Deferment lifting, also advised that the consideration needs to be given to the separation distances from the existing nearby kennels. However, the draft structure plan has only addressed traffic noise associated with Ranford Road, in accordance with State Planning Policy 5.4 Road and Rail Noise and have not provided noise recording or mitigation measures associated with the kennels.

Given the dog kennels are over 300m away from the site, the City considers that noise issues can be dealt with further at subsequent Structure Planning stage through the submission of an Acoustic Report and Noise Management Plan. Accordingly, the City has amended the proposed Schedule 8 provisions to specify the requirement for a Noise Management Plan to address Road Traffic and kennel noise at Structure Plan Stage.

The City notes that both the Reilly Road Structure Plan (south of the Hatch Court dog kennel) and the Shepherd Court Structure Plan (west of the Hatch Court dog kennel), which are in closer proximity to the Hatch Court kennel, were both able to address noise levels through the Structure Plan process. Both Structure Plans applied requirements for the construction of a noise wall, houses to provide quiet house design packages and for a notice to be placed on the land title advising of potential noise levels.

Flora Survey

The Environmental Assessment and Management Plan lodged with the draft Structure Plan notes that threatened flora (*Drakaea elastica*) being potentially located within the site. The environmental reporting indicates the structure plan has allowed for full retention of the threatened flora suitable habitat area to be located in POS areas, as shown on the draft Structure Plan Map. However, Environmental Services advises that it is possible for the threatened flora to be located elsewhere and potentially within areas shown on the draft structure plan map as being developable.

In relation to the Urban Deferment lifting, the Department of Biodiversity, Conservation and Attractions (DBCA) advised that the proponent's Flora and Vegetation Assessment did not provide sufficient information to comment on the impacts on threatened flora. The timing of the survey in mid-October and early December 2020 was not appropriate to allow identification of the threatened species which is ranked critically endangered. DBCA recommend that an updated targeted survey for threatened flora, in accordance with the *EPA's Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment*, is required to inform the subsequent local structure plan and for any threatened flora to be incorporated as POS for the purpose of conservation and passive recreation.

As such, the proposed provisions to be included in Schedule 8 have been modified to require a flora survey to be undertaken during optimal flowering period and for the flora survey to be lodged at structure plan stage in order to confirm that any threatened species are located within POS areas.

Local Landscape Feature and Tree Retention Strategy

The City places particular importance on planning proposals protecting and preserving significant trees, groups of trees or landscaping features, including at Local Structure Planning stage. Council has recently updated *Local Planning Policy PLN 2.4 - Landscape Feature and Tree Preservation* and the following extract applies to the Local Structure Planning stage:

The following information is required to be prepared and submitted to the City for approval at Local Structure Planning stage to assist in satisfying Items '1.2 and 1.3' of the 'Site and Context Analysis' requirements under Element 1 'Community Design' of Liveable Neighbourhoods:

Local Landscape Feature and Tree Retention Strategy

A Local Landscape Feature and Tree Retention Strategy is to be submitted to the City as part of a Local Structure Plan in accordance with Schedule 2, Clause 16(1)(c)(i) of the Planning and Development Regulations 2015. A Local Landscape Feature and Tree Retention Strategy should be prepared in consultation with the City and include the following:

- *A description and map prepared by a suitable qualified professional (to the satisfaction of the City) showing the location, species, size and structural health of Significant trees on site;*
- *A map showing which Significant Trees are proposed to be retained and which Significant Trees are to be removed;*
- *A description of methods to avoid impacts on trees that are to be retained;*
- *A description of ongoing management and maintenance;*
- *A map and description of all landscape Features on site;*
- *A map of the Landscape Features that are proposed to be retained, modified or removed;*

The proposed Schedule 8 provisions have been modified to require a Tree Retention Strategy, in accordance with PLN 2.4 at structure plan stage to identify the location of trees across the site, including details of size and species and how these will be incorporated into the future development footprint.

Mosquito Management Plan

Given the wetlands located on Lots 600 and 605 Balannup Road and Lot 200 Skeet Road, the proposed Schedule 8 provisions have been modified to require a Midge and Mosquito Management Plan at subdivision stage to demonstrate how mosquito larvae will be kept to a minimum (non-nuisance levels) during and after development. Once the TPS Amendment has been initiated, on the advice of the State Government agencies, Notices on Titles may also be required to notify landowners of any potential health impacts due to the mosquitos in the area.

ANALYSIS

Splitting of the Skeet Balannup Precinct

In accordance with MRS Amendment 1274/57, the original Urban Deferred zone also included Lots 501-505 and Lot 607 Balannup Road (west of Balannup Road), which do not form part of the land being recently transferred to the Urban zone under the MRS and proposed TPS Amendment 121. Accordingly, this will result in a separate Urban Deferment lifting request for the remaining lots and a separate Town Planning Scheme Amendment and Local Structure Plan.

The Urban Deferment lifting report states that the boundary for the site has been derived following discussions with all landowners within the MRS Amendment 1274/57 area and discussions with the Department of Planning, Lands and Heritage. Given the remaining area being of a considerable size (approximately 12ha) and the site is already distinctively divided by Balannup Road, the City is supportive of progressing the TPS Amendment and future Structure Plan separately, while leaving the remaining portion to be addressed at a later date. The City also notes that the development of the site will assist in facilitating the lifting of Urban Deferment for the remaining area due to the developers Deed of Agreement for the closure of the poultry farm.

In addition, as part of the Urban Deferment request, the Department of Education (DoE) advised the DPLH, that further development within the Skeet Balannup Precinct will exceed the projected dwellings numbers per public primary school, as per *Development Control Policy 2.4 – School Sites* and *Draft Operational Policy 2.4 – Planning for School Sites*. Accordingly, the DoE advised that an option could be to seek additional land adjacent to the primary school (Lots 501, 502 and 607 Balannup Road) in order to extend the Primary School to provide sufficient enrolment accommodation to support student growth within the intake area. This can be dealt with as a separate Urban Deferment lifting request and does not impact initiation of the proposed TPS Amendment 121.

Poultry Farm

Under the City's TPS No.4 Special Control Area Map 1, the poultry farm operating at Lot 202 Skeet Road currently has a 500m buffer to urban residential development imposed around it to account for the various impacts associated with odour and noise and the uncertainty of its operating lifespan. This buffer currently restricts the potential of the existing land around the farm being rezoned/developed for urban purposes.

In accordance with MRS Amendment 1274/57, a major requirement to be addressed as part of the 'Urban Deferment' lifting is for arrangements to be made for the closure of the poultry farm. As part of the 17 December 2012 Council meeting (D80/12/12), the MRS Amendment 1274/57 was supported by Council subject to advising the WAPC and proponent that:

Advise the WAPC and proponent that the City expects the deed of agreement between the City and poultry farm owner to be finalised prior to the site's "Urban Deferred" status being lifted.

However, as part of the 2021 Urban Deferment lifting request, an options deed between the poultry farm owners and the private developer (Yolk Property Group) was provided and the City did not form any part of agreement. The Options Deed specifies the following arrangements:

1. Yolk Property Group must lodge an application to rezone the poultry farm by 31 March 2021.
2. First deposit by Yolk Property Group to the poultry farm owners has been made.
3. Second deposit by Yolk property group to the poultry farm owners to be made within 7 days of the property being rezoned to Urban; or on 30 August 2021, whichever is the earlier.
4. Final settlement between the Poultry farm owners and Yolk property group to occur on 29 July 2022.
5. Closure of the poultry farm to occur 19 weeks from settlement (9 December 2022).

In its response to the WAPC's request for comments for the Urban Deferment lifting, the City supported the request subject to the poultry farm owners entering into a deed of agreement with the City, in accordance with Council's 2012 resolution (D80/12/12). The City raised concerns that subdivision and construction for Stage 1 would take place in July 2022 before the poultry farm ceases operation in December 2022 and that the deed of agreement directly between the City and poultry farm owners would provide extra assurance that the poultry farm would cease operation in December 2022.

On 30 June 2021, the WAPC resolved to transfer the land to Urban without a deed of agreement between the City and poultry farm owner. However, as is proposed under TPS Amendment 121, the Department of Planning Lands and Heritage (DPLH) advised that it would support the poultry farm buffer remaining in place under SCA Map 1, as this would provide additional assurance that the area within the buffer would not be constructed until a future TPS Amendment is later initiated to remove the buffer area once the new owner of the poultry farm property confirmed that the poultry farm has ceased operation in December 2022.

In addition, the proposed provisions to be included in Schedule 8 also contains requirements that will only allow the following to occur within the poultry buffer:

- ◆ Amalgamation of two or more lots or parent lots into one larger lot.
- ◆ To allow for utilities and infrastructure to connect through from Ranford Road boundary down to the southern portion of the site to allow for further subdivision of the areas located outside of the buffer area.
- ◆ A Dust and Odour Management Plan are provided in accordance with SPP 2.5 – Rural Planning, demonstrating that the subdivision within the buffer area will not result in unacceptable impacts to sensitive land uses to the satisfaction of the WAPC and on the advice of the City and DWER.
- ◆ The WAPC may defer final endorsement of diagram of surveys until satisfactory arrangements are made that confirms usage of the Poultry Sheds on Lot 202 Skeet Road, Harrisdale has ceased on the advice of the City / DWER.

Wetlands

The draft Structure Plan's Environmental Management Plan identifies Wetland Protection Areas - Conservation Category Wetlands (CCW) within Lot 605 Balannup Road and Lot 200 Skeet Road. The north western portion of the site is bound by a Resource Enhancement Wetland (REW) that impacts Lot 601 Balannup Road by a proposed 30m buffer along its northern property boundary.

CCWs have the highest value and should be protected. It is unfortunate that the WAPC is reluctant to reserve CCWs for Parks and Recreation in the MRS, therefore the Local Government's assessment of the TPS Amendments and Local Structure Plans need to consider a mechanism to protect the CCWs. Accordingly, the draft Structure Plan map identifies the CCW areas and REW buffer areas as POS. As part of the TPS Amendment proposal, the draft Structure Plan and its supporting environmental reports could be referred out to the EPA and State Government agencies for their review and to advise whether they are satisfied with the wetland mapping and buffer areas proposed.

As part of the City's initiated TPS No.4 Amendment 115, the CCW area within Lot 200 Skeet Road is proposed to be acquired and or rehabilitated through the DCP No.3. This proposal is being advertised for public comment and requires decisions by Council, the WAPC and the Minister for Planning on final adoption of Amendment 115.

The CCW wetland along Balannup Road has not previously been identified and was identified through the MRS Urban Deferment lifting process and preparation of this TPS Amendment and Structure Planning supporting documentation prepared by the applicant. The CCW buffer is also shown over a portion of the existing house on Lot 606 Balannup Road. To provide assurance for the existing landowners that they are able to continue to live on their property and inhabit their existing home, Schedule 8 has been modified to provide for the wetland buffer to be reduced so that the existing dwelling and outbuildings are located outside of any new wetland buffer area.

The applicant needs to provide a mechanism for the protection of the CCW within Lot 605. The draft Structure Plan identifies the CCW and buffer area to be within POS. However, a mechanism for the land to be transferred to the Crown for conservation purposes needs to be progressed. given Lot 605 Balannup Road is currently shown on the draft Structure Plan as having no development potential due to the property being shown entirely as POS A similar approach to the Skeet Road CCW being acquired through the DCP could be an appropriate approach.

The applicant should be required to provide advice on the mechanism for the land to be protected and transferred to the Crown and whether a portion of the site along the southern boundary can be zoned Residential with a R40 density coding to provide development potential and future ceding of the POS and wetland, similar to what is shown on Lot 200 Skeet Road. This can be addressed further at Structure Plan and Subdivision stages, however details of how this can occur should be provided at the TPS Amendment stage so the City and the WAPC can be confident the area can be developed and environmental assets protected.

Refer to the Attachments to this report.

Flora and Fauna

The Environmental Report lodged in support of the draft Structure Plan states that native species were observed onsite. The following key findings are outlined in the Environmental Report:

- ◆ Eight plant communities were identified within the site, ranging from ‘excellent’ to ‘completely degraded’ condition. The most intact native vegetation is located within the south western portion of the site.
- ◆ The vegetation communities present within the site (7.64 ha) include the ‘banksia woodlands of the Swan Coastal Plain’ ‘threatened ecological community’ (TEC) which is listed as ‘endangered’ under the *Environment Protection and Biodiversity Conservation Act 1999* as well as the State-listed ‘priority ecological community’ (PEC) ‘banksia woodlands of the Swan Coastal Plain’. This PEC is listed as Priority 3 in WA.
- ◆ Three priority flora species were recorded within the western portion of the site in relatively intact form.
- ◆ The site supports vegetation which has the potential to provide habitat for threatened fauna and is known to provide habitat for three threatened species of black cockatoo including; Carnaby’s cockatoo, Baudin’s cockatoo and the Forest red-tailed black cockatoo.

In relation to the banksia woodland species on site, the City notes that the draft Structure Plan identifies the banksia woodland species to be retained completely within Lots 605 and 606 Balannup Road and partially within Lot 200 Skeet Road and Lot 604 Balannup Road which are shown as POS areas. Prior to any development occurring on Lot 604 Balannup Road or Lot 200 Skeet Road, referral to the Federal Government Department of Agriculture, Water and Environment for assessment may be required if the area will be cleared, in accordance with the *Environment Protection and Biodiversity Conversation Act 1999*. The City notes that this is not covered under the *Planning and Development Act 2005* and a separate process is required.

Refer to the Attachments to this Report.

In order to try and retain additional banksia woodland area, the City has included a requirement under the proposed Schedule 8 provisions to maximise the retention of banksia woodland species within POS areas, where possible.

The findings of the Environmental Report do not restrict the area from being rezoned to Urban Development. The areas identified will help inform the subsequent Structure Plan and subdivision stages through the inclusion and appropriate locations of buffers, nature linkages/corridors, retention of flora and habitat within POS areas and storm water management for the site. The applicant however should be required to provide advice on how the banksia woodland area will be transferred to the Crown for protection of its conservation values, as the draft Structure Plan is already showing 33% of the area as POS, which is larger than the WAPC’s 10% POS requirement.

Draft Structure Plan - POS Locations

The City has identified that the environmentally sensitive areas discussed above and POS area shown on the concept Structure Plan are located outside of the proponent's ownership control, particularly with the vegetation, wetland and buffers located within Lots 605 and 606 Balannup Road.

The draft Structure Plan currently shows no developable area on these two properties, which could result in the POS and environmentally sensitive areas never being ceded through the subdivision process due to the properties having no subdivision and/or development potential.

As discussed under the wetland section, the applicant should be required to provide advice on the mechanism for the land to be protected and transferred to the Crown and whether a portion of the site along the southern boundary of Lot 605 and 606 can be zoned Residential with a R40 density coding. In addition, in order to provide assurance for the existing landowners of Lot 606 Balannup Road that they are able to continue to live in their existing home, the dwelling and outbuildings located on Lot 606 should also be shown as Residential with a R25 density coding on the draft Structure Plan. This does not impact the TPS Amendment from being initiated and can be addressed further at Structure Plan and Subdivision stages, however details of how this can occur should be provided at the TPS Amendment stage so the City and the WAPC can be confident the area can be developed and environmental assets protected.

Road Upgrades

Balannup Road has recently been upgraded by the City of Armadale, reaching practical completion in March 2020. Ranford Road was also upgraded in 2009 with Skeet Road currently being upgraded from un-sealed and un-kerbed rural style road by the City through the current Development Contribution Plan No.3, with completion estimated within the next three months.

As part of the Urban Deferment lifting request, the Department of Planning, Lands and Heritage identified that additional road widening is required for the Balannup Road/Ranford Road intersection which requires a portion of Lots 601 and 602 Balannup Road for future additional widening along Balannup Road and for Lot 202 Skeet Road to provide additional widening along Ranford Road and the corner of Skeet Road. This area of road widening remains under review by the DPLH and remains in the Urban Deferred zone under the MRS and will remain in the General Rural zone under the City's TPS No.4. In the future, DPLH have advised that this area is likely to be reserved as Other Regional Roads and/or transferred to the 'Urban' zone as part of a separate MRS amendment process. The additional road widening will not impact the initiation of TPS Amendment 121 and can be further addressed at Structure Plan and subdivision stages, subject to DPLH comments.

The adjoining Reilly Road reserve, south of the site, is the final portion that remains unconstructed. Construction of Reilly Road will be dependent on development within Lot 606 Balannup Road and Lot 200 Skeet Road requiring vehicle access from Reilly Road. This can be addressed further at Structure Plan and subdivision stage.

Planning Framework

The *Planning and Development Act 2005* provides the head of power for the amendment of Local Planning Schemes and includes procedural provisions regarding referral of amendments to the Environmental Protection Authority to determine if environmental assessment under Part IV Division 3 of the *Environmental Protection Act 1986* is required (Section 81) and the requirement for public/agency advertising (Section 83). The *Planning and Development (Local Planning Schemes) Regulations 2015* provide additional procedural direction on the scheme amendment process. Regulation 34 defines the different categories of scheme amendments, and a risk-based assessment model where scheme amendments are categorised as basic, standard or complex.

