CITY OF Armadale

ORDINARY MEETING OF COUNCIL

MONDAY, 8 MARCH 2021

AGENDA

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HELD ON 2 MARCH 2021

TECHNICAL SERVICES COMMITTEE MEETING
HELD ON 3 MARCH 2021

CHIEF EXECUTIVE OFFICER'S REPORT

NOTICE OF MEETING AND AGENDA

CR _____

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

MONDAY, 8 MARCH 2021

JOANNE ABBISS
CHIEF EXECUTIVE OFFICER

4 March 2021

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Leave of Absence previously granted to Cr H T Jones and Cr Silver

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3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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4 PUBLIC QUESTION TIME

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

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

It is also available in the public gallery.

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

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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BUSINESS ARISING FROM REPORT

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CITY OF ARMADALE

MINUTES

OF **COMMUNITY SERVICES COMMITTEE** HELD IN THE **FUNCTION ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **TUESDAY, 2 MARCH 2021 AT 7.00PM.**

PRESENT:
Cr K Busby (Chair)
Cr C A Campbell JP (Deputy Chair)
Cr R Butterfield Mayor (Deputy for Cr Jones)
Cr G Nixon
Cr S Peter JP
Cr D M Shaw
Cr C Frost (Deputy for Cr Silver)

APOLOGIES:
Cr H T Jones (Leave of Absence)
Cr Silver (Leave of Absence)

OBSERVERS:
Cr G Smith

IN ATTENDANCE:

Mr N Kegie	A/Executive Director Community Services
Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Ms R Milnes	Manager Community Development
Ms L Jarosz	Executive Assistant Community Services

PUBLIC:
Nil

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Cr Campbell – Item 2.1 – Six-Month Progress Report Of Suburb-Level Social Priorities

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 2 February 2021 be confirmed.

Moved Cr R Butterfield
MOTION CARRIED (7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

Report on Outstanding Matters – Community Services Committee

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

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COMMUNITY SERVICES COMMITTEE

2 MARCH 2021

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1.1 - ROLEYSTONE HALL - RESCIND PREVIOUS DECISION OF INTENTION TO LEASE

WARD	:	HILLS
FILE No.	:	M/58/21
DATE	:	1 February 2021
REF	:	AS
RESPONSIBLE MANAGER	:	Executive Manager Community Services

In Brief:

- In February 2020, Council endorsed the City of Armadale to enter into a Lease with Roleystone Theatre Incorporated, for a portion of Cross Park – Lot 1 (No. 44) Jarrah Road, Roleystone on a two year term.
- In December 2020, following discussion throughout the year, the City was advised by Roleystone Theatre Incorporated of the Organisation's intent to rescind their intent to lease a portion of Cross Park to enable the Organisation to better regulate its expenses amidst COVID-19 disruptions.
- Recommend that Council rescind its previous decision to endorse the City of Armadale to enter into a Lease with Roleystone Theatre Incorporated for a portion of Cross Park – Lot 1 (No. 44) Jarrah Road, Roleystone.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

1.1.1 Provide opportunities to connect individuals to each other and the wider community

1.3.1 Plan for services and facilities in existing and emerging communities

Legal Implications
Local Government Act 1995 Section 3.58 – Disposing of Property.

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

Local Government Act 1995, Section 5.25 – Regulations about council and committee meeting and minutes
Local Government (Administration) Regulations 1996, Reg 10 – Revoking or changing decisions

Council Policy/Local Law Implications
Council Policy ADM2 – Property Lease Rental is applicable.

Budget/Financial Implications
In the initial intention to lease report in February 2020, it was put forward that there will be costs to the City associated with the preparation of the Lease of approximately $3,000-$4,000. Roleystone Theatre Incorporation's intention to rescind Council's original motion now means that this cost will no longer be incurred by the City.

Consultation
1. Roleystone Theatre Incorporated
2. Roleystone Hall Regular Hirer
3. City Departments

BACKGROUND
In summary, Council resolved on 5 February 2018 (T5/2/18), to close the Roleystone Theatre while a detailed structural assessment of the building was undertaken and reported back to Council. This report was commissioned with the findings presented to Council in August 2018 (T61/8/18).

In December 2018, a preliminary needs and feasibility analysis on future options for the Roleystone Theatre was presented to Council (C37/12/18).

The decision of Council at the December 2018 meeting was as follows:

(C37/12/18) That Council:

1. Commit to the reopening of the Roleystone Theatre for occupation and use;

2. Proceed with finalising a design that reflects the current scale, noting:
a) The main hall is to be repaired; and
b) Flytower to be restored or replaced; and
c) Other areas of the building to be rebuilt to similar sizes at current standards;

3. Consider and seek funding sources in preparation for consideration as part of the 2019/20 budget;

4. Consider user arrangements that support the Roleystone Theatre Group as a primary tenant but considers opportunities for others.

5. *Commission a heritage assessment and impact statement.*

6. *Commit to the use of Roleystone Hall by the RTG until such time that the Roleystone Theatre is reopened.*

Following the closure of the Theatre in February 2018, the City worked with Roleystone Theatre Incorporated (RTI), to ensure the group was able to continue with its activities and modified Roleystone Hall to accommodate theatre productions.

In February 2020 Council resolved (C4/2/20):

That Council:

A. Enter into a Lease with Roleystone Theatre Incorporated for a portion of Cross Park – Lot 1 (No.44) Jarrah Road, Roleystone, as detailed on the attached plan to this report under the following basic terms and conditions:

Occupier:	*Roleystone Theatre Incorporated as bordered red on the Plan attached to this report*
Leased area:	*Roleystone Hall*
Term:	*Two (2) years or earlier by mutual consent*
Commencement:	*From the date the last party to the lease, signs the lease*
Rent:	*$50 per annum plus GST*
Insurance:	*Lessor to be responsible for building insurance*

Lessee to be responsible for:
The cost of all claims resulting from activities of Roleystone Theatre Incorporated that fall within the City's excess on building insurance (Currently $5,000 per incident);

- *insurance for any property or equipment owned by Roleystone Theatre*
- *Incorporated;*
- *public liability insurance to a value of $20 Million*
- *personal accident for volunteers insurance*
- *insurance for community groups hiring spaces*

Outgoings:	*Lessee to be responsible for normal outgoings of the premises.*
Maintenance:	*In accordance with the schedule attached to this report*
Other:	*Roleystone Theatre Incorporated be granted the power under the lease to hire the facility to the broader community and retain all monies received from the hire.*

*B. Authorise the Chief Executive Officer and Mayor to execute a lease agreement incorporating the details in 1 above.**

C. Authorise the Chief Executive Officer to –
a) negotiate all other administrative terms and conditions of the lease
b) exercise all rights available and duties incumbent on the City under the lease.

Before the documentation could be prepared, a State of Emergency was declared as a result of the COVID-19 Pandemic.

Amongst the restrictions enforced, was the closure of all community facilities for a period of time, following which there have been ongoing restrictions on the numbers of people that can gather in venues. These restrictions and the uncertainty around ongoing COVID-19 requirements have impacted on RTI's ability to operate effectively as a community theatre group.

In August 2020, RTI wrote to inform the City of its reluctance to commit to a lease due to the uncertain impact COVID-19 would have on its operations and advised that they would be ready to assess their financial position and state of the pandemic by the end of December.

In December 2020, RTI informed the City that that due to the possible chance of continued disruption in 2021 with COVID-19 restrictions including the potential limitations on audience numbers and therefore income, the group would like to remain as regular hirers instead of entering into a lease, to better be able to regulate expenses.

DETAILS OF PROPOSAL

As previously noted, RTI has been using the Roleystone Hall under a regular hirer arrangement. Given the limited use of the Hall other than by RTI, an exclusive use lease agreement was proposed to allow the group more flexibility to schedule its activities. However, due to the possible chance of disruption in 2021 with COVID-19, and restricted audience numbers bringing a smaller income, RTI's preference is to now remain as regular hirers to be better able to regulate expenses.

COMMENT

RTI currently uses Roleystone Hall under similar terms and conditions as other regular venue hirers. Under these arrangements, a set hourly rate is applied that incorporates all variables, outgoings and some insurances. In the case of Roleystone Hall, the subsidised community rate of $23 per hour applies. The use of a set rate enables groups to accurately forecast and budget for these costs. For the 2019 calendar year RTI paid $12,840 to the City for hiring Roleystone Hall. In 2020, RTI were invoiced a total sum of $6,819.50 by the City in hire fees for the use of the hall and $150 in storage fees. Of the total sum RTI have been invoiced for, $2,346.00 is still outstanding.

Under the originally proposed lease there is a rental payment of $50 per year with the lessee responsible for other variables, outgoings, some maintenance and insurances. Under this scenario, exact costs for outgoings such as electricity, water and cleaning cannot be forecast with any great accuracy, as the total amount depends on how much the facility is used.

Had the direction been to progress with a lease arrangement, any other usage of the hall would have been managed by RTI, rather than the City with hire fees paid to the lessee and not the City. In this instance, all bookings at Roleystone Hall will continue to be administered by the City's Recreation Services Department.