This Amendment is considered to be a ‘Standard Amendment’ under Part 5, Clause 34(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as it is consistent with the region scheme that applies to the land (Regulation 34 Standard Amendment (c)), has minimal impact on land in the scheme area that is not the subject of the amendment (Regulation 34 Standard Amendment (e)), does not result in any significant environmental, social, economic or governance impacts on land in the scheme area (Regulation 34 Standard Amendment (f)), and does not satisfy the criteria of a basic scheme amendment or a complex scheme amendment (Regulation 34 Standard Amendment (g)).

Part 5 Division 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides the process for standard amendments. In general terms, upon initiation the amendment will be forwarded to the EPA for environmental assessment. If the scheme amendment does not require environmental assessment, the City is to advertise the amendment for a period of time not less than 42 days and has 60 days after the end of the submission period in which to consider the submissions and make a recommendation for the Minister’s decision.

OPTIONS

Council has the following options:

1. Initiate the scheme amendment for public review as proposed or with modifications as determined by Council.
2. Decline the initiation of the scheme amendment and provide reasons for its decisions.

CONCLUSION

Amendment No.121 proposes to bring the area into conformity with the recent Urban Deferment lifting and transfer to the Urban zone under the Metropolitan Region Scheme by rezoning the area to Urban Development under the City’s TPS No.4 and including new requirements under Schedule 8– Development (Structure Planning) Areas of the TPS No.4 to assist with the implementation and guide the subsequent Structure Planning and Subdivision development.

The draft Structure Plan and supporting documentation will be referred with the TPS Amendment to the EPA and State Government agencies for their review. The level of detail provided in the draft Structure Plan's Environmental Report will allow the Department of Biodiversity, Conservation, and Attractions and the Environmental Protection Authority to review the Structure Plans wetland mapping, buffer areas and conservation significant flora/fauna and vegetation condition classifications.

Following the closure of the advertising period for the proposed Scheme Amendment and draft Structure Plan, a further report on the proposed amendment and any submissions received during the advertising period will be presented to Council for its consideration of final adoption and recommendation to the Minister.

Given the above, Option 1 is recommended.

ATTACHMENTS

1. Existing and Proposed Zoning Plan - TPS No.4 - Amendment No.121
2. Special Control Area Map 3 - TPS No.4 - Amendment No.121
3. Special Control Area Map 1 - TPS No.4 - Amendment No.121
4. Concept Structure Plan - TPS No.4 - Amendment No.121
5. Proposed Geomorphic Wetland Map - TPS No.4 - Amendment No.121
6. Vegetation Condition Plan - TPS No.4 - Amendment No.121
7. Significant Flora & Vegetation Plan - TPS No.4 - Amendment No.121

Committee Discussion

Committee discussed the rural buffer areas, the retention of banksia woodland species within POS areas, land use zonings/codings and the possible redesign of the Structure Plan.

Committee requested that Part 1.c.72.3e. be amended to read, "Maximised retention of banksia woodland species within POS areas and within the area identified as excellent condition on Lot 200 Skeet Road in Figure 5 in the Environmental Management Plan, where possible". Accordingly, the Recommendation was amended.

RECOMMEND

D36/9/21

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate Amendment No.121 to Town Planning Scheme No.4, as follows:
 - a. Rezone Lots 603 – 606 Balannup Road, Lots 200 – 201 Skeet Road, portions of Lot 601, 602 Balannup Road and Lot 202 Skeet Road from the 'General Rural' zone to the 'Urban Development' zone;
 - b. Rezone portions of Balannup Road, Skeet Road and Reilly Road reserves to 'Urban Development' zone;
 - c. Insert the following text in Schedule 8 Development (Structure Planning) Areas for the land generally bound by Ranford Road, Skeet Road, Reilly Road and Balannup Road:

No.	Description of Land	Additional Provisions applicable to subdivision and development
72.	Skeet-Balannup Precinct East	<p>72.1 Subdivision and development of land is to generally be in accordance with a structure plan prepared and approved pursuant to Part 4 of the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (as amended).</p> <p>72.2 In addition to standard requirements, the following plans are to be prepared by the applicant and approved by the City of Armadale as part of the Structure Plan:</p> <ul style="list-style-type: none"> a. Local Water Management Strategy, prepared in accordance with any relevant District Water Management Strategy, in consultation with the Department of Water and Environmental Regulation and shall demonstrate to the satisfaction of the City that surface water drainage within the subject land will be disposed of in a manner that minimizes the impacts on the nearby significant wetlands, including potential surface water contamination; b. An Acoustic assessment shall be prepared to address noise from traffic along Ranford Road, future commercial development and kennel noise; c. An Environmental Management Plan shall be prepared, in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the City of Armadale. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on vegetation identified for retention, and be informed by a botanical survey undertaken during optimal flowering period to assess the potential presence of conservation significant flora. <p>72.3 The Structure Plan shall provide design and management responses for implementation through subdivision and development, addressing:</p> <ul style="list-style-type: none"> a. Acid sulphate soils; b. Site contamination; c. Identification and protection of significant landscape trees and features as per <i>Local Planning Policy PLN 2.4 Landscape Feature and</i>

		<p><i>Tree Preservation</i>, where possible;</p> <ul style="list-style-type: none">d. Suitable wetland buffer distances that do not impact existing dwelling and outbuilding on Lot 606 Balannup Road, in accordance with the Environmental Management Plan;e. Maximised retention of banksia woodland species within POS areas and within the area identified as excellent condition on Lot 200 Skeet Road in Figure 5 in the Environmental Management Plan, where possible.f. Visual impact of noise attenuation measures. <p>72.4 At the subdivision stage, applications are to be prepared with, but not limited to the following plans:</p> <ul style="list-style-type: none">a. Detailed Wetland and Buffer Management Plan (where applicable), prepared in consultation with the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority to the satisfaction of the City of Armadale. The Detailed Wetland and Buffer Management Plan shall address as a minimum:<ul style="list-style-type: none">i. Buffers for sites subject of, and/or adjacent to, a Wetland and/or a Threatened Ecological Community; and,ii How potential impacts to the wetlands from adjacent urban development will be managed.b. A Midge and Mosquito Management Plan demonstrating how larvae will be kept to a minimum (non-nuisance levels) during and after development to the satisfaction of the City.c. Prior to undertaking any earthworks or development of the land, the landowners shall demonstrate to the satisfaction of the City and the WAPC that primary production or filling has not occurred on the subject land, or, undertake a Soil Contamination Assessment of the land, at the landowner's cost to determine the presence or absence of soil contamination to the satisfaction of DWER.d. Should any soil contamination be identified in the soil contamination assessment, a Site Remediation and Validation Report for the subject land shall be prepared at the landowner's cost by the developer/subdivider and remediation works shall be undertaken at
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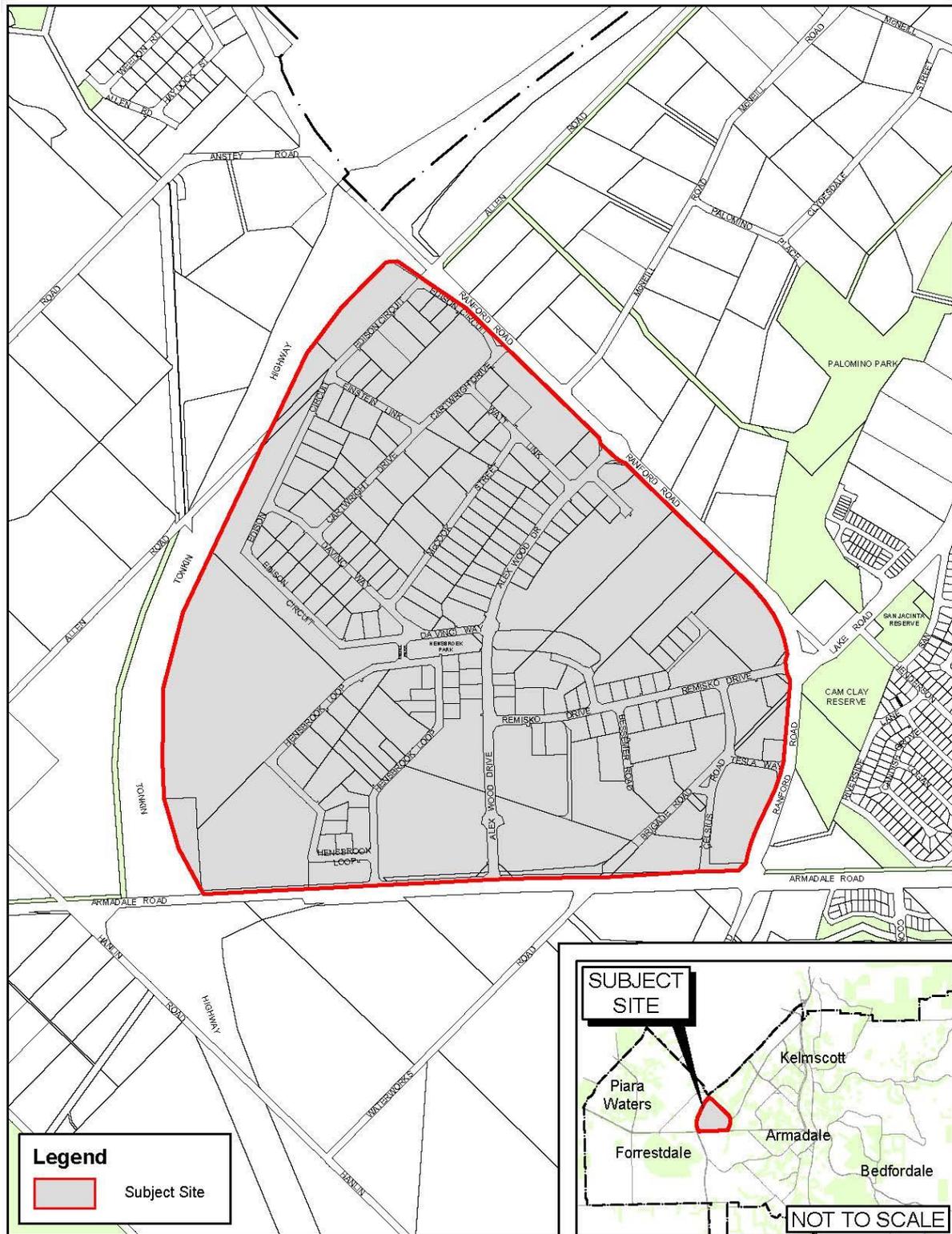
		<p>the landowner's cost for all identified contamination and should be validated as being free of contamination above acceptance guidelines to the satisfaction of the DWER, prior to undertaking any earthworks or development of the land.</p> <p>72.5 Subdivision or development may be permitted within the SCA Map 3 Poultry farm buffer subject to the following:</p> <ul style="list-style-type: none">a. The amalgamation of lots or part lots;b. For the efficient provision of utilities and infrastructure that would not prejudice future residential development outcomes outside of the buffer area;c. In accordance with <i>SPP 2.5 – Rural Planning</i>, the WAPC may support subdivision within the buffer subject to demonstration that land use will not result in unacceptable impacts to sensitive land uses, such as odour, dust, noise and vibrations associated with the Poultry Sheds on Lot 202 Skeet Road, Harrisdale to the satisfaction of the WAPC on advice from the City / DWER.d. The WAPC may defer final endorsement of diagram of surveys until satisfactory arrangements are made that confirms usage of the Poultry Sheds on Lot 202 Skeet Road, Harrisdale has ceased on the advice of the City / DWER.
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- d. Include the land generally bound by Ranford Road, Skeet Road, Reilly Road and Balannup Road within Special Control Area Map 3 with the appropriate 'Development Area (Structure Plan) Schedule 8' and 'No.72' designations;
 - e. Amend Scheme Maps accordingly.
2. The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
- a. The Amendment is consistent with a region planning scheme that has been endorsed by the Commission;
 - b. The Amendment has minimal impact on land in the scheme area that is not the subject of the amendment;
 - c. The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and,
 - d. The Amendment does not meet the definition of a complex or a basic amendment.

3. Refer the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the *Planning and Development Act 2005*.
4. Should the EPA advise that the amendment does not require assessment, advertise the amendment for a period of 42 days in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
5. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.
6. Forward a copy of the amendment to the Western Australian Planning Commission for information.
7. As part of the Structure Plan submission, the applicant is to:
 - a) Advise how the POS area within Lot 605 and 606 Balannup Road will be calculated in the Structure Plan and transferred to the Crown.
 - b) Propose the area containing the existing dwelling and outbuildings on Lot 606 Balannup Road within a Residential zone with a R25 density coding.
 - c) Identify a possible Residential zone along the southern boundary of Lot 605 and 606 with a R40 density coding. The Residential zone is to be located outside of wetland buffer and Western Power easement.
 - d) Provide an amended Bushfire Management Plan addressing the new Residential areas on Lot 605 and 606 Balannup Road.
 - e) Amend the power line easement south of the subject site to be consistent with the current alignment of the power lines along the Reilly Park and Reilly Road shared boundary.

Moved Cr J H Munn
MOTION CARRIED

(5/0)



LOCATION PLAN



SCALE 1 : 16000

DATE 30 August 2021 - REVISION 2101
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Based on information provided by and with the permission of the
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Aerial photography supplied by Landgate, Melbourne by Westpac

***4.1 - DEVELOPMENTWA PUBLIC ART CASH IN LIEU CONTRIBUTIONS -
FORRESTDALE BUSINESS PARK EAST***

WARD : RANFORD
FILE No. : M/563/21
DATE : 16 September 2021
REF : SW
RESPONSIBLE : EDDS
MANAGER

In Brief:

- DevelopmentWA (DWA) is in the process of normalising its Forrestdale Business Park East precinct back to the City’s planning control. One of the remaining actions is for DWA to transfer or spend the Public Art Contributions that it has received.
- DWA have proposed to transfer the balance of its Forrestdale Business Park East Public Art Fund to the City of Armadale upon normalisation of the Precinct.
- This report recommends that Council, pursuant to section 6.11(i) of the *Local Government Act 1995*, establish a reserve account for the ‘DevelopmentWA Public Art Contributions’ for the purpose of facilitating the transfer of DevelopmentWA’s Public Art funds to enable future management by the City.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

- 1.1.1.3 - Implement the City’s Public Art Strategy.
- 2.5.4 - Proactively plan for normalisation of Development WA areas back to the planning jurisdiction of the City.



AERIAL PLAN



SCALE 1 : 16000

Legal Implications

Local Government Act 1995

Council Policy/Local Law Implications

PLN 3.12 ‘Percent for Public Art’
Public Art Policy
City of Armadale Public Art Strategy

Budget/Financial Implications

Nil

Consultation

Executive Leadership Team

BACKGROUND

Forrestdale Business Park East (FBPE) is in the process of being normalised back to the City’s planning control, with handover expected at the end of 2021. The City has completed the majority of normalisation tasks and advised DevelopmentWA (DWA) that the City won’t be administering its Developer Contribution Plan (DCP).

There are three outstanding items:

1. DWA to close out its DCP.
2. Public Art Contributions received by DWA to be expended or transferred.
3. The *Metropolitan Redevelopment Authority Regulations 2011* need to be amended by removing FBPE from the Armadale redevelopment area.

As part of No.2 above, DWA needs to make arrangements for the expenditure or transfer of public art funds to the City that were collected as cash in lieu in accordance with its Armadale Redevelopment Area Development Policy 4 - Providing Public Art. That policy requires proponents of developments valued over \$2 million to provide public art to the value of at least 1% of the development value, or an equivalent cash in lieu contribution. The City has a similar Local Planning Policy which is PLN 3.12 ‘Percent for Public Art’.

In accordance with its Policy requirements, DWA has collected \$83,226.25 in public art cash in lieu contributions from FBPE, which is to be spent within the same precinct.

It should also be noted that the DWA has issued development approvals which if acted upon may mean additional public art is either constructed by developers on their sites or public art contributions are paid. The City will be responsible for administering DWA’s development approvals after normalisation and therefore receive any future cash-in-lieu contributions.

The following City documents are relevant when considering the DWA proposal:

- Public Art Strategy 2016;
- Public Art Policy; and
- Policy PLN 3.12 ‘Percent of Public Art’

Proposal

DWA proposes to transfer the balance of the FBPE Public Art Fund to the City of Armadale upon normalisation of the Precinct, subject to:

- written assurance that those public art funds will be expended on public art within Forrestdale Business Park East; and
- the funds being paid into the City's Public Art Reserve Account.

Timing of the expenditure was not discussed in DWA's proposal and it is noted that there are not sufficient funds to undertake a public art project of a scale required for an industrial area at this time.

If the City does not accept the transfer of DWA's public art funds on these terms it is understood that DWA will administer their expenditure in the precinct as part of the normalisation process.

ANALYSIS

The following considerations are relevant to the proposal:

- The City's Public Art Strategy identifies key locations for public art and the City is working its way through that priority list.
- At some point in the future, it is likely that FBPE may be included as a site for Public Art and when it does, the City could put the transferred funds towards that project, in addition to its budget allocations.
- Some additional funds from general revenue or public art contributions via PLN 3.12 may need to be committed to the future FBPE project as it is likely to be art works at one of the key road intersections and installations of that type typically need to be of a scale large enough to greet visitors and assist with wayfinding.
- The City should obtain details from DWA on which properties/development have made the Public Art Contributions if it accepts the funds from DWA.
- After normalisation, the City's Policy PLN 3.12 'Percent of Public Art' will apply.

The establishment of a new reserve account would facilitate the transfer of DevelopmentWA's Public Art funds to the City.

OPTIONS

Council has the following options:

1. Accept the proposal from DWA.
2. Decline the proposal from DWA.

CONCLUSION

A medium-term City led public art project is likely to deliver a better outcome than DWA spending its funds in the short-term in order to close out its obligations, which could have maintenance implications for the City.

Option 1 is recommended, as it provides an opportunity for the funds to contribute towards the City's Public Art Strategy and improve the streetscape and character of FBPE.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

D37/9/21

That Council:

1. **Agree to DevelopmentWA's proposal that it transfer the Public Art Contributions it has received in the Forrestdale Business Park East precinct to the City and any other similar public art contributions received before normalisation occurs for future expenditure within the relevant precinct.**
2. **Pursuant to section 6.11(i) of the *Local Government Act 1995*, a reserve account be established for 'DevelopmentWA Public Art Contributions' for the purpose of facilitating the transfer of DevelopmentWA's Public Art funds to the City for Forrestdale Business Park East and any other Redevelopment Areas to be normalised to the City.**
3. **Pursuant to Section 6.8 of the *Local Government Act 1995*, amend* the 2021/22 budget as follows:**

Increase in Revenue

DevelopmentWA Public Art Contributions Account	\$83,226
---	-----------------

Increase in Transfer to Reserve

DevelopmentWA Public Art Contributions Reserve	\$83,226
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*** ABSOLUTE MAJORITY RESOLUTION REQUIRED**

Moved Cr C M Wielinga
MOTION CARRIED

(5/0)

COUNCILLORS' ITEMS

Nil

6.1 - STRUCTURE PLAN AMENDMENT - CELL D WUNGONG

Over a number of years various studies commissioned by the then Armadale Redevelopment Authority (ARA) / Metropolitan Redevelopment Authority (MRA) and/or the City of Armadale have identified a substantial shortfall in formal active open space (playing fields) in the Wungong Master Plan.

The City has been advocating for the provision of more active open space and the relevant agencies have subsequently agreed that for efficiency and to maximise opportunities to share facilities, additional playing fields would be co-located and shared with certain public schools.

As a result of that agreement, Cell D in Wungong was identified as having two playing fields co-located with the proposed public High School and Primary School.

However the additional playing fields were not subsequently identified in the Wungong Master Plan or relevant Local Structure Plans. The City had therefore been requesting that DevelopmentWA (DWA) undertake an amendment to have the Cell D Structure Plan include the two shared playing fields, which are required by DWA's Public Open Space Policy for Wungong and partially funded by the existing Developer Contribution Plan (DCP).

On 3 September 2021 DWA approved an amendment to its Structure Plan for Cell D in Wungong including the two shared playing fields in an arrangement negotiated with DWA, the Department of Education (DoE) and the City.

Some other modifications to the Structure Plan were also undertaken and provided for the retention of mature trees within public open space.

The finalisation of the Structure Plan amendment will inform both DWA's ongoing DCP review and the Western Australian Planning Commission's Public Purposes (High School) Reservation shown in the forthcoming Metropolitan Region Scheme (MRS) Amendment for Wungong as requested in the City's submission considered by Council at its meeting on 23 November 2020.

The work that the City contributed to the Structure Plan Amendment implements the following objectives and actions from the Corporate Business Plan 2020 - 2025:

- 1.2.3.4 - Advocate through the structure plan process to increase the provision of public open space and particularly active open space; and
- 2.5.4 - Plan proactively for normalisation of DWA areas back to the planning jurisdiction of the City.

The City's owns freehold vacant land assets, Lots 17, 18 and 19 Forrest Road, are partially within the Cell D Structure Plan Area. The northern portion of these lots were zoned 'Living Stream' with the balance of the lots being zoned 'Urban' (R50) and 'Suburban' (R35). The City will be eligible for Developer Contribution credits for the portion of land dedicated to the Living Stream and any road widenings. The three lots were discussed during the City's Strategic Land Asset Workshop on 13 July 2021. A follow up workshop is being considered for later in the year.

- 1 Previously Approved Structure Plan Amendment - Precinct 13 (Cell D) Eighth Rd, Wungong
- 2 Amendment to Approved Structure Plan - Precinct 13 (Cell D) Eighth Road, Wungong
- 3 Concept Design Plan - Precinct 13 (Cell D) Eighth Road, Wungong
- 4 Wungong Masterplan Excerpt

6.2 - BYFORD RAIL EXTENSION - PROJECT UPDATE

EDDS presented to Committee a project update on the Armadale to Byford rail extension.

EDDS advised that he would be on Annual Leave for the next Development Services Committee meeting prior to the Council elections. He thanked all Councillors and officers for their contribution, commitment and constructive involvement over the years on the Development Services Committee.

EDDS congratulated the Chair, Cr Donna Shaw for her support and leadership Chairing the Committee and provided best wishes for her retirement as a Councillor at the City.

MEETING DECLARED CLOSED AT 8.13 PM

DEVELOPMENT SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
20 SEPTEMBER 2021		
ATT NO.	SUBJECT	
2.1 PRIVACY SCREEN- LOT 218 (NO.1) SANCTUARY COURT, ROLEYSTONE		
2.1.1	Photograph 1 - Lot 218 Sanctuary Court, Roleystone	
2.1.2	Site Plan - Lot 218 Sanctuary Court, Roleystone	
2.1.3	Elevations Plan 1 - Lot 218 Sanctuary Court, Roleystone	
2.1.4	Elevations Plan 2 - Lot 218 Sanctuary Court, Roleystone	
2.1.5	Floor Plan - Lot 218 Sanctuary Court, Roleystone	
2.1.6	Landscape Plan - Lot 218 Sanctuary Court, Roleystone	
2.2 PROPOSED OUTBUILDING - LOT 42, NO.1 CHURCHMAN BROOK ROAD, ROLEYSTONE		
2.2.1	Photograph 1 - Lot 42 Churchman Brook Road, Roleystone	
2.2.2	Photograph 2 - Lot 42 Churchman Brook Road, Roleystone	
2.2.3	Original Plans - Lot 42 Churchman Brook Road, Roleystone	
2.2.4	Proposed Elevations Plan 1 - Lot 42 Churchman Brook Road, Roleystone	
2.2.5	Proposed Elevations Plan 2 - Lot 42 Churchman Brook Road, Roleystone	
2.2.6	Proposed Tree Layout Plan - Lot 42 Churchman Brook Road, Roleystone	
2.2.7	Proposed Landscape Plan 1 - Lot 42 Churchman Brook Road, Roleystone	
2.2.8	Proposed Landscape Plan 2 - Lot 42 Churchman Brook Road, Roleystone	
2.2.9	Proposed Landscape Plan 3 - Lot 42 Churchman Brook Road, Roleystone	
2.2.10	Proposed Landscape Plan 4 - Lot 42 Churchman Brook Road, Roleystone	
2.2.11	Proposed Landscape Plan 5 - Lot 42 Churchman Brook Road, Roleystone	
2.2.12	Proposed Landscape Plan 6 - Lot 42 Churchman Brook Road, Roleystone	
3.1 PROPOSED AMENDMENT NO.116 TO TPS NO.4 - SOUTH FORRESTDALE INDUSTRIAL AREA STAGE 2		
3.1.1	MRS Zoning Plan - Amendment 116 - TPS No.4 - South Forrestdale Industrial Area Stage 2	
3.1.2	Existing and Proposed Zoning Map - Amendment 116 - TPS No.4 - South Forrestdale Industrial Area Stage 2	

DEVELOPMENT SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
20 SEPTEMBER 2021		
3.1.3	SCA Map3 - Amendment 116 - TPS No.4 - South Forrestdale Industrial Area Stage 2	
3.1.4	Environmental Features - Amendment 116 - TPS No.4 - South Forrestdale Industrial Area Stage 2	
3.2 PROPOSED AMENDMENT NO.121 TO TOWN PLANNING SCHEME NO.4 - REZONING OF LOTS 601-606 BALANNUP ROAD & LOTS 200 - 202 SKEET ROAD, HARRISDALE		
3.2.1	Existing and Proposed Zoning Plan - TPS No.4 - Amendment No.121	
3.2.2	Special Control Area Map 3 - TPS No.4 - Amendment No.121	
3.2.3	Special Control Area Map 1 - TPS No.4 - Amendment No.121	
3.2.4	Concept Structure Plan - TPS No.4 - Amendment No.121	
3.2.5	Proposed Geomorphic Wetland Map - TPS No.4 - Amendment No.121	
3.2.6	Vegetation Condition Plan - TPS No.4 - Amendment No.121	
3.2.7	Significant Flora & Vegetation Plan - TPS No.4 - Amendment No.121	
6.1 STRUCTURE PLAN AMENDMENT - CELL D WUNGONG		
6.1.1	Previously Approved Structure Plan Amendment - Precinct 13 (Cell D) Eighth Rd, Wungong	
6.1.2	Amendment to Approved Structure Plan - Precinct 13 (Cell D) Eighth Road, Wungong	
6.1.3	Concept Design Plan - Precinct 13 (Cell D) Eighth Road, Wungong	
6.1.4	Wungong Masterplan Excerpt	

The above attachments can be accessed from the Minutes of the Development Services Committee meeting of 20 September available on the City's website

CITY OF ARMADALE

MINUTES

OF THE CORPORATE SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 21 SEPTEMBER 2021 AT 7:00PM.

PRESENT:

Cr JH Munn CMC (Chair)
Cr C A Campbell JP (Deputy Chair)
Cr E Flynn
Cr G Smith
Cr C Frost
Cr J Keogh
Cr G Nixon

APOLOGIES:

Cr K Busby

OBSERVERS:

Cr S Peter
Cr C Wielinga
Cr R Butterfield

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Mr N Kegie	A/Executive Director Community Services
Mr M Hnatojko	Executive Manager Corporate Services
Ms R Milnes	Manager Community Development
Mr R Porter	Manager Ranger Services
Mr B D'Lima	Manager ICT
Ms M Todd	Manager City Governance
Ms K Hemmings	Coordinator Contracts
Mrs A Owen-Brown	Executive Assistant Corporate Services
Ms L Jarosz	Executive Assistant Community Services

PUBLIC:

14

“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

Public Question Time opened at 7.02pm.

1.Phil Davey - 12 Lendre Street, Roleystone

- Q1. In regard to the Ordinary Council Meeting of 13 September 2021, the City received a number of questions from members of the Roleystone Volunteer Fire Brigade. In the current state, the brigade has had significant decreased capacity and the overhang of the unresolved issue is affecting members' health, wellbeing and preparedness for an event. This being the case, what steps has the City taken to assist the brigade in management of addressing and resolving this issue? How has the City exercised its duty of care to the members ensuring they are prepared and in a fit state to be undertaking the duties that they are tasked with?
- R. The CEO advised the City made contact with the Commissioner of DFES on Friday when we received emails from the Roleystone Volunteer Fire Brigade given we both have dual members who are concerned with regard to their wellbeing. The Commissioner and myself discussed that both the DFES and the City's welfare provider will liaise with respect to the efforts to assist the Roleystone Volunteer Fire Brigade members and the Commissioner emailed me over the weekend in respect to their actions in that regard. The City also sent correspondence to the Secretary of the RVFB on Friday regarding access to the City's Wellbeing Services that were on offer and I understand that follow up contact with the brigade has been made today.
- Q2. Do you consider that the steps taken are adequate given the risks involved in the activity these volunteers are expected to undertake?
- R. The CEO advised both DFES and the City have provided access to wellbeing services for the volunteers.

2. Veronica Hansen - 8 Protector Grove, Roleystone

Q1. My question is to Councillors. Are you aware that mitigation activity funding has been available since 2018 with two rounds per annum (March to May and August to September)?

Over \$30M has been allocated to LGAs since the beginning and even this year \$7.5M alone was allocated. What applications has the City of Armadale made for that sort of funding?

R. The CEO responded that Council recently approved a bushfire Mitigation Schedule for Verges at the Council Meeting of 13 September and that an application is being made in the order of almost \$400,000 for the current round of funding that closes tomorrow (22/09/2021).

3. Peter Stewart - 317 Peet Road, Roleystone

Q1. The first two questions related to the last Council meeting and were taken on notice and I'm yet to receive an answer to them. Going back to the questions on 13 September, there were concerns about the governance, procedure and the transparency of the City of Armadale in conducting the matters in relation to the bush fire risk management.

My question relates to item 3.2 and accepting already endorsed C29/9/21. That can't be the case unless the minutes of that meeting have been accepted and endorsed at the next Council meeting. Am I ok to rely upon that information and go forward for this meeting?

R. The CEO advised Mr Stewart that the City's Standing Orders Local Law allows for the decisions made at a Council meeting to be actioned and they are allowed to be actioned by 12.01pm on the day after the Council decision.

4. Meg Travers - 12 Croyden Road, Roleystone

Q1. In the City's Corporate Business Plan 2020-2025, the first value that's listed is safety. Can you explain to me how this value was demonstrated by the Councillors who recently rejected the proposal that dealing with the Roleystone Fire Brigade issue was urgent despite the obvious community concern for their safety with the approaching fire season?

R. The question was taken on notice with the Chair advising that a response could be expected in the next Corporate Services Committee Agenda.

5.Lara Shelton - 989 Brookton Highway, Roleystone

- Q1. My question is regarding the quality of the questions that are currently under review. Given the delay in the decision on the Roleystone Volunteer Fire Brigade management is being held up by the 137 questions currently under review, may I ask how those questions for review were chosen? The reason that I ask this is that we have all asked many questions, I would have asked 50 plus, maybe 100 myself, most valid but anyone can ask questions, given that they are now halting the decision being made. Who decides the quality of those questions? Are they relevant?
- R. The CEO advised the City has two sets of questions, those from Elected Members and those that have come from the community. I understand the community had a process of table discussions that led to prioritisation of the questions submitted. In relation to the questions that have come from Elected Members, those questions have been collated over a period of time and those questions have come at multiple points, for example the Councillors have had meetings with various stakeholders. Those discussions have then led to further questions so it was an ongoing process. The City has not edited in terms of priorities or issued a value to those questions. As officers we are required to follow the last decision of Council which advised that they require further information. The questions received have dictated what officers need to respond to and they are diligently trying to work through them to have the answers as quickly as possible. The report is currently being written.

Cr Campbell moved that Public Question Time be extended (7.18pm)

6.Veronica Hansen -

- Q1. Last week at the meeting Council confirmed that the commencement of the development of the Bushfire Risk Management Plan (BRMP) was in 2018. My question is why was this not ratified by the Office of Bushfire Risk Management (OBRM) until April 2020, which is almost two years later? Once that was ratified, why didn't the City apply for MAF funding at that point in time?
- R. The CEO advised that the first part of the question would be taken on notice as she was not with the City at that time and a response would be included in the Agenda of the next Corporate Services Committee Meeting.

With respect to applications for MAF funding, officers have been working through the bush fire risk management plan and the mitigation schedules with councillors to make sure that Council would be satisfied with how it was to be implemented. That has now occurred and the report was submitted at the last round of meetings.

- Q2. Because you had (OBRM) ratify that, even though you weren't there back in April 2020, there was numerous funding rounds since then. Why was no MAF funding applied for at that time?
- R. The CEO responded that, as previously advised, officers have been working through with the councillors with respect to the bushfire risk management plan and the mitigation schedules to have those documents at a point that Council would be satisfied to make an application. That has occurred and resulted in the report that went to the last round of meetings, which is publicly available and can be provided to you.

The CEO clarified in response to Ms Hansen's questions that she did not join the City until October 2019.

7. Peter Stewart - 317 Peet Road, Roleystone

- Q1. My next question is in relation to the background in the report in the third paragraph that states “responsibility for fire management land not under management control of the City rests with the relevant land owner and/or relevant government agency. This includes private land owners and State and Federal government agencies.” That report is misleading to the extent that Section 33 of the *Bushfires Act* allows/requires the local government to enforce the provisions for fuel mitigation on to a private land owner. Having given notice and no action taken, the Council is able to affect that mitigation; which is totally different to the background of the officer’s report.
- R. The CEO respectfully disagreed with Mr Stewart’s interpretation and stated the primary responsibility lies with the private land owner. If the private land owner fails to undertake those responsibilities, the City has the powers under that Act to conduct those activities but the primary responsibility lies with the private land owner, not the City. A firebreak notice is issued each year that clearly outlines the responsibility of the private land owners.
- Q2. The attachment to the report shows the Canning Mills Reserve delineated as Council land, is only a partial reserve and that portion adjoining the City of Gosnells public open space is not being treated in this report. I’m asking why is that area not being treated? (Refer page 79 of the Agenda.)
- R. The Chair advised the question would be taken on notice.
- Q3. In the attachments, several of the treated areas, for example the Peet Road Reserve, contain all the information we’ve been asking for over a number of years. Fuel load is defined within an area of a residence. The residence has been rated Bal xx (a concrete block) but it’s not, it is legacy housing. The consultant agreed that risk was very high and required treatment. Next to that area there is 11 tonnes/ha that hasn’t been treated. Those photos and assessments of fuel load show how the City is liable and not doing its job in protecting its citizens. They are shocking fuel loads that state government has accepted. Why do you allow these fuel loads to accumulate beyond the standard?
- R. The CEO advised the City is taking steps as a result of this report, to reduce those fuel loads.