OPTIONS

1. That Council note the request of Roleystone Theatre Incorporated, to not proceed with entering into a lease at Roleystone Hall.
2. Rescind the decision Council originally endorsed in February 2020, which proposed that the City enter into a Lease with Roleystone Theatre Incorporated for a term of two years for the use of the Roleystone Hall.
3. Not rescind the decision endorsed in February 2020, and continue to negotiate the terms and conditions of a lease agreement with the RTI.

Options 1 and two are proposed.

CONCLUSION

The decision to enter into a lease with Roleystone Theatre Incorporated, for the use of Roleystone Hall was initially made with a view to fulfill Council's commitment to making Roleystone Hall available to the group for its activities until the theatre reopens.

Due to the possible chance of disruption in 2021 with COVID-19, in December 2020 Roleystone Theatre Incorporated advised the City that they will remain as regular hirers to be better able to regulate expenses.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND **C6/3/21**

That Council:

1. Notes the request of Roleystone Theatre Incorporated, to not proceed with entering into a lease at Roleystone Hall.

2. Rescind its former decision (C4/2/20):

That Council:

A. Enter into a Lease with Roleystone Theatre Incorporated for a portion of Cross Park – Lot 1 (No.44) Jarrah Road, Roleystone, as detailed on the attached plan to this report under the following basic terms and conditions:

Occupier:	***Roleystone Theatre Incorporated as bordered red on the Plan attached to this report***
Leased area:	***Roleystone Hall***
Term:	***Two (2) years or earlier by mutual consent***
Commencement:	***From the date the last party to the lease, signs the lease***
Rent:	***$50 per annum plus GST***
Insurance:	***Lessor to be responsible for building insurance***

Lessee to be responsible for:

The cost of all claims resulting from activities of Roleystone Theatre Incorporated that fall within the City's excess on building insurance (Currently $5,000 per incident);

- ***insurance for any property or equipment owned by Roleystone Theatre***
- ***Incorporated;***

- ***public liability insurance to a value of $20 Million***
- ***personal accident for volunteers insurance***
- ***insurance for community groups hiring spaces***

Outgoings:	***Lessee to be responsible for normal outgoings of the premises.***
Maintenance:	***In accordance with the schedule attached to this report***
Other:	***Roleystone Theatre Incorporated be granted the power under the lease to hire the facility to the broader community and retain all monies received from the hire.***

B. ***Authorise the Chief Executive Officer and Mayor to execute a lease agreement incorporating the details in 1 above.****

C. ***Authorise the Chief Executive Officer to –***

a) ***Negotiate all other administrative terms and conditions of the lease.***

b) ***Exercise all rights available and duties incumbent on the City under the lease.***

3. Note Roleystone Theatre Incorporated's intent to continue as a regular hirers of the Roleystone Hall until such time as the Roleystone Theatre is ready to be occupied and a tenancy arrangement has been agreed to.

Moved Cr G Nixon
MOTION CARRIED (7/0)

Councillor Campbell disclosed that he is a Member of the Cecil Andrews College Board. As a consequence, he advised that there may be a perception on the basis of his non-financial interests that his impartiality on the matter may be affected, but declared that he would set aside this association, consider the matter on its merits and vote accordingly.

2.1 - SIX-MONTH PROGRESS REPORT OF SUBURB-LEVEL SOCIAL PRIORITIES

WARD	:	ALL
FILE No.	:	M/102/21
DATE	:	10 February 2021
REF	:	RM
RESPONSIBLE MANAGER	:	Executive Director Community Services

In Brief:

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

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

Community

1.1 Foster and strengthen community spirit
- 1.1.3 Support the development and sustainability of a diverse range of community groups

1.2 Improve community wellbeing
- 1.2.2 Facilitate the alignment of service and program delivery to identified social priorities within the community

1.4 An inclusive and engaged community
- 1.4.2 Encourage the provision of inclusive and accessible facilities, services and programs within the community

1.4.3 Ensure the provision of culturally appropriate services and programs within the City

1.4.4 Facilitate the provision of facilities, services and programs to meet the needs of the City's current and future demographics

Legal Implications
Nil

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

Budget/Financial Implications
The 2020/21 expense budget for the four Social Priorities across five suburbs is $110,000.

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

BACKGROUND

Summary of the Social Priorities approach
The City's Social Priorities approach is based on identifying the most important aspirations and issues in the City's individual suburbs through a range of data sets and community/sector engagement. In 2019, four Social Priorities were selected across five suburbs comprising:

- Armadale South: Youth engagement and education
- Brookdale: Early Years and Family Support
- Camillo: Community Safety
- Harrisdale: Culturally and Linguistically Diverse Community (CALD) connection to groups and services
- Seville Grove: Community Safety

The data sets underpinning the selection of these Social Priorities and the suburbs included the following:

Locality	SEIFA	Housing stress	Social housing	Unemployment	Low income	No qualifications	Youth Disengagement	AEDC
Armadale South	843	21.2	7.6	15.6	29.8	48.2	27.3	20.2
Brookdale	910	18.9	6.2	12.6	17.9	49.3	21.4	10.9
Camillo	911	16.6	4.3	13	18.2	52.0	20.4	11.3
Harrisdale	1086	10.1	0	7.2	4.3	33.5	6.8	11.7
Seville Grove	986	15.4	1.7	9.0	11.3	45.9	13.6	12.8
Greater Perth	1025	10.7	3.1	8.3	15.7	38.1	9.4	9.4 (WA)

Analysing local data sets alongside other research is important to ascertaining the true picture of what is going on for residents in those suburbs. For example, according to the 2019 WACOSS Cost of Living report, households in poverty in the 'housing stress' category means they are spending between 30% and 72.3% of their income on housing. With 29.8% of households in Armadale South earning less than $650 per week, spending a significant portion of that income on accommodation means that the household will not have much money left for other basics such as food.

This lack of money for food is reflected in the same WACOSS report, stating that Brookdale is in the fifth quintile across localities in the state of WA for people experiencing food stress. Other issues that are interlinked with poverty are mental health conditions, poor educational attainment, lack of accessible transport options, family violence and substance use.

The 'Growing our Community' survey conducted of 902 residents in 2019 and subsequently presented to Council identified the principle concerns of the respondents as follows:

- Crime: 52%
- Anti-social behaviour: 23%
- Social issues: 20%
- Services and facilities: 18%
- Residential environment: 15%

In addition, 59 local service providers noted the following issues across the five suburbs:

- Substance use
- Domestic Violence
- Isolation
- Crime and safety
- Lack of education
- Housing issues and homelessness
- Mental health
- Financial hardship
- Unemployment
- Racism and discrimination

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

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

Many suburbs are experiencing similar issues. Therefore it is important to consider that whilst a focus may be on particular suburb(s), the most effective strategies identified may be replicated in other suburbs. If similar strategies are employed in a number of suburbs, variations in approach and execution can be implemented to reflect individual differences in demographic and suburb characteristics.

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

1. *Endorse four social priorities across five suburbs as detailed in this report as follows:*

- *Armadale South: Youth engagement and education*
- *Brookdale: Early Years and Family Support*
- *Camillo: Community Safety*
- *Harrisdale: Culturally and Linguistically Diverse Community connection to groups and services*
- *Seville Grove: Community Safety*

2. *Receive information on actions taken to address these suburb level social priorities.*

3. *Through a biennial report, review suburb-level social priorities.*

Council also requested that a six-monthly report was presented on the progress of the Social Priorities. The first report was presented to Council in March 2020. In September 2020, the second progress report was presented to Council resulting in the following resolution (C24/9/20):

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

DETAILS OF PROPOSAL

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

Impact of COVID-19 on the Social Priorities' strategies

The restrictions associated with the COVID-19 pandemic during early-mid 2020 caused a delay or amendment of the delivery of some contracted services even after the community resumed near-normal activities in the latter part of last year. Based on discussion with service providers and assessments of the individual service agreements, the City extended two of the six-month contracts who were not able to deliver services from the original conclusion date of 30 June 2020, to the extended conclusion date of 31 December 2020. All other Service Agreements concluded on 31 December 2020, as these organisations were under a 12 month contract and were also able to amend their programs to accommodate the restrictions at the time.

Timeframe of the Service Agreements

In October 2020, the City requested Registrations of Interest for service providers' responses, to address current Social Priorities for short-term contracts from February 2021 until 30 June 2021. The purpose of this is primarily to ensure the contracted service is appropriate to the identified Social Priority, and it also aligns the Service Agreements with the financial year rather than the calendar year. The new Service Agreements reflecting the Council-endorsed Social Priorities as presented in June 2021 can then commence in August 2021.

Please note that in the attached summary of the Social Priorities, the Service Agreement section of each Social Priority refers to the outcomes of the 2019/20 Service Agreements.

This is because acquittals for the contracts, both those extended to December 2020 from an initial six-month term and those with a 12-month timeframe, have been received since the last update in September 2020. To provide a complete description of what has been achieved, the acquittal data from the organisations across the calendar year has been cited.