8. Meg Travers - 12 Croyden Road, Roleystone

- Q1. I refer to the City’s Digital Strategy 2017-2022, noting several items were to be scheduled over the first 1-3 years, we are now into the fourth year. I’d like to know the progress of a few of these, including 1.14 and 2.1.1 but in particular I’d like to know about **2.1.2 – Implement a digital platform to enable online community consultation and engagement.**
- R. The CEO advised the question would be taken on notice.

Cr Keogh moved that Public Question Time be extended (7.30pm)

9. Brendan Leahy - 288 Churchman Brook Road, Bedfordale

- Q1. I’m concerned about how long it’s taking to get work through the council officers and that there’s been 156 resignations in the last 12 months. That would point to staff handling situations that they’re not au fait with or up to date with as they are being transferred from one officer to another when somebody else resigns. What’s being done about the staffing issues at the City and why do we have such high attrition?
- R. The CEO advised we are consistent with other local governments at the moment with respect to the staff turnover.

10. Veronica Hansen - 8 Protector Grove, Roleystone

- Q1. I take on board that the City has put through a submission for MAF funding. Given the Council recognised earlier in 2021 that there were a number of issues in the BMRP that required correction, why wasn't that fast tracked at that time so it could be completed perhaps by the next funding round opened in August? Because that would have ensured you would get the funding and the work to be carried out this year before the summer really start to hit home. Why was there a delay earlier in the year?
- R. The CEO advised that, as previously answered, the officers have been working through with the councillors with respect to the bushfire risk management plan and the mitigation schedules to have those documents at a point that Council would be satisfied to make an application.
- Q2. Is there no timeframe when the works commenced?
- R. The CEO advised that work has been ongoing and resulted in the report that went to Council at the last round of meetings.

11. Peter Stewart - 317 Peet Road, Roleystone

- Q1. Would Council ensure that landowners who are within these mitigation areas are provided with fuel reduction that meets requirements? Will Council ensure that the mitigation is given a metric? That is to say within 100m of a home, that the fuel is reduced to 6 tonnes/ha; within 20m of a home, the fuel is reduced to less than 2 tonnes/ha in the Australian Standard.
- R. The CEO advised the question would be taken on notice.

12. Phil Davey - 12 Lenore Street, Roleystone

- Q1. In regard to the Roleystone Volunteer Fire Brigade, the report and the timeline, based on the fact that last week's meeting it was indicated and highlighted by Councillor Frost that it's not an urgent matter; that now the CEO has confirmed that various roles have been taken on regarding the health and wellbeing of the fire brigade due to our concerns, what is the timeline indicated for this report and any/or a decision to be made in regard to the fire brigade?
- R. The Chair advised this question would be dealt with later in the Agenda.

Public Question Time was declared closed at 7.36 pm.

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Corporate Services Committee Meeting held on 17 August 2021 be confirmed.

**Moved Cr E J Flynn
MOTION CARRIED**

(7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

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

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NIL	126
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3.2 - BUSHFIRE MITIGATION SCHEDULE - RESERVES (CONTROLLED BURNS)

MOVED Cr Munn that items 3.2 and 3.3 of the Agenda be dealt with first as these items are relevant to members of the public present.

Motion Carried (7/0)

WARD : ALL
FILE No. : M/588/21
DATE : 7 September 2021
REF : CC/RP
RESPONSIBLE : Executive Manager
MANAGER : Community Services

In Brief:

- This report presents a Bushfire Mitigation Schedule covering the period from Spring 2021 to Autumn 2022.
- Recommend that Council endorse the Bushfire Mitigation Schedule as presented in this report.

Tabled Items

Nil.

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

1.2 Improve Community Wellbeing

- 1.2.1 Advocate for the delivery of services and programs as well as increased resources to contribute to improvements in community safety.

Legal Implications

Section 36(b) of the *Bush Fires Act* (the Act) allows for the expenditure of moneys in connection with fire management undertaken by local government authorities, notwithstanding anything to the contrary in any other Act. This section of the Act empowers local governments to clear a street, road or reserve vested in it, or under its control, of bush, and other inflammable material, for the purpose of preventing the occurrence or spread of a fire.

The City has an integrated Bushfire Risk Management Plan (BRMP) that has been endorsed by the Office of Bushfire Risk Management (OBRM), as required by Clause 2.2.8 of the *State Hazard Plan for Fire*.

Council Policy/Local Law Implications

Where any activities noted in the bushfire mitigation schedule are undertaken by either of the City's Volunteer Bush Fire Brigades, for example controlled burns, the City's *Bush Fire Brigades Local Law 2019* would apply.

Budget/Financial Implications

There is an ongoing allocation in City's Corporate Business Plan and Long Term Financial Plan for bush fire mitigation activities. These funds amounting to \$189,000 annually have been allocated to the Parks and Reserves Department and can be utilised for the reserves mitigation work identified in this report. The balance of funds will continue to be used for firebreak maintenance and fire prevention works.

Consultation

- Councillor workshop – Tuesday 20 April 2021
- Bush Fire Mitigation Group – this is an internal cross directorate group comprising relevant officers from Rangers and Emergency Services, Environmental Services and Parks and Reserves
- Department of Fire and Emergency Services (DFES)
- Bushfire Works – Bushfire planning consultant
- Bushcare Environment Working Group (BEWG).

BACKGROUND

Local Governments have a responsibility for fire management on land under their management control and also road verges on unallocated crown land.

The City is committed to a tailored approach to bushfire risk mitigation that puts community safety as a priority and that incorporates environmental, social and aesthetic values.

Responsibility for fire management land not under management control of the City rests with the relevant land owner and/or relevant government agency. This includes private land owners and State and Federal government agencies.

The City commenced the development of a BRMP in 2018, which was endorsed by OBRM in April 2020. The BRMP is currently under review based on Councillor feedback, prior to being presented for final endorsement by Council. Part of the bushfire risk management process is the ongoing review of a mitigation program based on risk.

During workshops, Councillors have expressed that an annual Bushfire Mitigation Schedule be presented for endorsement prior to implementing mitigation works and/or applying for external funding for mitigation works.

A schedule of mitigation works for verges on unallocated crown land was endorsed by Council at the 13 September Ordinary Council meeting (C29/9/21). As indicated in C29/9/21 endorsement of the verges schedule enables an application to the current round of Mitigation Activity Fund (MAF) grants to be submitted. If successful this will allow mitigation activity over and above the City's ongoing firebreak maintenance and fire prevention program to commence as soon as is practical after the announcement of grant outcomes in November 2021.

The Reserve treatments as outlined in this report have been identified from information within the Bushfire Risk Management System (BRMS), which is a single, integrated system for fuel load assessment and management, developed resultant from recommendation 21 of the Keelty Report into the Perth Hills Bushfire, February 2011.

DETAILS OF PROPOSAL

This report presents a schedule of proposed bush fire mitigation works on Reserves identified as priorities through the BRMS. The mitigation schedule has been developed in consultation with relevant City departments.

Should Council endorse the proposed Bushfire Mitigation Schedule, internal and external consultation with relevant stakeholders will continue and will focus on refining the most appropriate treatments. Where appropriate, works can commence in Spring 2021 and completed in Autumn 2022

Additional bush fire mitigation works are being planned for City managed verges via Mitigation Activity Funding (MAF).

The following schedule outlines the proposed works that form part of this report.

Table 1. Reserves (related locality map shown in attachment 1)

Reserve name	Locality	Treatment works	Estimated Cost
Colquhoun Reserve 2.5ha	Roleystone	Complete Reserve, targeted burn	\$3,135
Peet Reserve 0.45ha	Roleystone	Complete Reserve, targeted burn	\$1,122
Lot 4823 Public Recreation Reserve 3.4ha	Bedforddale	Complete Reserve, targeted burn	\$1,194
Canning Mills Reserve 5.8ha	Roleystone	Partial Reserve burn as indicated on the Reserve Location Map. Installation of firebreaks and access gates.	\$26,413
Armadale Settlers Common 28Ha	Bedforddale	Partial Reserve burn as indicated on the Reserve Location Map.	\$3,674
Lloyd Hughes Park 2.552 ha	Kelmscott	Partial Reserve burn as indicated on the Reserve Location Map.	\$3,250
Total			\$38,788

Mitigation/Purpose

Reduce bushfire risk while preserving environmental and aesthetic values. This is done by reducing the fuel loads on City of Armadale managed Reserves by way of prescribed burning in order to reduce the bushfire risk to adjacent properties.

Assessment

- The reserves identified for proposed mitigation treatments have been assessed by the City of Armadale Fire Prevention Officer using criteria set through the BRMS risk assessment tool.
- The identified reserves have been the subject of internal consultation involving the City's Bushfire Mitigation Group which comprises officers from Emergency Services, Environmental Services and Parks Services
- The reserves have been further assessed by *Bushfire Works*, an independent specialist consultant to review the original BRMP risk ratings for the identified reserves. This review also included an audit of current fuel loadings

Criteria for selection

1. Reserve location must be within an extreme or very high bushfire risk area as determined by the BRMS.
2. Reserve must have fuel loads exceeding 7-8 tonnes per hectare.
3. Select Reserves that could be reasonably managed within the current resource availability.

Treatment Scope of Works

1. Remove fuel load from around the base of trees identified as being significant by Environmental Services and Reserve Custodians.
2. Create a separation zone and protect known Black Cockatoo nesting sites.
3. Protect rare flora and fauna identified by the Environmental Services.
4. Notify nearby residents and public of intended burn.
5. The City's Emergency Services team will develop a Prescription Burn Plan in collaboration with the City's Volunteer Bush Fire Brigades.
6. All prescribed burning to be managed on-ground, for the duration of the burn, by the City's Chief Bushfire Control Officer.

Treatments Methods

1. Removal of fuel load from around the base of significant trees through rake hoeing.
2. Cool burning involves lighting a number of small fires to clear the underbrush. The fires burn slowly, with low intensity and in patches which creates residual habitats for small fauna. Cool burning does not damage the upper levels of the forest and ensures that seeds and nutrients in the soil are not baked and destroyed. The objective of cool burning is to reduce the fuel loading to an acceptable level rather than remove it all.

3. Mosaic burning consists of a number of separate sections being burnt within a broader landscape. Mosaic burns are conducted over a period of years with some sections being burnt one year and others being burnt the following or subsequent years. Mosaic burns create patchwork-like areas (mosaics) of reduced fuel. By creating a range of vegetation ages within a Reserve provides a fauna refuge and reduces the risk and impact of uniform, large-scale fires.

ANALYSIS

In seeking to achieve a safer City, where preventing the occurrence or spread of a fire will reduce the impact on the City's residents, property and environment, mitigation treatments will provide for a safer environment for residents and volunteer firefighters.

Treatments are also intended to protect to the City's environmental assets by reducing the severity of a fire by reducing the fuel load that increases the intensity of a bushfire and its impact.

The BRMS is used to assess assets using the following criteria:

1. Fuel age
2. Canopy cover
3. Separation distances
4. Slope under the vegetation
5. Slope from vegetation to asset.

The identified Reserves are determined to be those in most need of works over the Spring 2021 – Autumn 2022 period.

Bushfire mitigation works form part of the City's prevention responsibilities under the *Emergency Management Act 2005*, the *State Emergency Management Plan* and the *State Hazard Plan for Fire*. It is anticipated that the development and implementation of an annual Council endorsed Bushfire Mitigation Schedule will form an action in the City's BRMP.

While this report only presents the schedule for the Spring 2021 - Autumn 2022 period, a five year rolling Bushfire Mitigation Schedule is being developed that will be reviewed annually in order to provide a longer term strategy for ongoing mitigation activity within the City.

OPTIONS

1. Endorse the Bushfire Mitigation Schedule for Reserves as presented in this report, to finalise planning for mitigation activities.

This is the preferred option.

2. Seek further information prior to endorsing a Bushfire Mitigation Schedule.

CONCLUSION

The City has responsibility for bushfire mitigation activities on land under its management control and also road verges on unallocated crown land. The City has funds allocated for mitigation works on freehold and crown land vested in the City through the Corporate Business Plan and Long Term Financial Plan.

ATTACHMENTS

1. Bushfire Mitigation Map - Reserves
2. Bushfire Risk Audit - 6 Priority Reserves

RECOMMEND

CS55/9/21

That Council endorse the Bushfire Mitigation Schedule comprising works on the following Reserves, in order to finalise planning and commence mitigation activities:

Reserve name	Locality	Treatment works	Estimated Cost
Colquhoun Reserve 2.5ha	Roleystone	Complete Reserve, targeted burn	\$3,135
Peet Reserve 0.45ha	Roleystone	Complete Reserve, targeted burn	\$1,122
Lot 4823 Public Recreation Reserve 3.4ha	Bedfordale	Complete Reserve, targeted burn	\$1,194
Canning Mills Reserve 5.8ha	Roleystone	Partial Reserve burn as indicated on the Reserve Location Map. Installation of firebreaks and access gates.	\$26,413
Armada Settlers Common 28Ha	Bedfordale	Partial Reserve burn as indicated on the Reserve Location Map.	\$3,674
Lloyd Hughes Park 2.552 ha	Kelmscott	Partial Reserve burn as indicated on the Reserve Location Map.	\$3,250
Total			\$38,788

Moved Cr G Nixon
MOTION CARRIED

(7/0)

3.3 - REPORT ON ROLEYSTONE VOLUNTEER FIRE BRIGADE (REFERRAL ITEM)

Cr Keogh disclosed that he is a member of the Roleystone Volunteer Fire Brigade. 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.

At the Council meeting held on 13 September 2021, Cr J Keogh referred the following matter to the Corporate Services Committee.

That the matter of the report on the Roleystone Volunteer Fire Brigade be referred to the Corporate Services Committee.

Comment from Cr J Keogh

It is important for the welfare of the brigade and for the welfare of the community at large that Council seeks to consider this issue.

It is requested that the City establish a reasonable timeframe as to when a report can be presented to Council to make a decision. I believe that it will give both the brigade and the community peace of mind if Council seeks to address the Roleystone Volunteer Fire Brigade issue as soon as possible.

I thank the City and the officers for their help and support in this matter to date and going forward.

Officer Comment

Following the Council decision of 28 June 2021:

“That Council:

- 1. Defer consideration of the recommendation pending receipt of further information.*
- 2. Request the Mayor, Deputy Mayor and Chief Executive Officer meet with the Commissioner of the Department of Fire and Emergency Services at the earliest opportunity.*
- 3. Note that in the interim the status quo remains.”*

Matters progressed to date include but are not limited to the following:

- i. The Mayor, Deputy Mayor and CEO met with Commissioner Darren Klemm and DFES staff;
- ii. Available councillors met with Roleystone Volunteer Fire Brigade Management Committee representatives;
- iii. Available councillors met with Roleystone Volunteer Bush Fire Brigade representatives;
- iv. Available councillors met with City staff;
- v. Collation of questions from councillors (this was an ongoing process as new issues led to new questions but a final date was set for submission of questions to enable finalisation of the report);

- vi. Research and preparation of responses to councillor questions continues including review of City archives, records and registers as well as reference to external agencies; and
- vii. Formation of the report writing resources, commencement of the literature review and drafting.

The timeframe for the presentation of a report to Council has not been determined and will be contingent on Council's expectation for a comprehensive report as well as the time taken to investigate answers to the councillor questions received.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CS56/9/21

That a report responding to CS33/6/21 be presented to the first Council meeting in October 2021.

Moved Cr J Keogh

Seconded Cr C Campbell

Opposed Cr C Frost

MOTION CARRIED

(6/1)

1.1 - LIST OF ACCOUNTS PAID - JULY 2021

WARD : ALL
FILE No. : M/467/21
DATE : 16 July 2021
REF : MH
RESPONSIBLE : Executive Director
MANAGER : 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 July to 31 July 2021 as well as the credit card statements for July 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 Financial Sustainability
- 4.3.2 Undertake active financial management to ensure that the annual budget is achieved and any variances are promptly identified and addressed.

Legal Implications

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

6.10 Financial management regulations

Regulations may provide for —

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

Regulation 13(1), (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 July to 31 July 2021 is presented as an attachment to this report as well as the credit card statements for July 2021.

ATTACHMENTS

1. [↓](#) Monthly Cheque Listing and Credit Card Report - July 2021

RECOMMEND

CS57/9/21

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 \$12,261,093.34 on Batch 2631-2639, Cheques 033261-033292, Direct Debits & PY01.01 & PY01.02.

Credit Card

Accounts Paid totalling \$6,408.77 for the period ended July 2021.

Moved Cr G Nixon

MOTION CARRIED

(7/0)

1.2 - STATEMENT OF FINANCIAL ACTIVITY - JULY 2021

WARD : ALL
FILE No. : M/564/21
DATE : 30 August 2021
REF : MH
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- This report presents the City's Monthly Financial Report for the one (1) month period ended 31 July 2021.
- This report recommends accepting the Financial Report for the one (1) month period ended 31 July 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 Financial Sustainability
- 4.3.2 Undertake active financial management to ensure that the annual budget is achieved and any variances are promptly identified and addressed.

Legal Implications

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

Local Government Act 1995 – s.6.11 Reserve accounts

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

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

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

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

Consultation

Nil.

BACKGROUND

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

COMMENT

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:

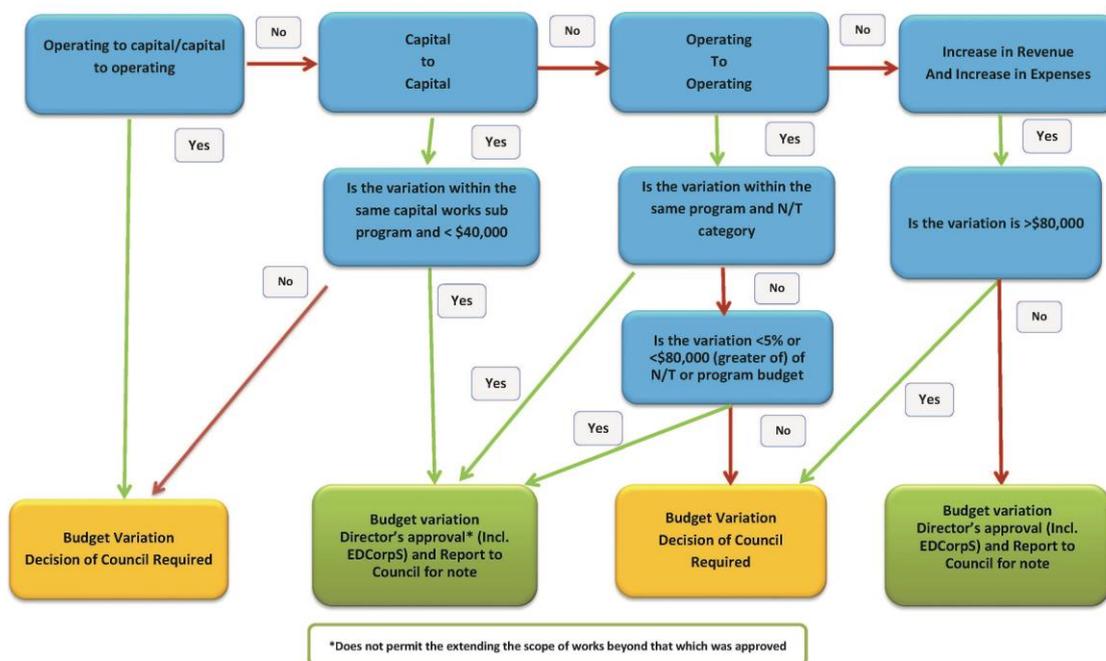
- Period Variation
Relates specifically to the value of the Variance between the Budget and Actual figures for the period of the report.
- Primary Reason
Explains the primary reasons for the period Variance. As the report is aimed at a higher level analysis, minor contributing factors are not reported.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

At the 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).



Budget Variation Process Map



DETAILS

Presented as an attachment is the Monthly Statement of Financial Activity for the one (1) month period ended 31 July 2021.

A review of small balance rates as at the end of June 2021 was undertaken and a total of \$237.31 for 133 ratepayers (see attached for details) was written off as per the Primary Delegation CORPS 1.0 and Secondary Delegation CORPS 1.1 – Defer, write off, grant a concession or authorise a waiver for monies owing.

Capital Program Update

Included in the monthly reports is the status of the capital program as at the end of July to tie in with the monthly financials report. This is a historical perspective and the Executive Leadership team is reviewing updated data every week.

At the time of writing, there was \$5.5m worth of carry forward projects that were scheduled for completion in Qtr 1 - \$1.3M is completed with a further \$1m of the projects remaining on schedule for completion by the end of September.

Skeet Rd (\$926k) has received the necessary approvals but the finish date is reliant on Western Power completing the works. This will hopefully still occur in Qtr 1.

William Skeet Oval (\$578k) is now anticipated to be completed in November 21 as the procurement for the netting and cricket wickets is now underway.

John Dunn Reserve (\$814k) is now anticipated to be completed in October 21 as the site conditions during winter has delayed completion of the project.

The jetting truck (\$327k), flocon truck (\$254k) and Parks truck (\$250k) expected delivery dates have been extended further with delivery now likely between Dec 21 and Feb 22.

Rates Debtors

Complete visibility of outstanding rates debtors has been a problem in the past which was rectified on August 12 with the writing of a new report program that identifies rates debtors by category and type and by period due. This breakdown will be available with the monthly financial statements from next month.

What the report has shown in the interim is that due to the rates team being under resourced for a variety of reasons in the last 12 months, focus on rates collections (including some management time) is now required for the next few months in order to reduce the backlog and collect the cash that is due to the City.

ATTACHMENTS

1. July 2021 - Monthly Financials - Council
2. Rates Written Off 1-28 June 2021

RECOMMEND

CS58/9/21

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 one (1) month period ended 31 July 2021; and

- i. Note that there are reportable actual to budget material variances for the period.**
- ii. Note the \$237.31 small rates debts written off under primary Delegation 1.0 and Secondary Delegation CORPS 1.1.**

**Moved Cr G Nixon
MOTION CARRIED**

(7/0)

1.3 - OPTIONS FOR RESOURCING THE CITY'S EVENTS PROGRAM

WARD : ALL

FILE No. : M/580/21

DATE : 6 September 2021

REF : RM

RESPONSIBLE : Executive Director
MANAGER Corporate Services

In Brief:

- This report outlines the immediate need for an additional staff resource to deliver the City's upcoming events.
- The report also presents two long term options for the continuation of the City's Events program.
- Recommend that Council:

Pursuant to Section 6.8 of the *Local Government Act 1995*, amend the 2021/22 Annual Budget as follows:

 - Increase the Transfer from Cash Reserves budget for *Transfers from the Events Reserve* by \$80,000 to meet the costs of 1 FTE (Events Officer) until June 2022 and additional expenses associated with Australia Day.
 - Endorse the implementation of Option 1 as cited in this report – to increase the Events Teams by 1 FTE (Events Officer) until June 2022 to retain the current program of events.

Tabled Items

Nil.

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

1.1 Foster and strengthen community spirit

1.1.1 Facilitate a dynamic calendar of events, festivals and cultural activities that activate suburbs, foster community connections, celebrate the diversity of the community, encourage a sense of place for residents as being part of the City of Armadale and attract "first-time" visitors to the City in order to contribute to changing the narrative regarding Armadale.

1.1.3 Support the development and sustainability of a diverse range of community groups.

1.2 Improve Community Wellbeing

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

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Events Reserve Fund balance is \$87,000

Consultation

- Inter Directorate

BACKGROUND

In August 2020, a Councillor workshop was held to inform the City's Events Strategy 2021 – 2026. In December 2020, the Draft Events Strategy 2021 – 2026 was presented to Council (C43/12/20) resulting in the following recommendation (relevant section of the recommendation quoted):

“Endorse the proposed Event Strategy 2021 – 2026 as a guide for the City's Long Term Financial Plan and budget processes with the following amendments:

- *Retain the Movies in the Park event at \$22,000*
- *Retain the Highland Gathering and Perth Kilt Run event at the existing level of \$155,000*
- *Bring forward the Armacon event at \$100,000 to 2021/22*
- *Bring forward the Multicultural Festival to 2023/24*
- *Bring forward a staff resource of 1 FTE to 2020/21 to commence planning and to deliver the expanded elements of the Minnowarra Art Awards and Armadale Arts Festival; and planning for the events scheduled for 2021/22*
- *Bring forward staff resources of 2 FTE to 2021/22 to commence planning and to deliver the events scheduled for 2021/22 onwards, subject to Council's budget processes and consideration of the City's Workforce Plan.”*

Due to budgetary constraints, the new draft Events Strategy was not included in the Long Term Financial Plan. In June 2021, a report was presented to Council (C21/6/21) regarding the additional expenses required to comply with COVID-19 related risk mitigation requirements for the City's WA Day, Avon Descent Community Day and NAIDOC events. Council endorsed that the funds may be accessed from the Events Reserve Fund.

This report focuses on options relating to the continued delivery of the City's existing event program. Whilst COVID-19 related impacts are included as a consideration, the impetus for the report is the capacity of the small team to deliver the events program and the management of business continuity and reputational risks.

DETAILS OF PROPOSAL

It is proposed to supplement the current Events Team, which comprises two FTE with one further FTE this year, funded by a transfer from the Events Reserve. To ensure all the elements of the Australia Day event are adequately funded, an additional \$20,000 is also required.

This additional capacity responds to a growth in the logistics on event coordination and management, driven by increased numbers of attendees, the requirement for increased infrastructure and programmatic elements and the complexity and increasing requirements of compliance factors, such as Hostile Vehicle Action Planning.

ANALYSIS

To assist with comparing the budget, number of events, attendees, staff level and other factors over the last seven years, the table below has been prepared with data from 2014/15 to 2021/22:

Year	# Events	Budget	Attendees	Staff Level	Associated Factors
2014/15	10	\$739,500	28,000	2 FTE	<ul style="list-style-type: none"> • Events had the potential to be turned around in six weeks • Simple programming: There was no or little consideration of accessibility, local culture, local artists, community group involvement or development of the event theme. Focusing on these areas is an audience development technique, improves the overall quality of the event and fosters community pride. For example, Australia Day included one or two bands (not local) performing throughout the entire evening, did not feature a Water Fun Zone and comprised only minimal community group and local artist involvement. The Highland Gathering areas did not expand or develop. • Very little regulation around events and minimal State Government involvement • High number of complaints about various aspects of the event ie. sound and food options • No evaluation of events of their value to the community

Year	# Events	Budget	Attendees	Staff Level	Associated Factors
2021/22	32	\$1,234,000	70,000 (taken from 2018/19 as the last full financial year of events)	2 FTE	<ul style="list-style-type: none"> • Events take a minimum of three months to organise • Minimal numbers of complaints • Increased community involvement in all events • Increased variety of programming: Australia Day now features a locally grown stage program with emerging and professional artists, in addition to a Water Fun Zone and the inclusion of community groups. With the Carols by Candlelight event, additional features included an Accessibility area, songs in Noongar language, guest local performers and the Christmas Food Appeal through the Salvation Army. <p>Highland Gathering – staff work with groups to extend their areas’ programs for example the heavy events also now includes women’s events and the Scottish Dogs includes a costume competition. Each group also provides some content for the stage program and pre-event promotion. Internal departments and community groups are invited to participate wherever possible and their involvement leveraged for example fundraising via sausage sizzles and managing public car parking, and key messages promoted including Roadwise, Health, and Bush Fire Ready.</p> <ul style="list-style-type: none"> • Outsourcing of food vendors and stage programming and coordination (which requires increased cost or decreased income) • Significant State Government regulation requiring pre and post consultation, for example Traffic Management and Hostile Vehicle Management • Evaluation of events demonstrate they are important to residents/attendees: Culture counts surveys are published after each event, usually with a prize draw to encourage participation. The surveys ask for positive and negative feedback for future improvement. The number of surveys completed varies depending on events but can range from 50 to a few hundred per event. Additionally feedback published on social media and via emails as well as word of mouth and debrief meetings are also included. • Public event notification process and increased focus on risk management • COVID-19 risk mitigation measures <p>As an example, to deliver Australia Day, officers undertake 83 tasks. 42 of these tasks are completely new and 30 of them are significantly increased since 2014/15.</p>

The data indicates that whilst the events have expanded in these areas, the number of staff to plan and deliver the events has not increased.

Immediate issue

The City will be planning for and delivering the following events over the next six months:

- Highland Gathering and Perth Kilt Run (Sunday 3 October 2021)
- NAIDOC (12 October 2021)
- Carols by Candlelight (5 December 2021)
- Australia Day (26 January 2022)
- Movies in the Park (February/March 2022)
- Planning for the Minnowarra Art Awards (May 2022)
- Planning for the Armadale Arts Festival (May 2022).

Whilst planning is underway for the Highland Gathering/Perth Kilt Run and NAIDOC, the Events Team are under resourced to deliver the events going forward. To maintain the usual safety and high quality of these events and to ensure the wellbeing of staff, an additional staff resource (1 FTE) equating to \$60,000 is required, along with a further \$20,000 for event related expenses.

It is proposed that the total expense of \$80,000 is transferred from the Events Reserve Fund to address this issue in the short term. A submission to the next Four Year Budget will be made to permanently increase the resourcing or amend the events program to align to the current resourcing capacity.

Ongoing delivery of the events program

To successfully continue to safely deliver high quality events for the long term, it is requested a review of the current staff resourcing is considered as part of the 4 year budget and CBP deliberations.

There are two options Council may consider. Both options are based on the premise of aligning a program that is of events is appropriate for the level of staff resources.

Option 1 comprises the same level of service (no expansion of existing events or delivery of new events) and an increased level of FTE.

Option 2 would mean a reduced level of service (fewer events) and the same number of FTE.

COMMENT

Council has demonstrated great resolve in supporting the ongoing delivery of events in the current COVID-19 climate of uncertainty. High quality, inclusive and innovative events serve to strengthen local identity, foster community spirit and to showcase the assets of Armadale to people outside the region. Residents and attendees from outside the City have responded well to the decision to continue the events, where possible, as evidenced by the positive feedback received after the WA Day event in June 2021.

However, the current level of staff comprising two FTE Events Officers is unsustainable for the existing events program. This is logical given the events have grown over the years and the infrastructural, programmatic and legislative compliance aspects have increased. Staff are working beyond their capacity, which is not sustainable and puts the continuity of the current events program at risk.

The immediate action of recruiting an additional Events Officer to deliver the 2021/22 Events Program including the Candles by Candlelight and Australia Day events is deemed to be necessary. For the longer term, it is proposed that either the staff levels increase by one FTE or the events program is reduced.

OPTIONS

Council has the following options:

1. Approve the transfer of \$80,000 from the Events Reserve Fund.
2. Do not approve the transfer of \$80,000 from the Events Reserve Fund.
3. Approve the implementation of Option 1.
4. Approve the implementation of Option 2.

Options 1 and 3 are recommended.

CONCLUSION

Many residents and external attendees value the City's Events Program as evidenced by the overwhelmingly positive feedback received after each event. It is important that staff levels are sufficient to ensure that safety risks are minimised and the expected high standard of the events continue.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CS59/9/21

That Council:

1. Pursuant to Section 6.8 of the *Local Government Act 1995*, amend the 2021/22 Annual Budget as follows:
 - (a) Increase the Transfer from Cash Reserves budget for *Transfers from the Events Reserve* by \$80,000 to meet the costs of 1 FTE (Events Officer) and additional expenses associated with Australia Day.
 - (b) Endorse the implementation of Option 1 as cited in this report – to increase the Events Teams by 1 FTE (Events Officer) to retain the current program of events.
2. Consider the long term resourcing of the City's Event Program as part of the Four Year Budget and Corporate Business Plan deliberations.

Moved Cr C A Campbell
MOTION CARRIED

(7/0)

2.1 - ONECOUNCIL REPORTING TO COUNCIL

WARD : ALL
FILE No. : M/594/21
DATE : 9 September 2021
REF : MT
RESPONSIBLE MANAGER : Executive Director
Corporate Services

In Brief:

- On 19 April 2021 Council endorsed the expansion of the Terms of Reference of SOHAG to incorporate project reporting and oversight of the OneCouncil ERP Project Implementation, to be reported to SOHAG on a monthly basis.
- Recommend that Council agree on the appropriate mechanism for the reporting of status updates on the OneCouncil implementation project, by a monthly briefing session to be carried out prior to an Ordinary Council Meeting.

Tabled Items

<Type text here>

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

- 4.1.2 Make decisions that are sound, transparent and strategic
- 4.1.2.4 Implement reviews of the Strategic Community Plan
 - 4.1.2.5 Implement annual reviews of the Corporate Business Plan

Legal Implications

Nil.

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

There are no budget/financial implications from this report.

Consultation

- Standing Orders House Advisory Group (SOHAG).

BACKGROUND

On 19 April 2021 Council resolved to “*expand the Terms of Reference for the SOHAG to incorporate project reporting and oversight of the OneCouncil ERP Project Implementation, and initially, this be required on a monthly basis*”.

In August 2021, following a resumption of the regular meetings of the SOHAG, a report was presented to the Group on the status of the implementation of the OneCouncil project. The question of the appropriate forum for the reporting of the status updates has been raised.

Council are asked to consider the reporting mechanism for the OneCouncil status reporting, which allows for Councillors to be updated as appropriate.

DETAILS OF PROPOSAL

It is proposed that Councillors receive monthly updates on the status of the OneCouncil ERP Project Implementation and Council are requested to consider the mechanism under which they determine to be most appropriate. Updates may be confidential in accordance with s5.23(2)(c) of the *Local Government Act 1995* as it deals with a contract entered into by the City.

Presently, Council has endorsed the reporting and oversight function to be facilitated through SOHAG. Following the recent update to SOHAG, alternative reporting and oversight functions were considered by the group.

Briefings to Councillors may be conducted on a monthly basis, supplemented with a project report provided under separate cover. Formal reporting to Council would occur via the Corporate Services Committee, as and when required. Alternatively, written briefings may be submitted to Council monthly for review.

Council may also choose to continue as per its resolution from 19 April 2021.

The OneCouncil project has been designated as a strategic risk to be managed, given the scale, cost and impact of the project on the future service capabilities of the City. The project is a key enabler for business and customer experience improvement.

OPTIONS

1. Councillors receive monthly briefings prior to a Council meeting from the OneCouncil project manager on the OneCouncil ERP Project Implementation, supplemented by a written monthly report circulated to all Councillors.
2. Council receive a monthly written report via the Corporate Services Committee from the OneCouncil project manager on the OneCouncil ERP Project Implementation.
3. The reporting and oversight functions of the OneCouncil ERP Project Implementation continue to be via SOHAG in accordance with the Council resolution on 19 April 2021.