COMMENT

The Social Priorities' strategies presented in this six-month update report have been partly impacted by the COVID-19 pandemic and the associated restrictions. Whilst restrictions were eased in the latter months of 2020, the ripple effect of the delays still impacted on the full implementation of initiatives. This is reflected by the fact that contracted organisations amended or postponed their services to ensure they were compliant with the restrictions at the time. The City has worked with service providers to maximise the success of their programs by negotiating the terms of individual contracts.

The effects of the COVID-19 pandemic on the community is certain to be reflected in the City's engagement with residents, the results of which will be presented to Council in June 2021 as part of the biennial Social Priorities review.

OPTIONS

Council has the following options:

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

CONCLUSION

The aim of the Social Priorities approach, is to effect positive change in the community based on suburb-level data, community feedback and good practice examples. The COVID-19 pandemic will present further challenges for community members. These challenges may exacerbate existing issues or present new ones and will inform the City's responses after the next review of the Social Priorities, to be presented to Council in June 2021.

ATTACHMENTS

1.⇩ Social Priorities update - March 2021

RECOMMEND **C7/3/21**

That Council note the update on strategies to address endorsed suburb-level Social Priorities detailed in this report.
Moved Cr D M Shaw
MOTION CARRIED **(7/0)**

COUNCILLORS' ITEMS

1. Community Education Campaign – Theft of Returnable Bottles and Cans (Cr Colin Campbell)

Cr Campbell requested investigation into the matter of theft of returnable bottles and cans from residents' bins, to determine if there is a need for an education campaign to address the issue. To be dealt with administratively.

2. Effectiveness of Security Patrols in the Jull Street Mall (Cr Colin Campbell)

Cr Campbell sought information pertaining to the assessment and efficacy of the recent security patrols conducted in the Jull Street Mall.

3. State Government Funding - Planning in Bushfire Prone Areas (Cr Donna Shaw)

Cr Shaw requested that the matter of funding from the State Government be investigated to ensure retrospective compliance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas.

RECOMMEND **C8/3/21**
That Council refers the following Councillor items in regard to:

1. **Community Education Campaign – Theft of Returnable Bottles and Cans**
2. **Evaluation of Security Patrols in the Jull Street Mall**
3. **State Government Funding – Planning in Bushfire Prone Areas**

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

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

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

1. Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) – Implications for the Local Government Sector

The State Government is currently consulting with the Local Government sector regarding recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse;

> ***Recommendation 6.12***
> *With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:*
>
> *a) developing child safe messages in local government venues, grounds and facilities*
> *b) assisting local institutions to access online child safe resources*
> *c) providing child safety information and support to local institutions on a needs basis*
> *d) supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.*

In Western Australia, the response to the recommendation is being led by the Department of Communities, supported by the Department of Local Government, Sport and Cultural Industries (DLGSCI). WALGA is taking a coordinating role in collating a consolidated response from the sector and is also encouraging individual Local Governments to provide submissions directly to DLGSCI.

The current consultation is focussed on two main points;

- to develop a better understanding of the current role of Local Governments in promoting child safety and how the outcomes of this work are reported internally, to Executive and to Council; and
- to use this understanding of current work promoting child safety to inform development of an approach to meet Recommendation 6.12 of the Royal Commission in implementing the child safety officer role.

The Royal Commission cited the fundamental role Local Governments play in assisting and resourcing communities across Australia, particularly in regional and remote areas where access to resources and services is often more limited than for their urban counterparts.

The active role Local Governments take in community development and community safety, particularly roles that impact on child safety, was identified by the Royal Commission as an opportunity to integrate their direct responsibilities to children with their wider role within the community.
Related to the response to the Royal Commission recommendation, is a proposed Reportable Conduct Scheme, which will oblige heads of certain organisations (include LG CEOs) to report allegations of misconduct between an employee, contractor or volunteer involving a child to the Ombudsman who will in turn report on these matters to Parliament.

The proposed Reportable Conduct Scheme will require heads of organisations that are covered by the scheme to:

- have certain systems in place, including systems for preventing, notifying and dealing with any allegations or convictions of child abuse involving an employee;
- notify the Ombudsman about any allegations or convictions of child abuse involving an employee;
- investigate any allegations or convictions of child abuse involving an employee and provide a report to the Ombudsman at the end of the investigation on any findings made and actions taken; and
- report to other bodies, such as WA Police, the Department of Communities or professional bodies as required.

It is possible that the Reportable Conduct Scheme will be legislated in approximately 2 years.

Officers are currently preparing a report for Council's consideration on the implications of implementing the Recommendation for Child Safety Officers and the proposed Reportable Conduct Scheme.

MEETING DECLARED CLOSED AT 7.36PM

COMMUNITY SERVICES COMMITTEE SUMMARY OF ATTACHMENTS 2 MARCH 2021		
ATT NO.	**SUBJECT**	
2.1 SIX-MONTH PROGRESS REPORT OF SUBURB-LEVEL SOCIAL PRIORITIES		
2.1.1	Social Priorities update - March 2021	

The above attachments can be accessed from the Minutes of the Community Services Committee meeting of 2 March available on the City's website

CITY OF ARMADALE

MINUTES

OF THE **TECHNICAL SERVICES COMMITTEE** HELD IN THE **FUNCTION ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **WEDNESDAY, 3 MARCH 2021 AT 7.00PM.**

PRESENT:
Cr G Nixon (Chair)
Cr C Frost (Deputy Chair)
Cr R Butterfield
Cr E J Flynn
Cr M S Northcott
Cr S Peter JP
Cr G J Smith

APOLOGIES:
Cr H T Jones (Leave of Absence)
Cr Silver (Leave of Absence)

OBSERVERS:
Cr J Munn, CMC (from 7.34pm)
Cr C Campbell

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr P Sanders	Executive Director Development Services
Mr J Lyon	Executive Director Corporate Services
Mr N Kegie	A/Director Community Services
Mr K Ketterer	Executive Director Technical Services
Mr T Naude	Executive Manager Technical Services
Mr L Puig	Manager Economic Development and Advocacy (*via Teams*)
Ms K Kent	Manager Communications and Marketing
Ms R Milnes	Manager Community Development
Mr P Lanternier	Manager Parks
Mr M Tapscott	Manager Engineering Design
Mr N Burbridge	Manager Environmental Services
Ms M Carroll	Coordinator Engineering Design (*via Teams*)
Mrs A Owen-Brown	Senior Administration Officer

PUBLIC: 9 **PRESS:** 1

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

1.Barossa Loop Skate Park

Ms Cath Charlton – 36 Barossa Loop, Harrisdale

Q1: The residents have seen the estimated amount to remove the skate park. Will Council accept independent quotes obtained by the residents to remove the skate park?

Response: The Chair advised there is a process to be followed. The Executive Director Technical Services further advised that the City would be happy to look at independent quotes however, if the City was to remove the skate park, it would seek quotes via the usual process.

Q2: Would it be possible to sit down with members of the Technical Services Committee to discuss the options for the Barossa Loop skate park?

Response: The Chair advised that a meeting could be arranged after this Committee meeting, or that some of the queries could be addressed during the deputation segment of this meeting and that some of the queries may be answered during discussion of the item during the meeting.

Public Question Time Closed at 7.06pm

DEPUTATION

- **City of Armadale Technical Services Committee Report on Resident's Petition and Residents Response to the Report**

  Mr Satwinder Singh and Ms Cath Charlton (both residents of Barossa Loop, Harrisdale) addressed the Committee at 7.06pm and provided the following comments:

  - *The City of Armadale has tried to project the residents as anti-youth by saying that we are only disturbed from the problems created by young people. The main issue is the skate park being so close to homes creating noise, nuisance and disturbance and on top of that as there is minimal passive surveillance, it is creating endless antisocial issues as well from people of all ages.*
  - *Mr Singh presented example from various other local government councils in Western Australia and the Eastern States that have a much further distance requirement for skate parks than the Barossa Loop skate park.*

The Chair thanked Mr Singh and Ms Charlton for their attendance.
Deputation retired at 7.24pm.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Technical Services Committee Meeting held on 1 February 2021 be confirmed.