CONCLUSION

It is recommended Council receive regular briefings on a monthly basis, with reports to Council as required to ensure oversight of the Project.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CS60/9/21

That Council agree from November 2021, the reporting and oversight of the OneCouncil ERP Project Implementation be managed by monthly briefing sessions, supplemented with a report circulated to Councillors under separate cover.

**Moved Cr C Frost
MOTION CARRIED**

(4/3)

3.1 - BUSINESS HOURS - 2021-2022 END OF YEAR HOLIDAY PERIOD

WARD : ALL
FILE No. : M/587/21
DATE : 7 September 2021
REF : SD
RESPONSIBLE MANAGER : Chief Executive Officer

In Brief:

- This report considers the days on which Council operations should be open for business over the 2021-22 End of Year Holiday Period.
- It provides, for Council's approval, a Schedule of Business hours for the 2021-22 End of Year Holiday Period.
- Recommend that Council approve the attached Schedule-1 "City Business Hours December 2021 to January 2022".

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

The Author of this report is an employee of the City and will be affected by this decision.

Strategic Implications

4.1 – Strategic Leadership & effective management.

Legal Implications

Nil.

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

Nil.

Consultation

- Executive Leadership Team
- Operational Managers.

BACKGROUND

Each year Council considers the practicality of keeping the City's administration office open for business over the End of Year Holiday period. This is a period of minimal customer contact and many of the City's business partners in Government and private enterprise shut down their operations between Christmas and New Year.

The end of year closure enables staff to return to work in the new year energised and refreshed, with minimal customer impact.

Since 2012/13 this approach has been taken for the Administration Centre (CS99/10/12 refers). This involves closing the Administration Centre for business from the afternoon of 24 December to the day after New Year's Eve. This is well advertised and this approach has not caused any inconvenience to ratepayers, as key operational areas continue to service the community.

DETAILS OF PROPOSAL

On this occasion, the three end of year holidays fall over two weekends, being Saturday 25 December and 1 January and Sunday 26 December. The public holidays for these being on Monday (27 December & 3 January) and Tuesday (28 December).

With the usual reduction in service demand during this holiday period, the City can consider two options:

- Close for business on the Monday 27 December, Tuesday 28 December and Monday 3 January public holidays but open for business on Wednesday 29 December, Thursday 30 December and Friday 31 December 2021.
- Close for business from the 27 December public holiday and reopen for business on Tuesday 4 January 2022.

In previous years the City has ensured that services such as Libraries, Rangers, Recreation, Visitor Centre and Waste Services operate with a minor adjustment to operational hours. Civil Works have operated a holiday period close as they have limited access to suppliers and the type of work that can be conducted in this period is greatly reduced.

The level of likely disruption/inconvenience caused to customers by reducing administrative services is (based on past experience) considered minimal and would be managed as follows:

- advanced targeted publicity of the planned hours of business;
- the City's after hours call service will be fully operational on these days thereby ensuring a response to all calls; and
- for persons wishing to make rate payments on these days, the usual internet arrangements will be available and operational and those on the Smarter Way to Pay system, will have already made prior payment arrangements.

Typically throughout this period a large number of City staff take accrued leave, leaving a reduced workforce to run the City's operations. In a business sense it is highly preferred that staff take leave at low business periods such as the End of Year Holiday period. The alternative is that staff use leave and flexi entitlements during busy periods, ie. when customer demand is higher.

The attached Schedule recommends the City's business hours for the 2021-22 End of Year Holiday period for Council confirmation, in line with the approach taken since 2012-13.

It proposes that Council's main Administration Centre will be closed from 4.00pm Friday 24 December 2021 until Monday 3 January 2022. This means that the City will not open for business on the Wednesday, Thursday or Friday between the 28 December public holiday and the 3 January public holiday.

These days will be taken by staff as annual leave, accrued days-in-lieu or flexi hours (or leave without pay if the employee chooses).

It is also proposed that:

- (i) the Administration Centre and Libraries close at 12 Noon on Friday 17 December (to allow Administration staff to attend an end of year luncheon); and
- (ii) the Depot close at 12 Noon on Thursday 23 December (to allow Depot staff to attend an end of year luncheon).

OPTIONS

Council's options in managing business hours over the End of Year Holiday period are:

Option 1: Close for business on the public holidays but open for all other days.

Option 2: Close for business from 4pm Friday 24 December 2021 until Monday 3 January 2022 - this is the recommended option.

CONCLUSION

Having considered the options and the minimal inconvenience to rate payers, it is recommended that the Council Administration be closed for business from 4pm Friday 24 December 2021 until Monday 3 January 2022.

ATTACHMENTS

1. Schedule 1 - City Business Hours for December 2021 to January 2022

RECOMMEND

CS61/9/21

That Council approve the attached Schedule-1 City Business Hours December 2021 to January 2022.

Moved Cr C Frost

MOTION CARRIED

(7/0)

MOVED Cr Campbell that the meeting be closed to members of the public as the matter to be discussed is considered to be confidential under Section 5.23(2) © of the Local Government Act, as the matter relates to a contract entered into or which may be entered into by the City of Armadale.

LATE ITEMS
CONFIDENTIAL ITEMS

1.1 – ONECOUNCIL – CORE BUSINESS SYSTEM CONTRACT VARIATION

Motion Carried (7/0)

8.37pm Meeting declared closed.

MOVED Cr Munn that the meeting be adjourned.

Motion Carried (7/0)

8.37pm Meeting adjourned.

MOVED Cr Munn that the meeting be resumed.

Motion Carried (7/0)

8.47pm Meeting resumed.

RECOMMEND

CS62/9/21

That Council endorse the recommendations as contained within the Confidential report.

Moved Cr C Frost

MOTION CARRIED

(7/0)

MOVED Cr Campbell that the meeting be opened.

Motion Carried (7/0)

9.23PM Meeting opened.

COUNCILLORS' ITEMS

Nil

CHIEF EXECUTIVE OFFICER'S REPORT

Nil

EXECUTIVE DIRECTOR'S REPORT

Nil

MEETING DECLARED CLOSED AT 9.25PM

CORPORATE SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
21 SEPTEMBER 2021		
ATT NO.	SUBJECT	
1.1 LIST OF ACCOUNTS PAID - JULY 2021		
1.1.1	Monthly Cheque Listing and Credit Card Report - July 2021	
1.2 STATEMENT OF FINANCIAL ACTIVITY - JULY 2021		
1.2.1	July 2021 - Monthly Financials - Council	
1.2.2	Rates Written Off 1-28 June 2021	
3.1 BUSINESS HOURS - 2021-2022 END OF YEAR HOLIDAY PERIOD		
3.1.1	Schedule 1 - City Business Hours for December 2021 to January 2022	
3.2 BUSHFIRE MITIGATION SCHEDULE - RESERVES (CONTROLLED BURNS)		
3.2.1	Bushfire Mitigation Map - Reserves	
3.2.2	Bushfire Risk Audit - 6 Priority Reserves	

The above attachments can be accessed from the Minutes of the Corporate Services Committee meeting of 21 September available on the City's website

CHIEF EXECUTIVE OFFICER'S REPORT

28 SEPTEMBER 2021

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1.1 - TENDER 31/21: WESTFIELD HERON WETLAND IMPROVEMENT WORKS

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

In Brief:

NB: This Report is being presented to Council via the CEO's report this month to allow the matter to be considered during September 2021 so as to expedite award of the tender to meet LRCI project construction timeframes.

- Tender 31/21 was recently advertised for Westfield Heron Wetland Improvement Works.
- Seven (7) tenders were received by the specified closing time and evaluated against the compliance criteria. One (1) tender was found to be non-conforming and was not further evaluated.
- This report recommends that Council award the tender to Horizon West Landscape Constructions.
- A confidential report is presented at Attachment 2 to this Agenda.

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:

- 2.1 Conservation and restoration of the natural environment
- 2.1.3 Seek to improve the quality of water within waterways throughout the City.
 - 2.1.7 Biodiversity is managed to preserve and improve ecosystem health.
- 2.2 Attractive, inclusive and functional public places
- 2.2.4 Develop, improve and maintain quality parks, playgrounds and public open spaces throughout the City.

Legal Implications

Assessment of legislation indicated that the following are applicable:

- Section 3.57 *Local Government Act 1995* – Tenders for providing goods or services
- Division 2 *Local Government (Functions and General) Regulations 1996* – Tenders for providing goods or services

Council Policy/Local Law Implications

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

- ADM 19 - Procurement of Goods and Services.

Budget/Financial Implications

The project is funded through the Local Roads and Community Infrastructure (**LRCI**) Phase 2 Program with \$180,000 funded via municipal funding for the bore irrigation. The Water Corporation (**Watercorp**) have also indicated their intent to make a financial contribution to the project as detailed within confidential attachment 2. The proposed expenditure has been included in the 21/22 Budget.

Consultation

- Consultancy – EPCAD
- Inter Directorate.
- Watercorp

BACKGROUND

Tender 31/21 for Westfield Heron Wetland Improvement Works was advertised in the West Australian newspaper, on the City's e-Tendering portal Vendor Panel and in a notice which was displayed on the Administration Centre, Armadale, Kelmscott and Seville Grove Libraries' public notice boards.

DETAILS OF PROPOSAL

The advertising period closed at 2.00pm on 1 September 2021. Tenders were received from:

	Tenderer's Name
1.	Eighth Street Pty Ltd T/A Ligna Construction
2.	D.B. Cunningham Pty Ltd T/A Advantearing - Civil Engineers
3.	Environmental Industries Pty Ltd
4.	Horizon West Landscape Constructions
5.	Menchetti Consolidated Pty Ltd T/A MG Group WA Pty Ltd
6.	Landscape Australia Construction
7.	Sanpoint Pty Ltd T/AS LD Total

No tenders were received after the close of deadline.

Analysis

All tenders were assessed against the compliance criteria and the tender submitted by Eighth Street Pty Ltd T/A Ligna Construction was deemed non-conforming on the basis that their tender did not address Qualitative Criteria C – Methodology.

Submissions from the six (6) remaining tenderers proceeded to be assessed against the following Qualitative Criteria.

Criterion	Weighting
Relevant Experience	30%
Key Personnel Skills and Resources	20%
Methodology	50%

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

CONCLUSION

Six (6) tenders for Westfield Heron Wetland Improvement Works were assessed by an evaluation panel against compliance and qualitative criteria.

As financial considerations associated with the award of the tender necessitate the report being given confidential consideration, the full recommendation is contained within the confidential evaluation report provided in Confidential Attachment 2.

ATTACHMENTS

1. Confidential Attachment 1 - Price Consideration - TEN/31/21 - Westfield Heron Wetland Improvement Works - *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. Confidential Attachment 2 - Evaluation Report - TEN/31/21 - Westfield Heron Wetland Improvement Works - *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*
3. Confidential Attachment 3 - Works Agreement - *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*
4. Confidential Attachment 4 - Funding Agreement - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*

RECOMMEND

CEO3/9/21

That Council, in regard to Tender 31/21 for Westfield Heron Wetland Improvement Works adopt the recommendation detailed within Confidential Attachment 2.

1.2 - TENDER 26/20 - CHALLENGE PARK BIKE FACILITY DESIGN AND CONSTRUCTION

WARD : ALL
FILE No. : M/625/21
DATE : 21 September 2021
REF : JA/KH
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- A Confidential Report is presented as an attachment to this Agenda.
- It is recommended that Council adopt the recommendation contained within the Confidential Report.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

A Confidential Report is presented as an Attachment to this Agenda.

ATTACHMENTS

1. Confidential Report - Tender 26/20 - Challenge Park Bike Facility Design and Construction - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*

RECOMMEND

CEO4/9/21

That Council adopt the recommendation contained within the Confidential Report.

1.3 - 2021 PERFORMANCE REVIEW & CRITERIA FOR 2021-22 - CHIEF EXECUTIVE OFFICER

WARD : ALL
FILE No. : M/599/21
DATE : 10 September 2021
REF : SD
RESPONSIBLE MANAGER : Chief Executive Officer

In Brief:

- On 13 July 2020 Council appointed a CEO Evaluation Panel and on 12 October 2020 Council received and endorsed the 2019-20 annual performance review report and confirmed Key Performance Indicators (KPIs) for 2020-21.
- To facilitate the 2021 annual review and the setting of performance criteria, Council at its meeting on 10 May 2021 resolved that the CEO Evaluation Panel be provided with independent facilitation and professional advisory services for the 2021 review.
- The CEO Evaluation Panel has completed the 2021 performance review and has confirmed the 2021-22 KPIs for the CEO for endorsement by Council.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

The item relates to the CEO's Contract of Employment

Strategic Implications

The CEO's Performance Criteria relate to all aspects of the Strategic Community Plan

Legal Implications

Sections 5.38 and 5.39, 5.39A and 5.39B of the *Local Government Act 1995*
Local Government (Administration) Regulations 2021

Council Policy/Local Law Implications

City of Armadale Standards for CEO Recruitment, Performance and Termination

Budget/Financial Implications

Council's Annual Budget includes costs associated with the CEO's performance management process

Consultation

CEO Evaluation Panel

BACKGROUND

In accordance with established practice the CEO Evaluation Panel has the following structure and function:

1. Membership of the CEO's Evaluation Panel to comprise five (5) Councillors being the Mayor, Deputy Mayor and three additional Councillors appointed by resolution of Council.
2. The Presiding Member of the Panel will be the Mayor and in the absence of the Mayor, the Deputy Mayor.
3. Primary functions of the Panel are to:
 - a. Oversee the performance review process
 - b. Endorse the independent consultant's performance appraisal report for consideration by Council
 - c. Discuss possible KPIs and measurements with the CEO for reporting to Council, as part of the performance agreement
 - d. Ensure involvement of all Elected Members – participation in the questionnaire process

On 13 July 2020 Council engaged JCP Consulting to provide facilitation and professional advisory services and appointed a CEO Evaluation Panel comprising of the following five Councillors:

- Cr Butterfield (Mayor)
- Cr Frost (Deputy Mayor)
- Cr G Nixon
- Cr J H Munn
- Cr C A Campbell

Following the 2020 performance review, Council at its meeting on 12 October 2020 resolved as follows:

That Council:

1. *Endorses the 2019/20 Key Performance Indicators (KPIs) for the CEO and notes that the Chief Executive Officer's annual performance review for the 2019/20 period has been completed.*
2. *Endorses the Key Performance Indicators for the 2020/21 review period.*
3. *Schedules the next CEO annual performance appraisal process to be commenced by 1 May 2021 and completed before 31 July 2021.*

In accordance with the *Local Government Act 1995*, the *Local Government (Administration) Regulations* and the CEO's Contract, an annual performance review is required to be conducted for the CEO against the Key Performance Indicators set for 2020/21.

A report on the *Local Government (Administration) Regulations 2021* which took effect on 3 February 2021 was presented to Council at its special meeting on 3 May 2021 where it was resolved as follows:

That Council

- 1. Adopts the "City of Armadale Standards for CEO Recruitment, Performance and Termination" as attached*; and*
- 2. As part of the 2021 CEO Performance Review that the process for setting of the annual CEO Key Performance Indicators (KPIs) is agreed and documented.*

Council at its meeting on 10 May 2021 resolved as follows:

That Council:

- 1. Subject to compliance with the City's Procurement Policy and Procedures, appoints JCP Consulting as the independent consultant to facilitate the process for the 2020/21 annual performance review for the CEO.*
- 2. Endorses the CEO Evaluation Panel to have the additional function of negotiating the process for the setting of the annual CEO KPIs for presentation to Council.*

COMMENT

The 2021 CEO's performance review has now been completed and attached for Council endorsement are the following documents:

The Confidential Evaluation Panel Report outlining the review process for the 2021 review and the panel's recommendation for endorsement.

Appendix 1 : Performance Criteria 2021/22

Appendix 2 : Confidential Reviewer/Feedback Report

ATTACHMENTS

- 1. 2021 CEO Performance Review - Evaluation Panel Report -September 2021 - This matter is considered to be confidential under Section 5.23(2) (a) (c) of the Local Government Act, as it deals with the matter affects an employee of Council; AND the matter relates to a contract entered into or which may be entered into by the City of Armadale*

RECOMMEND

CEO5/9/21

That Council:

- 1. Receives the Confidential Evaluation Panel's Report and notes that the Chief Executive Officer's annual performance review for 2020-21 period has been undertaken.**
- 2. Endorses the Key Performance Indicators for the 2021-22 review period.**
- 3. Schedules the next CEO's performance to be commenced by 1 August 2022 and completed by the September 2022 Ordinary Meeting of Council.**

1.4 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 16/2021

WARD : ALL
FILE No. : M/554/21
DATE : 25 August 2021
REF : MC
RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 16/2021 to be received by Council

Strategic Implications

The following general information and memorandums were circulated in Issue No 16/2021 on 23 September 2021.

COMMENT

Correspondence & Papers

Information from Human Resources

Employee Movements

Information from Technical Services

Outstanding Matters and Information Items

Various Items

Monthly Departmental Reports

Technical Services Works Program

Information from Community Services

Outstanding Matters & Information Items

Report on Outstanding Matters

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

CEO6/9/21

That Council acknowledge receipt of Issue 16/2021 of the Information Bulletin

**ORDINARY MEETING OF COUNCIL
MONDAY, 13 SEPTEMBER 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, 13
SEPTEMBER 2021 AT 7.02PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Butterfield, declared the meeting open at 7.02pm.

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 G Nixon	Hills Ward
Cr C M Wielinga	Hills Ward

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr M Hantjoko	A/Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Mr N Kegie	A/Executive Director Community Services
Mrs M Todd	Manager Governance & Administration
Mr R Porter	Manager Ranger & Emergency Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 62 Press: 1

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr K Busby

APOLOGIES:

Apology received from Cr M Silver

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

Nil

4 PUBLIC QUESTION TIME

1 Glen Hickinbotham – 205 Peet Road, Roleystone

A member of the Brigade for 7 years who shared the harrowing experiences of Wooroloo and the shifts and hours of volunteer time put in by Brigade members which is not sustainable now as this issue is consuming people's lives and impacting their mental health. There was an issue previously when called out to a scrub fire with the white truck not being on site and then having to use the red truck. This wouldn't have been ideal if it was a 35 degree day and 30kmh easterly in Roleystone. With summer approaching a resolution is required to build the brigade back up to what it was.

Q. When will we have a resolution on this matter? My mates have had it hard enough and they need it to be over.

Mayor: As you may be aware when Council last considered this, further information was required. There are 111 questions from Councillors and some from the community which is being worked on. I don't have the power and none of the councillors do to force the organisation to work 24 hours to produce a report.

2 Ryan Sutherland - 48 Jarrah Road, Roleystone

Q. A member of the brigade for 10 years. Besides the point of mental health raised earlier the matter regarding trucks has happened multiple times and the City and Councillors have been notified. What actions have been taken by Council and by the City against their officers in regards to this matter, noting that it only occurred within the last fortnight?

The Mayor deferred to the CEO to talk about this matter.

CEO: I am prevented by the *Local Government Act* from disclosing the actions taken with respect to individual officers. Any disclosure could result in that individual officer having a claim against the City. What I can tell you is that the matter has been dealt with, but the nature of the action remains confidential.

Q. Thank you CEO for your answer. So if you have addressed this issue why does it continue to occur?

CEO: I was made aware of the recent incident which has been dealt with. I am not aware of it happening since the recent incident two weeks ago.

Q. I have been an active member of the Roleystone Bushfire Brigade for 10 years. In that time I have never received a fire fighting tunic or pants for the bushfire service from the City of Armadale. However, have received those pieces of equipment from the Fire and Rescue service which I am also a member of but never from the City. After 10 years when will I receive my firefighting tunic and pants?

The Mayor deferred to the CEO to talk about this matter.

CEO: The question will be taken on notice so we can investigate when these were ordered and respond to you.

3 Peter Stewart - 317 Peet Rd, Roleystone

My questions relate to agenda item 10.2 this evening – Community Services Committee Meeting – item 3.1 Bushfire Mitigation.

Q: At what meeting did Council resolve to establish a Bushfire Risk Management Plan for the district?

CEO: That would have been before my time at the City. The question will be taken on notice and responded to once investigated.

Q: At what meeting did Council resolve to adopt the Bushfire Risk Management Plan?

CEO: Council has not formally adopted the Bushfire Risk Management Plan (BRMP). The Plan has been adopted by the Office of Bushfire Risk Management but not by Council. Councillors, in terms of consideration on the Bushfire Risk Management Plan, had a series of questions that they wish to have answered and the City has engaged consultants and undertaken other reviews to answer those questions. However, that does not stop the City from applying for the Mitigation Activity Funding which is the subject of the report you mentioned.

Q: How are you able to submit a Council plan to OBRM without Council endorsing such a plan?

CEO: I advised councillors at the time that the Plan was being submitted directly to OBRM. I expressed my concerns to them about submitting the Plan without Council endorsement, however City officers were very keen to have the Plan endorsed by OBRM and the timeframe did not permit consideration and endorsement prior to submission. That is why the Council endorsement of the Plan is outstanding and why we have since been working through the issues councillors have with the Plan.

Q: I would submit that the CEO is concerned about breaching the *Local Government Act* with regard to confidentiality. I would suggest she has breached the *Local Government Act* with regards to an officer's action which should be endorsed by Council prior to any action. In terms of how OBRM has been set up, the Plan has to be endorsed by Council prior to submitting it to OBRM. Can this be investigated?

The Mayor deferred to the CEO to talk about this matter.

CEO: When the BRMP was submitted to OBRM the accompanying letter clearly outlined that the BRMP had not been endorsed by Council at that point. OBRM accepted and endorsed the Plan with that notification being provided.

Q: Committee Meeting Minutes Item 3.1 we are talking about the scope and I am asking specifically what is an acceptable fuel load metric? And that is given that many houses are within 20metres of the boundary which is within the building protection zone as defined by DFES?

CEO: In terms of the reserves that Council has care and control over the aim is to reduce the fuel load in those reserves to about 3-5 tonnes per hectare and there will be a report coming up to Council, most likely in October, where there are a number of reserves with fuel loadings above 8 tonne per hectare which have been identified for controlled burns. That mitigation schedule will also be considered and adopted by Council just as the verge management mitigation schedule is being considered.

Q: The question is not about parks but about verges which are crown land vested in the city. You mentioned 4-6 tonnes per ha but DFES says 2 tonnes. A building protection zone is a 20 metre area around a building, if that impinges on the verge DFES are recommending less than 2 tonne per hectare on that verge. The verge job done by the City of Gosnells along Chevin Road is what we are looking for. Why isn't the City aiming for 2 tonne per ha as a fuel load for verges given that those verges can be within 20 metres of buildings?

CEO: I didn't say 4-6 tonnes but 3-5 tonnes per ha for City's reserves. In regard to DFES requirements for fuel load for verges this will be taken on notice and responded to after investigation.

Mayor: There are a range of mitigation and fuel reduction initiatives that the City undertakes so there is not just one method to reduce fuel on verges

7.20pm - Moved Cr Campbell that Question Time be extended for another 15 minutes – Motion Carried.

4 Brendan Leahy -288 Churchman Brook Road, Bedfordale

Quote from Government Gazette – *The move comes nearly 2 years after the Council was suspended and 3 months after a WA Government Commissioned report found lack of transparency in council decisions, lack of community engagement and failing by both the council and the administration.*

I have been to 2 meetings so far here, this is the second one and that about sums up what I have seen unfortunately.

Q: There has been a real lack of transparency on this matter not only on this issue but on several issues regarding the Mall, the Gate and whatever seems to keep popping up. I can't believe that you have come up with 120 questions on something that is very simple. When will a decision be made about the fire brigade?

Mayor: Councillors don't have the right under the *Local Government Act* to order the administration to produce a report by a certain date. We have asked for further information through these questions so that we could make a decision based on good governance and in the best interest of the residents of Roleystone, the Brigade members, firefighters, and volunteers. We are following due process and I don't imagine it is going to take very much longer.

Q: Why is it taking almost 3 years from when the brigade first asked?

Mayor: We have not had 3 years, the request was made to this Council in April 2021 so that is not 3 years.

The Mayor deferred to the CEO to further respond to this matter.

CEO: I believe there was a request made to the previous CEO about 3 years ago. The CEO of the day rejected that request in writing to the Brigade and a series of meetings were held between the Executive, DFES and the brigade members at the time in regard to dealing with the issues that had led to the request. The more current request which was received in April 2021 was considered by Council in June 2021. The resolution of the Council was to defer it for further information and to also hold meetings with the Commissioner. That meeting was held soon after with the Mayor, Deputy Mayor, myself and the Commissioner of DFES and 2 senior officers from DFES. Since then the Councillors have also met with the management committee of the Brigade and

also met with members of the brigade who wish to stay with the City. Since then the councillors have also submitted 111 questions, and we have also had 26 questions submitted by the community following a community forum that was held in Roleystone. So in total we have received 137 questions and are working our way through these in order to provide the additional information that Council has requested.

Q: My question hasn't been answered as to when will Council decision be made?

Mayor: As with a number of issues that happen from time to time this is going to take officers a certain amount of time. They can't pre judge how long it is going to take to ask DFES questions and get those answers back so with all due respect it is a little bit difficult to give you a specific date and will ask the CEO to respond with maybe a ball park date.

CEO: I wouldn't like to make a commitment with respect to a date that officers were not able to meet.

Mayor: I can understand that response. If the report doesn't have the information in it that the councillors require to make a decision based on good governance and a good outcome for everybody then it may be deferred again for further information. It is better to get a very detailed and exhaustive report – this is all about good governance.

Q: Well if it is about good governance then how come the first report wasn't made public?

Mayor: The report was made public and is on the City's website for anyone to look at it.

Q: Someone has asked for a copy of the report under the Freedom of Information Act and understand it has been refused?

Mayor: I suspect you have not been given the right information. The report is online. Many of the brigade members contacted Councillors with questions on it, and the public had questions about the report too. It's available online for you to go and have a look at.

5 Nola Brameld - 36 Rubida Rise, Roleystone

Q: I would like to know if this issue can be resolved before fire season which is only 3 months away? We are in a fire prone area, the worst in WA.

Mayor: The status quo remains with regard to the Brigade operation and I believe that there is nothing stopping the brigade from attending to fires or stopping them from volunteering. We are working hard to get it resolved as soon as we can.

7.35pm – Moved Cr Campbell that Question Time be extended for another 15 minutes – Motion Carried

6 Lara Shalton - 989 Brookton Highway , Roleystone

Q. I was just wondering if anyone had seen the work the City of Gosnells has done? I don't think you realise how much we think we are going to burn and how much we need some action and we need support and our fire brigade don't have uniforms, they don't have trucks, they are unsupported really. You have just heard from a fireman that in 10 years he has not been given a uniform and I have heard that numerous times.

Mayor: The Brigade members have uniforms and trucks. There are 2 types of uniforms and the uniform referred to is different to the one that the member is wearing tonight. However he can still wear this uniform for firefighting.

Q: Yes with the DFES brigade but not with the Roleystone Bushfire Brigade and this is the issue. We have missed out on funding for bushfire mitigation. I have visited 10 different brigades this last bushfire season and see the monstrous shed and first class facilities so why are we being left out?

Mayor: A report being considered by Council tonight is about applying for funding to get bushfire mitigation works undertaken. Previously the City has been paying for that work to be done.

Q: Are there councillors standing in the way of the mitigation report being sent to DFES. Have we got a problem where there are councillors that are stopping this from happening because that is what I am hearing?

Mayor: There is a lot of misinformation flooding through the community at the moment. Council is being careful to balance the needs of bushfire mitigation and as I have said before there are different methods of removing fuel from the ground. We have chosen to seek funding for one of those methods and will be going forward with that.

Q: I notice that there are suburbs that aren't even in a high risk area that have applied for this funding to the tune of potentially 100's of thousands of dollars. Why haven't we?

Mayor: That is what we are getting rectified tonight in the report that is to be considered. Hopefully we will get that funding and get those mitigation works underway as soon as humanly possible.

7 Matt Plowman - 1 Kruseana Grove, Roleystone

Thank you Councillors staff and residents. I am an active Roleystone Fire Brigade member since August 1999.

I joined largely because I grew up in a fire station and always admired my dad's commitment, the friendships he had and the way he would help other community members without thanks or reward. I have always been a proud member of the Roleystone Brigade and the Roleystone community. Over the past few years I have watched our brigade direction change. We are no longer another community group, I believe that the image we are now portraying is we are the most important community group and we should be regularly thanked and praised. I have never thought of myself as better than any other community member and in my opinion the fire brigade is just as important as any other community group. We are not irreplaceable, we have never been forced to stay. In my opinion brigade members I believe need to remind themselves of why they joined and what they wanted to achieve. The topic at hand is the management of the Roleystone Volunteer Fire Brigade. In my opinion the problem is not the CoA, it is not DFES it is not the Acts, Regulations or Rules the problem is the internal management of the Roleystone Brigade. New members of management need to remember why you have joined, who you answer to and think of how you are looked at by other brigade members and the broader community. Remember the rules and core values you set in place.

Q: Is the council aware that members of the Roleystone Brigade who are supportive of retaining a Bushfire Service have been labelled as a 'splinter group' that they are the cause of the problems? 8 of these members are currently considering their future with the Roleystone Brigade if it is handed over to DFES whether they will continue or go

somewhere else. The average service of these members is 20 years with a combined service of 150 years.

Mayor: Thank you, obviously this issue strikes at the heart of the whole community and is very heartfelt and emotional and with good reason. I don't know that Council did know that but I thank you for letting us know.

8 Steven Daley - 77 Tyers Road, Roleystone

I am also a member of Roleystone Fire Brigade.

I would just like to point out that Roleystone Fire Brigade as a management team got all the members together and took a vote to leave the city and hand over to DFES.

Q: Why is the City continually engaging with 8 members of the brigade of 50 which has continually clouded the waters of this decision?

Why is the City not following the electoral process and voting rights and making sure that the majority of the people are being heard and listened to and not just to the 'splinter group' as Mr Plowman called it?

Mayor: Council has held workshops and consulted with the management committee of RVFB, City's brigade volunteers and DFES. I guess that the members that want to stay with the City Brigade are members of a community group and volunteers just like the ones that want to go to DFES. As an umbrella body the City is interested in the welfare and views of all of the Brigade members and obviously when people turn up to meetings and tell us things that is welcome information.

9 Bryce Edwards - 6 Grovelands Way, Kelmscott

I would like to put on record that at the last general meeting held we had actually been referred to as a 'splinter group' by other Brigade members.

10 Lara Tite - 42 Thompson Road, Roleystone

Q: Tonight we have heard from brigade members quite emotively talking about how they are feeling in a very relevant week of RU Okay week. They are not okay. We have also heard from elderly members of our community that they can't defend their homes in a fire. Roleystone has been designated as the most severe fire risk in the whole of WA. Has Council considered its liability in one of the worst fire seasons coming up due to unprecedented rain and fuel load growth and is the City's insurer aware of the risk that you are putting this community in?

Mayor: The City, like most Local Governments, are insured by the LG insurance Scheme. We do understand that the rain has increased fuel loads on verges and people's properties.

Q: What about the risk in regard to the stress and effect on the health and wellbeing of our volunteer firefighters that this delay of 2-3 years and 100+ questions?

Mayor: As advised earlier, it has not been 2-3 years with the City receiving the request from the Brigade in April 2021 and since June 2021 when Council considered the request it is now waiting on further information.

Q: The report was a result of your earlier investigations into this matter and has been over 2 years since first raised?

Mayor: The report came about through the brigade issuing us with a letter requesting that the CoA hand governance to DFES and that was in April in this year.

Q: You proposed to kick out DFES and not renew their lease in December this year?

Mayor: There was a recommendation in the June report to work on a transition plan with DFES which was not adopted, but instead Council has requested further information.

7.50pm – Moved Cr Frost that Question time be extended for another 15 minutes – Motion Carried

Q: The 2 trucks were a source of a great deal of grievance and concern. For the firies to attend a fire call they turn up, open up, and the trucks were not there. We were assured in June that you had put procedures in place and that wouldn't happen again. And it happened last week. How can you justify that the CoA is the best organisation to manage our firies?

Mayor: I acknowledge that did happen and I believe the CEO has addressed the issue and that relevant action has been taken.

Q: Have you informed your insurer that you have created delays of up to 2 years in determining an issue that is affecting the mental health of firies?

Mayor: No we haven't and again it's not 2 years

11 Martin Barton, 12 Lund Court, Roleystone

Q: At a Council meeting on the 22nd you said there was a meeting scheduled with a very senior DFES official in the week commencing the 28th. Can give us some feedback as to what happened at that meeting.

Mayor: I can speak in general terms, but some of that information will feed into the report. We had a cordial meeting with the DFES Commissioner and 2 of his assistants and discussed gazetted fire districts and the need to work together. It was indicated that whatever decision was made by the City, DFES would support us and work together with us to achieve happy volunteers. They assured us that they were not out to take over brigades as such around the State.

12 Jed Whitford - 28a Hawkstone Road, Roleystone

Q: We heard Glen and Matt speak earlier tonight. I guess it is clear there is some consternation not just among the community but amongst the brigade. Amongst the 137 questions is the impact on their potential preparedness and their personal safety being considered?

CEO: The questions fall into a number of themes so the first theme is around exactly that: resourcing, capacity and demand. The second theme could be categorized as operational arrangements, the third theme is around the station facilities itself, fourth theme is around governance and there are a series of questions around the history of the brigade and the station and there are also questions around the experience of other local governments and comparisons.

Q: Does that specifically address the uncertainty and mental stress in an already hostile stressful environment. Does it consider that particular issue?

CEO: I don't recall that being a specific question I have received.

13 Barry Porter - 166 Heritage Drive, Roleystone

Q: Is this matter supposed to be addressed by the Community Services Section of Council?

Mayor: It doesn't matter where it is dealt with, it could be Corporate Services or Community Services both of those committees would deal with this matter.

Q: Given that a Director and a couple of Managers left earlier this year and there is no replacement yet for the Director's position does the City have the staff with the competence to undertake the studies that you are asking us to wait for?