Moved Cr E J Flynn
MOTION CARRIED (7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

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

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TECHNICAL SERVICES COMMITTEE

3 MARCH 2021

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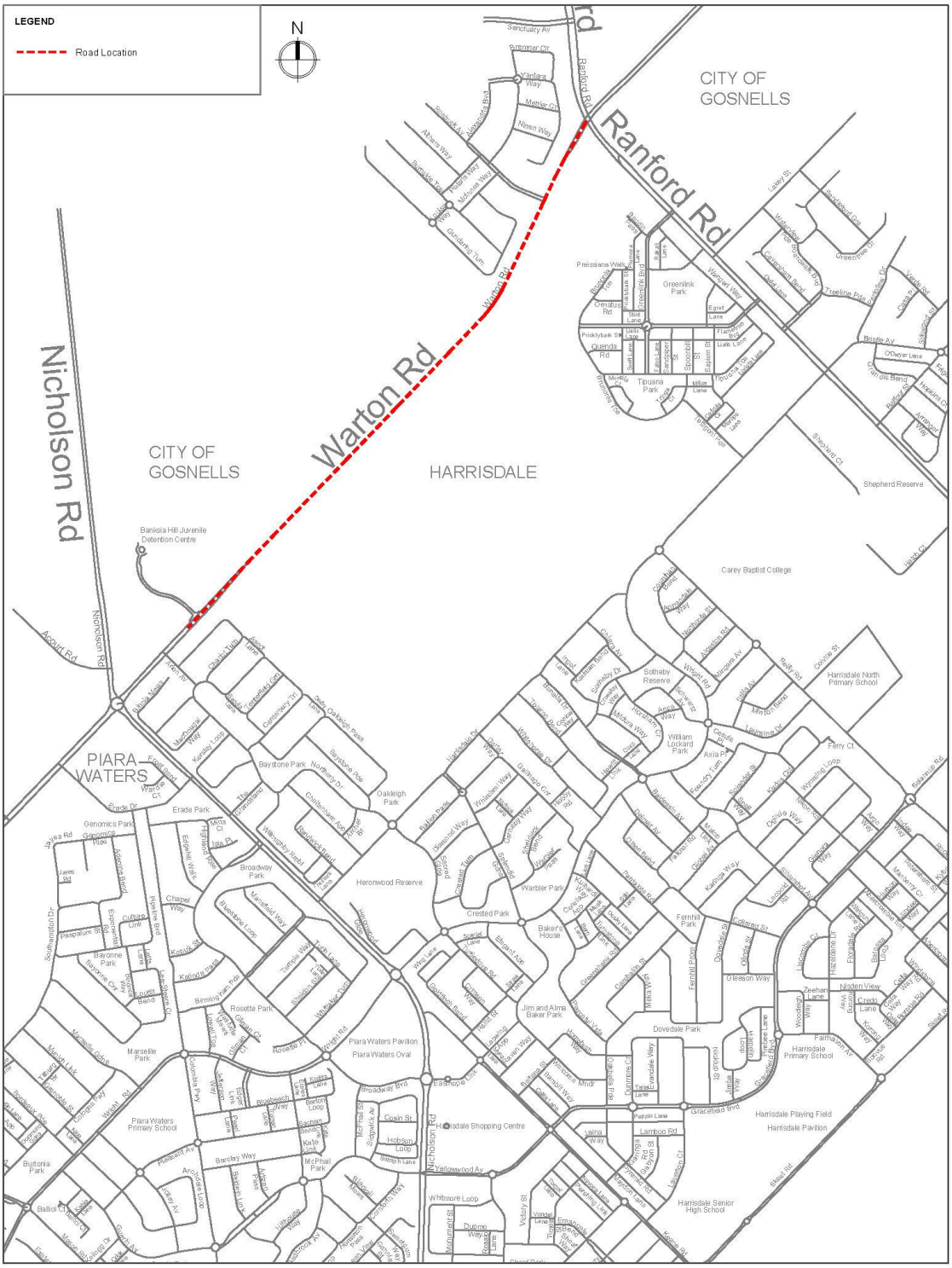
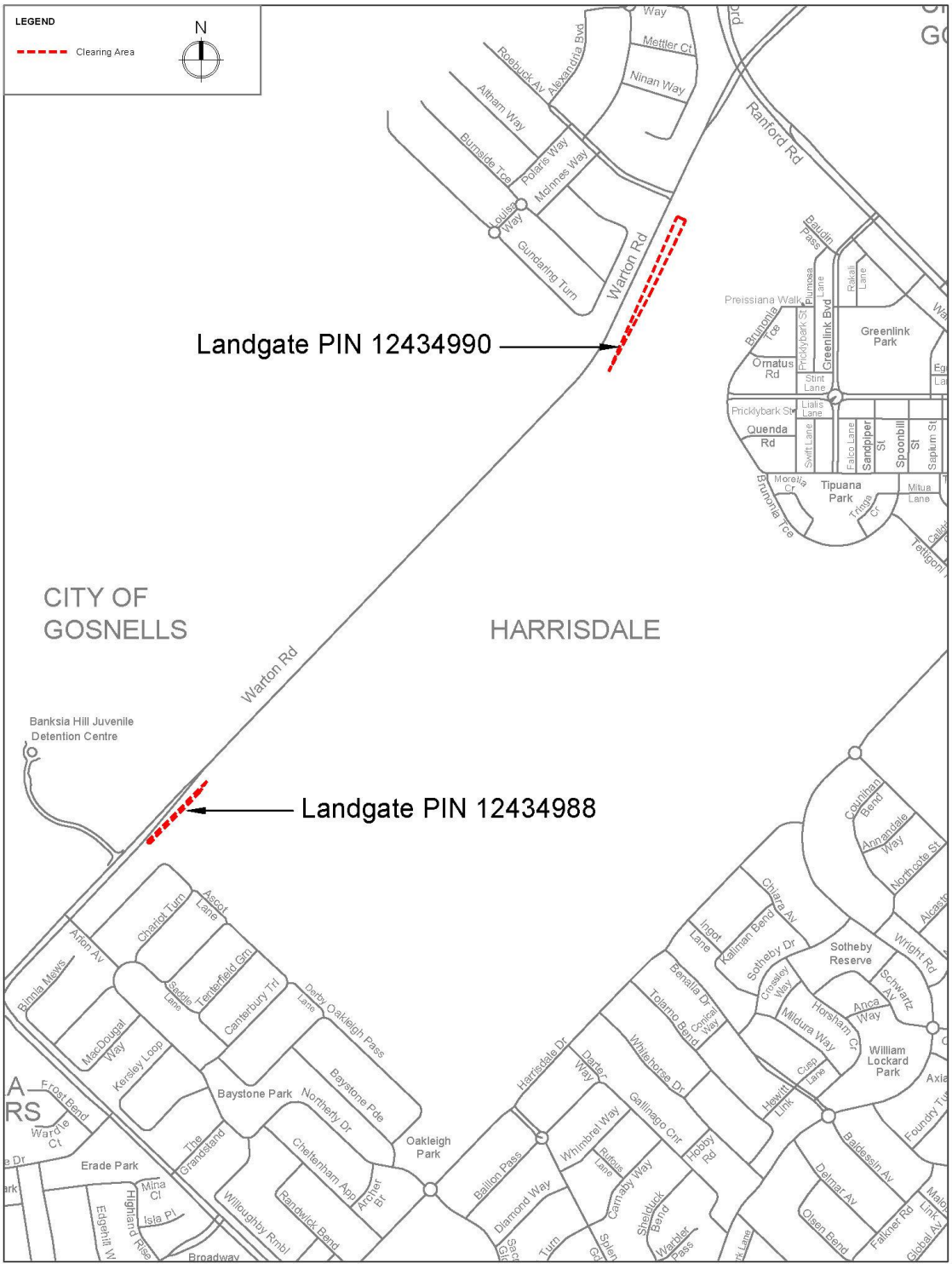


Warton Road
HARRISDALE
Location Plan

CITY OF Armadale



Landgate PIN12434990 and PIN12434988
HARRISDALE
Location Plan

CITY OF Armadale

Landgate PIN12434990 - Sk1
HARRISDALE
Location Plan

CITY OF Armadale

Landgate PIN12434988 - Sk2
HARRISDALE
Location Plan

CITY OF Armadale

1.1 - WARTON ROAD DUPLICATION/ WIDENING - REQUEST FOR DELEGATION TO APPLY FOR CLEARING PERMIT

WARD	:	HERON
FILE No.	:	M/133/21
DATE	:	18 February 2021
REF	:	CO/KB/NB/DH/MT
RESPONSIBLE MANAGER	:	Executive Director Technical Services

In Brief:

- The City of Gosnells is applying for a permit to clear native vegetation under the *Environmental Protection Act 1986* for the purpose of widening Warton Road.
- Three land parcels (dedicated road reserve) that fall within the City of Armadale's management authority require vegetation clearing for the purpose of road duplication.
- A letter of authority is requested from the City of Armadale to allow the City of Gosnells to apply for a clearing permit for these parcels.
- A detailed vegetation assessment is provided in relation to a portion of the works area.
- This report recommends that Council authorise the Chief Executive Officer to sign a letter of authorisation for the City of Gosnells to submit an Application to Clear Native Vegetation under the *Environmental Protection Act 1986*, on two land parcels (PIN 12434990 and PIN 12434988), for the purpose of the widening of Warton Road.

Tabled Items

1. Flora and Vegetation Survey and Monitoring Report - Warton Road Proposed Duplication.

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

2.1 The natural environment is valued and conserved

2.1.3 Ensure that developments are sensitive to pre-existing environmental values

2.3 Well Managed Infrastructure

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

Legal Implications

An assessment of legislative and regulatory requirements that are applicable to the proposed works is summarised below.

Federal legislation (matters of National Environmental Significance):

- *Environmental Protection Biodiversity Conservation Act 1999* (EPBC Act)

State legislation (significant proposals, proposals likely to have an impact of protected matters, clearing proposals):

- *Biodiversity Conservation Act 2016* (BC Act).
- E*nvironmental Protection Act 1986* (EP Act), Section 51 (Clearing of native vegetation).
- *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Council Policy/Local Law Implications

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

Budget/Financial Implications

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

Consultation

- Intra Directorate
- City of Gosnells.