CEO: We have an acting Executive Director of Community Services and that staff member has been in place for a significant period of time both within the organisation as the Executive Manager of Community Services and as the Acting Executive Director and is doing an incredibly admirable job. We have a Manager of Emergency Services who has replaced Mr Venables and again is a significantly experienced officer who is well equipped to deal with the issues that are being presented. If there is any further information then the City has the capacity to go out to external consultants to get independent reviews, data or information. So with respect to the Reserves mitigation report that is coming before Council in October an independent consultant has been engaged to do an audit of the fuel loadings of the reserves to verify internal work that has been done. The report has come back and validated each of the internal officer's assessments of fuel loading of the reserves. So yes Mr Porter there is adequate capacity within the organisation, and also within our budgets for consultancy services to gain additional information should it be required, to assist Council with their decision making.

Q: In relation to the Local Area Management Plan – Emergency Management plan. I was told at the time by the previous Mayor that that report had been written and awaiting final authorisation by FESA (now DFES). I have asked the question again recently and been advised it was still in progress and would eventually be done. This should have been in place in 2016 and was told in 2018 it was ready to go and it is now 2021 and it still isn't in place.

Are all of the councillors happy that the people that they are relying on for the reports that they are receiving and for the information that they are using to make the decisions that we as a community rely upon are competent in what they are doing?

Mayor: I can answer that on behalf of the councillors that we have confidence in our CEO and officers and will hand over to CEO regarding the Local Area Management Plan.

CEO: Local Emergency Management Arrangements are reviewed regularly, and the reason they are reviewed regularly is that within them one of the important schedules is actually confidential phone number contacts of all of the individual agency staff so that in an emergency, at whatever time of the day or night, those contacts can be made and those people mobilised to action.

I wrote to you recently that the Local Emergency Management Arrangements have been reviewed. The process to follow is that these are now with the members of the Local Emergency Management Committee (LEMC) to review. This Committee comprises of all the Emergency Management Agencies from Red Cross to SES to DFES to WA Police to St John Ambulance, and the list does go on, so all of those agencies have been presented with the draft for review. At the next meeting of the

LEMC, which the Mayor chairs, the Local Emergency Management Arrangements will hopefully be endorsed by all of those members and come to Council for final adoption. To date I don't believe we have had one piece of feedback so it would appear the draft has been pretty well received.

Q: Well it is supposed to be updated and it is on your website as 2011 was the last time it was officially updated according to your documentation and at least put it on your website that it is undergoing amendment or something.

CEO: The City put forward that one of the resources within the Community Services Department be re-allocated to Emergency Management Coordination so that a number of these more strategic plans and documents could be progressed. This has been done and the resources have been allocated to ensuring those documents were progressed and we have a particularly good officer within the Emergency Management area of the organisation dealing with that and every document that could possibly be reviewed or refreshed certainly has had a going over.

14 Peter Stewart - 317 Peet Rd, Roleystone

Q: Are you aware or is Council aware that prime amongst the requirements for a bushfire risk management plan was meeting with Stakeholders before that plan was developed. We haven't been consulted, we are the greatest at risk in dollar value on homes and heads on bodies to be lost in a bushfire.

Mayor: You are correct that you make up stakeholders who have the most to lose but stakeholders also include your emergency services and all of those people

15 Brendan Leahy - 288 Churchman Brook Road, Bedfordale

Speaking of the sacking of the Cannington Shire, I am sorry everyone here, when people are talking to you, you shouldn't be looking down at your computer and tapping away at phones. These guys have come up here tonight because they have an issue and I have sat here and watched people with their heads down on their computers and telephones not even listening to what is going on. Which I think is pretty bad. The other thing I think is bad that there were security guards outside for this meeting and the last meeting I was at but there is generally not security guards at a council meeting. **Q:** Is that correct?

Mayor: We have security at every council meeting.

8.13pm Public question time closed

5 APPLICATIONS FOR LEAVE OF ABSENCE

1 Request for Leave of Absence (Cr Carole Frost)

Request for leave of absence received from Cr Carole Frost for the period Friday 17 September to Monday 20 September 2021 inclusive.

MOVED Cr G Nixon

That Council grant leave of absence to Cr Carole Frost for the period Friday 17 September to Monday 20 September 2021. (does not include a Council meeting).

MOTION not opposed, DECLARED CARRIED

(12/0)

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

**7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 23 AUGUST 2021.**

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 23 August 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 Mayors Announcements

Tuesday 24 August 2021

Attended the Election Candidate briefing session.

Wednesday 25 August 2021

Chaired the South East Regional Energy Group (SEREG) meeting held at the City of Armadale, and was able to wish long term SEREG coordinator, Julie McMinn, all the very best for her new position with the City of Canning.

Attended the Municipal Waste Advisory Committee (MWAC) meeting.

Thursday 26 August 2021

Conducted 2 x Citizenship Ceremonies to welcome 100 new Citizens to the City.. Yaz Mubarakai, Member for Jandakot, attended one of the ceremonies. Cr Smith was also in attendance.

Friday 27 August 2021

Attended the CEO Performance Review Panel meeting along with Cr Munn, Cr Campbell, and Cr Frost.

Saturday 28 August 2021

Attended the Roleystone Volunteer Fire Brigade Annual Dinner and gave out the City of Armadale Service Awards.

Monday 30 August 2021

Had a meeting with the CEO and Federal Member for Canning, Andrew Hastie MP to discuss local matters.

Attended a regular catch-up with the Deputy Mayor and CEO to discuss local issues.

Friday 31 August 2021

Attended Workshop Number 1- 'Place Vision' – Kelmscott District Centre Precinct Structure Plan. Business operators and land owners were invited to give their 'vision' for the town centre. Crs Keogh, Northcott, Flynn, and Smith also attended.

Thursday 2 September 2021

Attended the Business Armadale event 'Meet the Minister' with Minister Reece Whitby MLA – Minister for Emergency Services; Racing and Gaming; Small Business; Volunteering. Crs Wielinga, Peter, Smith, and Northcott also attended.

Friday 3 September 2021

Chaired the Armadale courthouse and Police Complex Community Reference Group meeting held at the City of Armadale. Updates on the project were given and opportunities for the Reference Group to have input into artworks and landscaping were identified.

Hosted the Armadale Young Writers' Awards, where young writers were acknowledged for their writing skills. Prizes were given out and a collection/book of the winning stories has been produced and is available to borrow from the City's Libraries and also online. Councillor's Keogh and Smith also attended.

Monday 6 September 2021

Attended a regular meeting with the CEO to discuss local issues.

Tuesday 7 September 2021

Attended meeting with the CEO and Senator Matt O'Sullivan to advocate for various projects within the City.

Wednesday 8 September 2021

Attended the CEO Evaluation Panel interview with the Consultant.

Attended a meeting with the President of the Shire of Serpentine Jarrahdale, the Shire's technical staff, the City's CEO and technical staff, regarding Rowley Road.

Attended Paul Lanternier's (Manager, Parks) farewell after 28 years of service.

Thursday 9 September 2021

Attended the Ballot Draw for the 2021 Elections and wished all candidates 'good luck'.

Friday 10 September 2021

Officially opened the 60th Anniversary Celebration of the Wildflower Society Armadale Branch held at the Armadale District Hall. The three day event allowed visitors to enjoy a spectacular display of wildflowers and artwork with wildflowers as the subject matter.

Saturday 11 September 2021

Spoke on ABC radio to promote the Wildflower Society's 60th Anniversary display in the Armadale District Hall and the City's Spring into Armadale Festival.

Sunday 12 September 2021

Councillor Nixon welcomed the riders from the 'Ride Against Domestic Violence' into Memorial Park, on my behalf. The ride was organised by Starrick Services and raised funds to assist those fleeing domestic and family violence. Dr Tony Buti MLA, Yaz Mubarakhi MLA and Chris Tallentire MLA were among those who took part in the ride.

Monday 13 September 2021

Councillor Frost presented certificates to children who participated in the Learning English Through Story Time Program at the Armadale Library, on my behalf

Saturday 11 September 2021

I'm pleased to advise that at the WA Fire and Emergency Services Awards night on Saturday, Connie Eikelboom, Manager of the Armadale SES was awarded the Peter Keillor Award for the SES across the State.

At the same event Sarah Conlin from the Roleystone Volunteer Fire Brigade was also a finalist in the Firefighting Youth Achievement Award.

On behalf of Council I would like to congratulate Connie Eikelboom and Sarah Conlin on their achievements and thank them for their service to the City of Armadale community.

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 6 September 2021.

MOVED Cr G Nixon that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation T54/9/21 - Application to Clear Native Vegetation - Forrest Road Widening Project

Councillor Keogh disclosed that he is a member of the Francis Xavier Church Parish located on Forrest Road. 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.

MOVED Cr S Peter, OPPOSED Cr C M Wielinga
SECONDED Cr J H Munn

In opposing the motion, Cr Butterfield foreshadowed the Committee Recommendation if Cr Peter's motion was not successful.

That Council:

1. Authorise the Chief Executive Officer to sign a C1 Clearing Permit application for the widening of Forrest Road between Eighth Road and Ninth Road in Armadale to be submitted to the Department of Water and Environmental Regulation in accordance with the Environmental Protection Act 1986.
2. Authorise the Chief Executive Officer to sign the referral of the Forrest Road widening project to the Department of Agriculture, Water and Environment for assessment under the Environmental Protection Biodiversity Conservation Act 1999.

MOTION LOST (3-9)

MOVED Cr R Butterfield, OPPOSED Cr S Peter
SECONDED Cr D M Shaw

That Council, with regard to the Forrest Road Widening Project:

- 1. Request further improvements to the ultimate design be investigated with a view to minimising the loss of significant mature trees, including giving consideration to the possibility of staged project construction and the associated funding implications.**
- 2. Recommit the item to a future Technical Services Committee meeting.**

MOTION DECLARED CARRIED (10/2)

Recommendation T55/9/21 - Corporate Greenhouse Action Plan

MOVED Cr G Nixon

- 1. That Council endorse the 2020/21 to 2029/30 Corporate Greenhouse Action Plan as amended with a change to the emissions reduction target to be consistent with Option 5 (Zero emissions by 2030) as described in this report.**
- 2. Pursuant to Section 6.11(1) of the *Local Government Act 1995*, establishes a Carbon Credits Reserve Account for the purpose of setting aside funds from the sale of Australian Carbon Credit Units to fund future carbon mitigation initiatives.**
- 3 That the funding for the alternate target be referred to the LTFP deliberations.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T56/9/21 - LED Streetlighting Project - Update

MOVED Cr G Nixon

That Council:

- 1. Note the contents of this update report on the LED Streetlighting project.**
- 2. Consider funding of the project during Council's LTFP and 4YB deliberations.**

MOTION not opposed, DECLARED CARRIED (12/0)

10.2 COMMUNITY SERVICES COMMITTEE MEETING

Report of the Community Services Committee held on 7 September 2021.

MOVED Cr C A Campbell that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation C28/9/21 - Six-Month Progress Report of Suburb-Level Social Priorities

MOVED Cr C A Campbell

That Council:

1. That Council note the update on strategies to address endorsed suburb-level Social Priorities detailed in this report.
2. Endorse an amendment to the reporting frequency of the Social Priorities from six-monthly to annually
3. Endorse an amendment to the timeframe of the review of the Social Priorities, including the community engagement element, from biennially to every three years.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation C29/9/21 - Community Sporting and Recreation Facilities Fund (CSRFF) 2022-23 Grant Applications

MOVED Cr C A Campbell

That Council submit applications for the Community Sporting and Recreation Facilities Fund (CSRFF) 2022-2023 Funding Round with the following ranking:

Project	Total Project Value	CSRFF Grant	Ranking	Rating
Gwynne Park Pavilion Upgrade	\$4,081,000	\$1,177,000	1	A

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation C29/9/21 - Bushfire Mitigation Schedule - Verges

Councillor Keogh disclosed that he is a member of the Roleystone Volunteer Fire Brigade. 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

MOVED Cr C A Campbell

That Council endorse the Bushfire Mitigation Schedule as presented in this report, to finalise planning for additional mitigation activities and submit an application for the September 2021 round of the Mitigation Activity Fund grant, comprising works on the following verges

Street name	Locality	Length of works	Estimated Cost
Equestrian Avenue	Bedfordale	0.793km from Narbethong Rd to end.	\$15,990
Dmietrieff Rd	Bedfordale	0.552km starting at Albany Highway.	\$16,300

Old Canns Rd	Bedforddale	0.233km complete length.	\$9,325
Settlers Rd	Bedforddale	0.207km complete length.	\$10,100
Forestedge Retreat	Churchman Brook	0.448km complete length.	
Waterwheel Nth Rd	Churchman Brook	1.09km from Churchman Brook Rd to Aulini Dr	\$33,970
Ridgehill Rise	Araluen	0.843km from Mt Dale View to Sanctuary Crt east side only	\$13,900
Heritage Dr	Araluen	2.165km from Old Albany Lane to Sophia Gr.	\$42,650
Wymond Rd	Roleystone	1.068km complete length.	\$33,940
Robinson Rd	Roleystone	0.835km complete length.	\$25,600
Heath Rd	Roleystone	0.596km starting at Chevin Road.	\$18,780
Springdale Rd	Roleystone	0.556km complete length.	\$18,000
Convine Rd	Roleystone	1.01km complete length.	\$32,100
Simons Dr	Roleystone	2.874km complete length.	\$62,500
Rodgers Crt	Roleystone	0.565km complete length.	\$16,300
Coventry Rd	Roleystone	0.663km west side and a small portion on the east side from the cul-de-sac to Urch Rd	\$14,750
Hill Rd	Roleystone	0.293km from the corner of 47 Hill Rd to cul-de-sac	\$8,550
Stony Brook Lane	Roleystone	0.488km complete length.	\$16,000
Gwynne Rd	Roleystone	0.189km complete length.	\$6,650
Total			\$395,405

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation C30/9/21 - Deferred Item - Review of Lease and License Policy

MOVED Cr C A Campbell

That Council notes the officers comments.

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation C31/9/21 - Firebreak Notice and Management Practice

MOVED Cr C A Campbell

That Council notes that the Firebreaks Policy will be reviewed by the end of 2021.

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation C32/9/21 - Lighting to Trees of Significance

MOVED Cr S Peter, OPPOSED Cr E Flynn

That Council note officers comment and that no further action be taken.

MOTION lapsed for want of seconder.

MOVED Cr C A Campbell, OPPOSED Cr S Peter
SECONDED Cr C Frost

That Council consider a report on a trial tree lighting project in the CBD with Council to be provided funding options and environmental considerations.

MOVED Cr J Keogh

That the motion be amended by adding the following after the word “options”
“private sector interest in undertaking such works”

AMENDMENT DECLARED CARRIED (12-0)

MOVED Cr C A Campbell that Recommendation C32/9/21, as amended, be adopted.

That Council consider a report on a trial tree lighting project in the CBD with Council to be provided funding options, private sector interest in undertaking such works and environmental considerations.

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 CEO1/9/21 - WALGA Annual General Meeting - 20 September 2021

MOVED Cr M S Northcott :

That Council

1. register Cr Northcott as its second voting delegate for the 2021 WALGA Annual General Meeting to be held on Monday 20 September 2021 due to Cr Smith and the deputy delegates Cr Campbell and Cr Wielinga not being able to attend.

2. guide the delegates to vote in the following way in respect to the WALGA AGM items.

Item 3.1 – Amendments to WALGA’s Constitution – SUPPORT

Item 3.2 – Cost of Regional Development - SUPPORT

Item 3.3 – CSRFF Funding Pool & Contribution Ratios - SUPPORT

Item 3.4 – Regional Telecommunications Project - SUPPORT

Item 3.5 – Review of the Environmental Regulations for Mining – SUPPORT

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CEO2/9/21 - Councillors Information Bulletin - Issue No 15/2021

MOVED Cr G J Smith

That Council acknowledge receipt of Issue 15/2021 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

1 Urgent Business Proposed - Roleystone Volunteer Fire Brigade (Cr John Keogh)

In accordance with Clause 3.10 of the Standing Orders Local Law, Cr Keogh advised that he wished to raise an urgent matter of business relating to the Roleystone Volunteer Fire Brigade. Following the matters raised during question time today he considers this matter to be urgent and would like to seek Council's support for a report to be referred for Council's decision as soon as possible.

MOVED Cr Keogh that his motion in relation to this urgent matter be heard.
OPPOSED Cr C Frost, SECONDED Cr S Peter

MOTION LOST (4-8)

For: Crs Keogh, Smith, Butterfield and Campbell

Against: Crs Munn, Peter, Northcott, Flynn, Shaw, Frost, Wielinga and Nixon

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

1 Naming of Facilities- William Skeet & Forrestdale Hub (Cr Donna Shaw)

That the matter of the naming of facilities at William Skeet Oval and Forrestdale Hub be referred to the Community Services Committee.

2 Signage - Ducks Crossing (Cr Colin Campbell)

That the matter of Ducks Crossing signs be referred to Technical Services Committee.

3 ADM 21 Policy Review (Cr Shanavas Peter)

That the matter of a review of the administrative delegation for ADM 21 Policy (Authority to Sign Documents) be referred to the Corporate Services Committee.

4 Lighting at Dog Park (Cr Shanavas Peter)

That the matter of passive lighting at the dog park in Shipwreck Park, Hilbert be referred to the Technical Services Committee.

5 Report on RVFB (Cr John Keogh)

That the matter of the report on the Roleystone Volunteer Fire Brigade (RVFB) be referred to the Corporate Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 9.17pm

MINUTES CONFIRMED THIS 28 SEPTEMBER 2021

MAYOR