BACKGROUND

Warton Road is proposed to be duplicated between Nicholson Road and Arion Avenue in Canning Vale and is funded by the Metropolitan Regional Roads Group (MRRG) road improvement program as a joint application by the City of Armadale and the City of Gosnells. Overall project implementation for the design and construction of the Warton Road duplication is being managed by the City of Gosnells (CoG).

The majority of the Warton Road reserve sits outside of the City of Armadale (CoA) municipal boundary with the exception of three small land parcels. Two of these areas: PIN 12434990 (referred to as the Part A northern land parcel) and PIN 12434988 (referred to as the Part A southern land parcel) were acquired by the CoG for the purpose of road duplication but vested in the CoA. The location of the two Part A parcels in the context of Warton Road is shown in Figure 1.

Figure 1: Location of Part A Clearing works in City managed areas. PIN 12434990 (referred to as the northern land parcel) and PIN 12434988 (referred to as the southern land parcel) that were acquired by the City of Gosnells for the purpose of road duplication, but vested in the City of Armadale.

The location of the third parcel that is vested in the CoA (parcel number: 40797) is shown in Figure 2 and is referenced in this report as Part B.

Figure 2: Location of Part B that may be subject to a future clearing request, pending detailed design.

Whilst all three land parcels fall within the same Warton Road duplication project works, they have been separated out as Part A and B in this report. This is to ensure a clear distinction of the areas based on the level of environmental information that has been provided to support consideration of the request.

The CoG engaged environmental consultancy 'Emerge Associates' to provide information on the flora and vegetation, weeds, significant trees and infrastructure within the proposed works area, and to set up a baseline for a monitoring program to determine if road construction results in future impacts to surrounding vegetation. This study applied to Part A only. The resultant environmental report is provided as Tabled Item 1. No environmental studies have been commissioned or supplied for the vegetation within Part B.

It is anticipated that Part A works will require a clearing permit under the *Environmental Protection Act 1986* and a potential future referral under the *Environmental Protection Biodiversity Conservation Act 2016*.

City of Gosnells are further evaluating if Part B works requires a clearing permit under the *Environmental Protection Act 1986* or if an exemption in relation to Subdivision 157728, Lot 8002 Ranford Road may apply.

DETAILS OF PROPOSAL

Part A works propose the clearing of 0.0248 ha of native vegetation.

A further 0.0532 hectares of native vegetation may be subject to a future clearing request pending detailed design (Part B). Part B is positioned adjacent to Public Open Space that was retained for Banksia woodland protection as a condition of subdivision.

For the Part A area, the CoG are preparing an Application to Clear Native Vegetation in accordance with the E*nvironmental Protection Act 1986* (EP Act), Section 51 (Clearing of native vegetation) and *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

The purpose of this report is to provide a summary of the proposed environmental impacts on native vegetation associated with the Part A proposal and to seek Council's authorisation for the CoG to submit a Clearing Permit application on the CoA's behalf.

The area of impact and vegetation proposed to be cleared is illustrated in Tabled Item 1 Figure 1. Table 1 provides a brief summary of the environmental assessment report that was prepared by Emerge and provided in full in Tabled Item 1.

Table 1: Summary of native vegetation clearing impacts – Warton Road duplication Part A

	Project Area	**Northern parcel**	**Southern parcel**
		PIN12434990	**PIN12434988**
Total area of lot / work area	1.952 hectares	684 m2	1,555 m2
Conservation significant flora	No threatened or priority flora were recorded within the works area or the survey area.	N/A	N/A
Conservation significant vegetation	Two plant communities "Floristic Community Types" were mapped. These were FCT23a and FCT21c which both fall within the definition of "Banksia woodlands of the Swan Coastal Plain" which are listed as a 'threatened ecological community' (TEC) under Commonwealth legislation and as a Priority 3 'priority ecological community' (PEC) under State legislation.	136 square meters hectares of TEC/ PEC.	112 square meters of TEC/ PEC.
Vegetation condition	The majority of the works area was mapped as being in 'degraded' or 'completely degraded condition with some small pockets of 'very good' and 'good' condition vegetation.	94 square meters is in "good" or better vegetation condition.	20.5 square meters is in "good" or better condition.
Significant trees	37 potential Black Cockatoo habitat trees were identified in the works area. Of this, 25 are proposed to be retained. Twelve significant trees identified in the area are proposed to be cleared. None of the trees contained hollows suitable for breeding by threatened species of black cockatoo.	Nil.	Nil.

The clearing permit assessment process involves the assessment of the proposal against ten clearing principles of the *Environmental Protection Act 1986*. Emerge Associate's analysis of the Part A clearing proposal against these clearing principles is provided in Attachment 1. In summary, the Part A proposal was summarised as being "not in variance" to any of these principles.

Nevertheless, through project implementation, the City will continue to liaise with the City of Gosnells to identify any opportunities for the retention of as much vegetation as possible.

No detailed environmental information has been provided in relation to the Part B area, which is road reserve within City of Armadale management. The Part B area is adjacent to an area of Public Open Space generated as part of Subdivision 157228 that, consistent with Condition 14 of the subdivision approval, required a bushland management plan to ensure the protection of the environmental assets of the site.

COMMENT

The CoG has requested a letter of authorisation from the City of Armadale to accompany the application for the two land parcels (PIN 12434990 and PIN 12434988) referred to as Part A in this report. Detailed environmental information has been provided to support this request.

CoG have also requested a letter of authorisation as relates to the Part B area (Parcel Number 40797), that is intended to be submitted under a separate Clearing Permit Application, if it is determined that it is required. No environmental information has been provided to support this request.

OPTIONS

1. Council could support the application for clearing for Part A only and request further information in relation to Part B of the proposal.

2. Council could support the application for clearing for Part A and Part B.

Option 1 is recommended.

CONCLUSION

The proposed widening of Warton Road in Canning Vale requires the clearing of 248 square meters of vegetation on two City of Armadale vested areas (PIN 12434990 and PIN 12434988) for Part A works and potential clearing of 532 square meters of vegetation within Part B areas on Parcel Number 40797.

The Part A proposal has been subject to a detailed environmental survey and assessed as “not in variance” to any of the ten clearing principles of the *Environmental Protection Act 1986*.

No environmental evaluation has been undertaken for the Part B area. Part B is positioned adjacent to and continuous with Public Open Space that was retained for banksia woodland protection as a condition of subdivision.

It is recommended that Council support the application for clearing for Part A only.

It is further recommended that Council request further information to support the vegetation clearing request for Part B and advise the CoG of the intent to retain the Banksia woodland that is adjacent to the Part B area (23 Cypress Cr, Harrisdale), requesting CoG's consideration of opportunities to preserve vegetation in the Part B area where possible.

ATTACHMENTS

1. ⇩ Clearing Principles Letter - Warton Road Duplication
2. E44-20-801 Typical cross section details & verge treatments - Harrisdale
3. E44-20-800-2 Location of retaining walls, drainage swales & accesses Warton Road

RECOMMEND **T14/3/21**

That Council:

1. **Authorise the Chief Executive Officer to sign a letter of authorisation for the City of Gosnells to submit an Application to Clear Native Vegetation under the *Environmental Protection Act 1986*, on two land parcels (PIN 12434990 and PIN 12434988), for the purpose of the widening of Warton Road, on behalf of the City of Armadale.**

2. **Request further information from the City of Gosnells to support the potential future clearing request for the Part B area of the proposed Warton Road duplication.**

3. **Advise the City of Gosnells of the intent to retain the Banksia woodland adjacent to the Part B area (23 Cypress Cr, Harrisdale) of the Warton Road duplication and request their consideration of opportunities to preserve vegetation in the Part B area where possible.**

Moved Cr C Frost
MOTION CARRIED **(7/0)**

2.1 - PETITION - CHANGE OF SKATEPARK TO CHILDREN'S PLAYGROUND - BAROSSA LOOP, HARRISDALE

WARD	:	RANFORD
FILE No.	:	M/33/21
DATE	:	21 January 2021
REF	:	ES/JA/RM/DH
RESPONSIBLE MANAGER	:	Executive Manager Community Services

In Brief:

- A petition was presented at the Ordinary Council Meeting of 9 November 2020 which requests to change the skate park at Barossa Loop Reserve, Harrisdale to a children's playground due to the skate park's proximity to homes and attracting antisocial behaviour.
- This report recommends that Council note the results of the investigation of the petitioners' concerns, inform the petition convener accordingly and continue to work with all involved stakeholders to monitor behaviours at the park.

Tabled Items

Nil.

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

1.1 A strong sense of community spirit

1.1.1 Provide opportunities to connect individuals to each other and the wider community

1.3 The community has the services and facilities it needs

1.3.1 Plan for services and facilities in existing and emerging communities

Legal Implications

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

Council Policy/Local Law Implications

General assessment has not revealed any applicable policies/local laws.

Budget/Financial Implications

The adoption of the recommendation associated with this report has no direct financial implication. Barossa Park is currently the responsibility of the Developer. This includes funding all maintenance, repairs and rectification works. The maintenance period ends on 27 March 2022 when the park will be handed over to the City, from which point the City will be responsible for all related costs.

Regarding initiatives outlined in this report, in addition to the design, construction and ongoing maintenance of the youth park, the developer has met the costs of contracting a facilitator for a residents' meeting and follow up consultation with residents, youth outreach workers and signage.

Pursuing the actions requested by residents such as measures aimed at addressing potential antisocial behaviour (CCTV, security guards, etc.) would be considered outside the normal scope of the Developer's responsibility and the Developer may not be willing to fund these initiatives; in which case they would be entirely at the City's cost. The City does not currently have funding allocated for this purpose. External funding opportunities for a temporary CCTV installation are currently being pursued as detailed within the body of the report.

Removal of the skate elements would not be supported by the Developer and would be at the City's cost. Removal and re-turfing is estimated to cost in the vicinity of $250,000. The installation of a basic children's play area is estimated to cost an additional $150,000.

Consultation

- Inter Directorate
- ELT
- Local Residents
- Youth Association – Insain
- Save the Children
- Satterley Property Group
- Aha! Consulting.

BACKGROUND

Barossa Park is a 1.8ha interconnected recreational parkland located within the Heron Park Estate. The park is a Neighbourhood Open Space (NOS) and serves as the recreational and social focus of the surrounding community. The park provides a variety of amenities in order to facilitate opportunities to socialise. One element of the park is the provision of a multi-purpose space for families with children of different ages to play together, featuring a scooter track for younger children, a skate plaza, a grass kickabout space, a basketball/netball court, picnic area and a climbing frame playground.

The multi-purpose space was completed in March 2020 and there has been significant positive feedback received from residents utilsing the space. The images below depict the multi-purpose space in question:

Although positive feedback has been received from park users and local residents, so too have concerns been raised regarding the skate elements of the multi-purpose space. In this regard, at the Ordinary Council meeting of 9 November 2020 a petition was presented which requested that the City convert to existing skate park located within Barossa Loop Reserve, Harrisdale, into a children's playground. The prayer of the petition reads:

"We the undersigned respectfully request that the Council please change the skate park to children's playground due to the skate park's proximity to homes and attracting antisocial criminal behaviour."

There were 165 signatories to the petition from 119 households. Of these, eight signatories were from outside the Heron Park area and one did not supply an address. A copy of the petition is provided as Attachment 1 for Councillors' reference. As noted in the petition, the petitioners do not object to the provision of a skate park in the area more generally, but do object to its specific location at Barossa Park.

A second petition (from the same petition convener) was also submitted at the Ordinary Council Meeting of 25 January 2021. The Prayer of the petition is a duplication of that submitted at the 09 November 2020 meeting. There were 19 signatories to the petition from 14 households two of whom were already registered under the previous petition.

In addition to and in support of the concerns detailed within the petition, a number of queries have been submitted relating to:

- The community consultation process
- The approval process including the assessment of the suitability of a skate park being installed within the space when measured against the guidelines of the City's Parks Facilities Strategy, and other strategies that reference the provision of youth spaces in POS.

A copy of the second petition including the additional queries submitted with that petition is provided at Attachment 2.

The City has reviewed the requests contained within the petitions and the additional queries received; with the following information provided for Council's consideration.

COMMENT

Park Concept and Development

With housing density increasing and backyards becoming smaller, young people have fewer opportunities to access outdoor play, creating a greater dependence on City managed open space and playgrounds. The community expects parks to cater for a range of ages, sizes and needs.

In newer suburbs a planned approached is used to ensure Public Open Space (POS) within a development area offers a range of POS options catering to a range of ages and activities. This means most residents could reasonably expect to find a range of play opportunities that suit their needs within walking distance of home. Within newly developed estates, POS is integrated into the development site which often is restricted or limited in size.

In the case of Heron Park, the developer (Satterley Property Group) has been working on the estate for over a decade, creating parklands which provide the Community with connected pathways, areas of turf and playgrounds. The current playground facilities provided within Heron Park cater well for young children. As Heron Park has developed, families and children have grown and the developer and the City identified that there was a gap in the provision of play areas for older children.

As part of the subdivisional development process, developers are required to provide a set number of POS areas, including parklands. Barossa Park was approved as part of these processes and is currently under the care of the developer until 27 March 2022.

To address the identified gap in the provision of play areas for older children, the multi-purpose space at Barossa Park was determined to be youth space, with the Developer approaching the City with an initial concept plan for consideration during November 2017.

Attachment 3 details the nearby POS areas. Apart from the skate element within the youth space at Barossa Park, there are no skate elements within the Harrisdale/Piara Waters area at present and there are limited opportunities to provide a facility of this type.

Assessment of the Proposal – Community Consultation

Subsequent to receiving the initial proposal, the City contacted the developer in November 2017 and was advised that the developer would be undertaking a community consultation process as part of the development of the space. The developer subsequently managed and coordinated the community consultation process, consulting with residents and local schools in the area. A summary of these activities is provided in Attachment 4.

The overall response to the proposal for a skate park in this location was positive with the majority in support of the proposal.

Since receipt of the petition and upon further discussion with some of the residents concerned, the City understands that there is some dissatisfaction in terms of the consultation processes undertaken, particularly with regard to the focus which was put on working with young people, resulting in the residents' perception that young people feel like they own the space.

While the City did not manage the community consultation elements, it can be advised that in the preliminary stages of this type of project, it is standard practice to seek community input and engagement at the concept stage. The aim of seeking feedback is to gain input and feedback from all stakeholders and particularly from the end user group, which in this instance is young people.

As noted in both the Guiding Principles for Youth Spaces and Places, and the Parks Facilities Strategy, "*youth spaces require the direct buy in by the end users and a co-design process is integral to determine community interest and predict community use post creation*".

Industry specialists recommend that any project of this nature be undertaken as a co-design involving surrounding schools and youth workshops.

The developer provided a refined concept plan during December 2018 and the final drawings were endorsed by the City during July 2019, post the conclusion of the community consultation processes undertaken by the developer. The final approved plan is provided in Attachment 5.

Assessment of the Proposal – Location and Parks Facilities Strategy Guidelines

The petition details concerns regarding the location of the skate park. Additional queries have also been submitted regarding the suitability of a skate park being installed at this particular location when measured against the City's Parks Facilities Strategy (PFS), along with other guidelines and standards (produced by the City and those produced by other local governments and organisations).

In terms of the documentation and guidelines produced by the City, as detailed in Attachment 2 reference has been made by the petitioners to both the 'Armadale Youth Precinct Study' (AYPS) and the 'Landscape Design Guide for Public Open Space in New Residential Areas'.

In this regard, whilst the City acknowledges the findings of the AYPS completed in 2007, the AYPS was initiated in 2005 in response to a proposal that the City support the design and building of a skate park in the City Centre of Armadale. The AYPS gave specific consideration to the circumstances, existing facility provision and available space within the City Centre and therefore was not considered when determining the placement of the skate park at Barossa Park.

Similarly, the Landscape Design Guide for Public Open Space in New Residential Areas' was collated in 2013. While much of the information within the 2013 document remains relevant, the assessment criteria and considerations have been replaced by that within the Parks Facilities Strategy and the 2013 document is required to be updated to reflect this. The terminology in the design guide is not necessarily consistent with the City's Parks Facilities Strategy.

The City's Parks Facilities Strategy is used to provide guidance and a framework to aid in planning for the development of Public Open Space in communities, taking into consideration future recreational needs. The desired outcome is to deliver a diverse range of fit for purpose recreational opportunities and facilities to the wider community.

In the case of the multi-purpose space at Barossa Park, the City's Parks Facilities Strategy was the document which provided the framework for the assessment of the proposal. The queries received regarding the suitability of the skate park at this location, when measured against the guidelines within the Parks Facilities Strategy are summarised in the table below, with comment provided against each.

Query/Comment Received	Assessment Against the PFS
The PFS classifies Public Open Spaces (POS) as Regional Open Space (ROS), District Open Space (DOS), Neighborhood Open Space (NOS) and Local Open Space (LOS). The PFS details that NOS and LOS parks may feature a combination of small informal elements such as skateable paths. As the space at Barossa Park is NOS, a skate park (as opposed to skateable paths) should not have been considered suitable. A skate park can't be built in a neighbourhood open space, only skateable paths can be built in NOS or LOS. A youth space like a skate park can only be built in DOS or ROS.	Under the Facilities Matrix within the document, it is noted that youth spaces can be considered for NOS. The document does not define the size of youth spaces and rather notes youth spaces can vary in scale and style. Youth spaces can vary in terms of the scale and facilities they offer. The elements of this park area aligned with the typical characteristics of an NOS that includes youth space elements.
The PFS details that a consideration regarding the location of youth spaces should be separation from residential areas for noise complaints as well as adherence to passive surveillance in line with CPTED principles and be located nearby active spaces such as schools, playgrounds, shops or sporting pavilions. A youth space of any scale (whether LOS or NOS) must be separated from residential homes.	The overall design was considered against the PFS and the need for physical separation was included via the use of tree planting and garden beds. The location of the skate element has been considered to allow for landscaping to the perimeter of the park and a grassed kickabout space in the centre of the park to keep ball games away from the road. CPTED principles have been addressed and screening has been considered to allow for passive surveillance.
The skate park is only 15-17m away from the nearest surrounding residential properties.	While the PFS does not mandate a specific distance that this type of facility must be from residential properties, the skate elements of Barossa Park are located 24m from the closest residential building frontage.
The 0.33ha park should be regarded as Local Open Space, however Council is regarding it as NOS as per the plans it is 1.8ha. However the active open space comprises only 20% of the area with the other 80% serving a drainage function.	Barossa Park is approximately 1.8ha in size and the extent of the park includes the entire area within the lot boundary, not just the active skate park area. This is consistent with the assessment of all parks within the PFS and while the remaining area does serve a drainage function, it also provides passive and visual recreational value.

Upon being approached by the developer, the City gave careful consideration and applied methodical processes to assess the proposed plans for a skate park at this location as part of the multi-purpose space. The plans submitted to the City met the requirements of a development of this nature and were approved accordingly.

Concerns Regarding Antisocial Behaviours

As part of investigating the concerns raised, a meeting was held with residents at Piara Waters Pavilion on Sunday 15 November 2020. There were 15 residents in attendance, along with Cr Frost, Cr Peter, Cr Munn, local members of parliament, representatives from Insain Youth Services, a representative from Skateboarding WA and City officers, along with representatives from the developer.

The meeting was facilitated by Aha! Consulting who prepared a report on the discussions and outcomes. The full report is provided as an attachment to this report (Attachment 6).

The concerns raised by the residents echoed those detailed in the petition regarding the location of the park and its proximity to houses and the antisocial behaviours experienced by the residents, with an emphasis on:

- Young people reportedly being aggressive towards the residents with any approach by the residents being met with a dismissive response by the young people.
- Residents expressed a level of fear and distress at the impact of the behaviour on the young people living in the neighbourhood and advised families are being forced away from the park due to behaviours of some youth.
- Traffic increasing as a result of the popularity of the park, with concerns raised regarding traffic speeds and the presence of children and young people on the road creating an unsafe environment.
- The community consultation process, with residents being of a view that they had been misled as the original plans showed a small playground which was described as catering for young children.

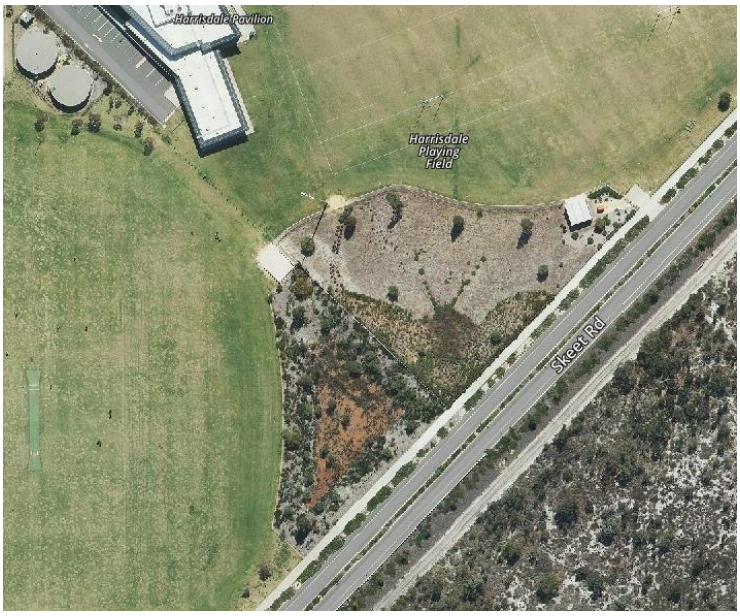
Steps Taken to Address Antisocial Behaviours

Following several outreach sessions by an independent youth services organisation, many young people have confirmed that the issues are being caused by a few young people and that the threatening, oppositional behaviour makes it difficult to intervene.

Residents, at the meeting held on 15 November 2020 agreed with this assessment and encouraged the City and others to provide additional support programs and strategies to support young people.

The City has been liaising with the developer to identify any short term initiatives that can be implemented to address antisocial behaviour at the park. The table overleaf details the interim measures that were identified and provides comment regarding their implementation following the 15 November 2020 meeting. The table* was forwarded to residents involved in the discussions on 18 December 2020.

Action	Timeframe	Contact
Increased Ranger Patrols	Commenced week of 17 November 2020 and ongoing	City of Armadale 9394 5000
Meeting with Office in Charge of Canning Vale Police Station. Advice from Police was as follows: 1. Antisocial behaviour to be reported to WA Police 131 444. Calls are triaged and Police respond accordingly 2. Recommend that residents download the Crime Stopper App as another way to report antisocial behaviour. Photos and videos can also be uploaded to the App and go directly to policing teams 3. Facebook posts and WhatsApp information is not acted on by Police 4. WA Police youth engagement team are aware of the issues and are actively involved with some key young people 5. Residents are encouraged to join up with the broader Armadale Neighbourhood Watch group to organise a Street Meet & Greet BBQ event with local WA Police. The WA Police have increased patrols in this area, with the skate park added to the list of the priority patrol areas. This is a result of the local member writing to the Minister for Police requesting an increase in police patrols or other measures to reduce antisocial behaviour.	Completed 24 November 2020	City of Armadale & the Developer with Canning Vale Police
Contact Harrisdale Senior High School about the student identified in the resident incident log. Advice from Deputy Principal: 1. Parents were contacted in November re the alleged antisocial behaviour at and around the skate park 2. The school can continue to be contacted if students are involved in antisocial behaviour at the park and they will take steps to make contact with the parents 3. If a student is identified by the Harrisdale High uniform, they are considered to be bringing the school into disrepute. If they are not in school uniform, the school has limited influence when students engage in negative behaviour outside of school hours and not on school grounds.	Completed December 2020	City of Armadale

Action	Timeframe	Contact
Investigate location earmarked by Barossa Loop residents as an alternative location for the skate area being, "the triangular patch of land that is at the back area of the playing fields at Skeet Road near the Harrisdale Pavilion." The area identified by the residents in their report is for drainage and not feasible as an alternative location. This location (shown below) is a drainage area and therefore cannot be utilised for any other purpose.  An alternative location suggested by the residents in the shared school zone along Skeet Road is also not possible as this area is part of the active oval and used for organised sport.	Completed December 2020	City of Armadale
Removal of basketball hoop *NB. Pole and concrete pad will stay. Any further works will be subject to Council decision re: petition.*	Completed w/c 14 December as a temporary action	City of Armadale

Action	Timeframe	Contact
Design and install 'Youth Park etiquette' signage which includes Neighbourhood Watch logo *Signage design and placement has since been approved, with installation pending.*	January 2021	Satterley with approval from City of Armadale
Install 'SLOW DOWN PEDESTRIANS AHEAD' signage in advance of the corners on Barossa Loop *NB. Speed humps were investigated by the City but advised that speed humps are inappropriate in the suggested location on or approaching a bend in the road.* *Since the November 2020 meeting, the form of the signage has been confirmed to be a pictorial reminder sign and is anticipated to be installed during February 2021. The sign is detailed below* 	January 2021	City of Armadale
January school holiday youth engagement activity *NB. This will be advertised locally only. Flyer drop and Facebook promotion on Heron Park Estate Facebook page yet to occur.* *The format of this engagement was reviewed with an alternate Youth engagement exercise involving youth workers from Save the Children being held on 14 January 2021 in lieu if the initially proposed youth engagement activity. Facebook promotion etc. of the revised Youth engagement activity was not considered the best mechanism for implementation.*	15 January 2021 TBC	Satterley and Save the Children
CCTV or Security Patrols *Neither the City nor the Developer have dedicated funding available for this purpose. However, external funding opportunities are currently being pursued with regard to CCTV as detailed below.*	N/A	N/A

*Comments in red denote updates since this table was initially circulated.

With regard to CCTV, officers advised residents that the City has no current plans to install permanent CCTV in residential areas. The option of hiring a temporary CCTV trailer unit for the summer period was also considered. The cost of this option is $1,800 per week or $14,400 for an eight week period. Neither the City or the Developer have this level of funding allocated for this type of initiative, however external funding opportunities are currently being pursued, with the local member having committed funds for this purpose contingent on the outcome of the State Government elections to be held in March.

Contracting security guards is not recommended as security guards have very limited authority to act. Typically they would contact WA Police or the City's Rangers if and when incidents arose, which are actions currently available to residents.

Current Situation

Following the 15 November 2020 meeting, City officers have visited the site on a number of occasions and while a number of people have been observed to be using the space, significant antisocial behaviour has not been observed.

In connection to young people and their use of public space, Cheryl Millard from the organisation 'Project for Public Spaces' asserts that:

"Young people use public spaces as much as anyone else, if not more. However, young people (12-25) are often not included in the process of placemaking and end up 'loitering' in other spaces. By being actively engaged in youth-friendly spaces, young people can feel like they have investment in their community and they can develop a strong sense of ownership in these places. Parks and public spaces are often built with small children and adults in mind, with an emphasis on playgrounds for children and benches for parents who watch them. They often offer little else for young people. With nothing to do after school/weekends, they hang out at train stations, shopping centres and local parks."

Therefore consideration should be given to the two questions:

1. If the skate park is replaced with a children's playground, will this deter young people from accessing the space?

   Based on research, it appears that public spaces generally will be attractive to young people to meet and socialise. Given that the skate park is a public space, the young people also have a right to use it as community members. The negative and antisocial behavior is not acceptable. Communicating an acceptable and expected standard of behaviour (for example, through the installation of signage at the skate park) and seeking to build rapport with young people may assist with facilitating positive behaviour change.

2. How can the young people currently accessing the skate park be engaged to '*feel like they have investment in their community and develop a strong sense of ownership in these places'* for the purpose of facilitating positive behavior change*?*

   The first step in facilitating positive behaviour change is to seek to understand the other's perspective by building trust and rapport. However in this case, this will not be successful if this action is contingent on one stakeholder. The 'community' comprises many different stakeholders including parents, families, friends, neighbours, community service organisations, state government organisations (including the WA Police and schools), local government and businesses (including land developers), and all need to be involved in and committed to the process in order to have any success.

The value of taking a proactive, positive approach has been demonstrated by the youth workers contracted most recently by the developer. The youth workers reported that they found that the young people (aged from 12-14) were pleasant, engaging and helpful, with one young person assisting a parent teaching her child to navigate a difficult part of the skate equipment. Whilst one of residents commented to the youth workers that they were not in favour of youth outreach services, as it was perceived that such a service would only attract more young people and wouldn't resolve the issue, this very brief example indicates that positive interaction can yield positive behavior change.

Resolving the issue is unlikely to be achieved by removing the skate park itself as the public space will still be accessible and attractive to young people. Therefore it is prudent to consider how the facilitation of positive behaviour change can be progressed. This requires all community stakeholders being willing to take a proactive approach to build positive relationships with young people.

OPTIONS

Council has the following options to consider.

1. Retain the skate elements in the park and continue to work with stakeholders including the developer, local schools, WA Police, service providers, residents and users of the youth park to monitor behaviour and take compliance action where appropriate.

   This is the recommended option

2. Remove the skate elements and install alternative play equipment.

   This option is not recommended for the following reasons:

   - There is no guarantee this will result in an outcome that will address the concerns
   - Finding an alternative location for youth facilities in the general area will be very difficult
   - No funding (estimated at some $400,000) has been allocated for this option.

3. Provide interventions such as CCTV or security guards.

   Interventions such as security guards are not recommended for the reasons outlined in this report. External funding opportunities for temporary CCTV installation are currently being pursued and should funding become available then this could be considered.

4. Do nothing.

   The concerns of residents are acknowledged which is the basis for Option 1 being recommended.

CONCLUSION

A petition to convert the skate park elements of the multi-purpose space located at Barossa Park into a children's playground was received by the Council on 9 November 2020, with a second petition being presented on 25 January 2021.

Residents believe the community needs a skate park or similar for the youth living in the area, however residents have voiced that the current location of the skate park is inappropriate.

Following assessment of the concerns however, the City is of the opinion that continued efforts should be made to address the antisocial behaviour rather that removing the skate elements at the park, with removal of the skate elements being unlikely to successfully address the petitioners concerns.

It is therefore recommended that Council note the outcomes of the investigation into the concerns raised in the petition and notify the petition convener of the outcome of the City's investigation.

ATTACHMENTS

1. Attachment 1 - Petition - *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*
2. Attachment 2 - Petition - Barossa Loop Skate Park - *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*
3. Attachment 3 - Piara Waters and Harrisdale Overall Mapping
4. Attachment 4- Barossa Park Youth Space - Summary of Community Consultation Activities
5. Attachment 5 - Final approved plan
6. Attachment 6 - Barossa Loop Youth Park - Session Notes Final

Committee Discussion

Committee discussed this item at length with regard to the City's options and negotiations with the developer. Committee proposed an amendment to the recommendation, with a review of the situation after a six month period.

Replace Recommendation 2 as follows:

2. Request the developer fund mobile CCTVs on the park's main entrance and install fencing along the street boundary of the Barossa Loop skate park.

Add Recommendation:

4. Review the outcome after six months and revert to Council.

Committee were in favour of the revisions and the Recommendation was amended accordingly.

RECOMMEND **T15/3/21**

That Council:

1. **Note the results of the investigation of the petitioners' concerns relating to the Skate Park at Barossa Loop, Harrisdale.**

2. **Request the developer fund mobile CCTVs on the park's main entrance and install fencing along the street boundary of the Barossa Loop skate park.**

3. **Continue to work with stakeholders including the developer, local schools, WA Police, service providers, users of the youth park and residents to monitor behaviour and take compliance action where appropriate.**

4. **Review the outcome after six months and revert to Council.**

5. **Inform the petition convener accordingly.**

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

3.1 - REQUEST FOR QUOTE 52/20 - CONTESTABLE ELECTRICITY SUPPLY

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

In Brief:

- Request for Quotation 52/20 was recently issued for Contestable Electricity Supply for a ten (10) month period.
- Two (2) quotes were received by the specified closing time and evaluated against compliance and qualitative criteria.
- This report recommends that Council accept the quotation submitted by Synergy Electricity Generation and Retail Corporation, for Green (Natural) power.

Tabled Items

Nil.

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

2.1 The natural environment is valued and conserved

2.1.4 Minimise the City's carbon footprint

2.1.4.2 Implement the actions of the City's Corporate Greenhouse Action Plan

2.3 Well Managed Infrastructure
2.3.2 Ensure maintenance activities address required levels of service
2.3.2.2 Ensure balance is maintained between levels of service and affordability

Legal Implications

Assessment of legislation indicates that the following is applicable:

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

Council Policy/Local Law Implications

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

- Council Policy ADM 19 – Procurement of Goods and Services

Budget/Financial Implications

The proposed expenditure can be accommodated in the 2020/21 and 2021/22 Budget and Long Term Financial Plan estimates. The financial implications associated with the acceptance of the recommended quote are detailed in full in the attached confidential evaluation report (Attachment 1). It should be noted that if Council accept the recommendation to pursue the 100% Green power option, this will cost approximately $100,000 more than the 100% Black power option over the 10 month term of the contract.

Consultation

- Intra Directorate.

BACKGROUND

Request for Quotation 52/20 for Contestable Electricity Supply was issued for quotation on the WALGA eQuotes system on 22 December 2020.

The supply of electricity is ‘contestable’ to individual facilities utilising in excess of 50 megawatt hours per annum. In this instance, a competitive quotation process may be followed for the cost effective procurement of power. The City has 11 such facilities. The City is currently supplied by Synergy under a three year contract, expiring 31 March 2021.

Quotations were sought for an initial ten (10) month period, with three (3) options to extend for a further three (3) months on each occasion. This approach is designed to provide Council with optimal flexibility in relation to future energy contracts.

Recently released forecasts project that the Kwinana Waste to Energy Plant will commence electricity production in March/April 2022. In addition, WALGA are currently investigating the possibility of a local government bulk purchase of renewable energy. This could take the form of a Power Purchase Arrangement and be operational from April 2022.

Consequently, towards the end of 2021/22, there will be enhanced competition in the market and a greater choice of energy sources and pricing. The proposed contract length of ten months and optional extension periods, will allow the City to fully explore these options as they become available. The extension periods will also allow for a contingency for any further delays in the implementation of the Waste to Energy and WALGA projects.

Energy Sources

The *City of Armadale 2014/15 to 2019/20 Corporate Greenhouse Action Plan* (CGAP) included an action to purchase offsets to neutralise the carbon footprint associated with electricity use at the City's contestable sites (circa 70% of the City's total power use). The next iteration of the CGAP is currently in production. It is anticipated that this will adopt a similar approach, or advocate for the purchase of green power for contestable sites.

In anticipation of this approach, suppliers were requested to quote on three power supply options:

1. 100% 'Black' power (derived from the combustion of fossil fuels)
2. 100% 'Green' power
3. 50% 'Black' and 50% 'Green' power.

The intent was to provide Council with a full range of options, in conjunction with their affordability.

DETAILS OF PROPOSAL

Council approval is sought to award the Request for Quotation for Contestable Electricity Supply for a period of ten (10) months; commencing 1 April 2021.

COMMENT

Analysis

Request for Quotation 52/20 closed at 4.00pm on Friday 22 January 2021. Quotations were received from:

	Respondent's Name
1.	Alinta Sales Pty Ltd (Alinta)
2.	Synergy Electricity Generation and Retail Corporation (Synergy)

No quotations were received after the close of deadline.

No non-conforming quotes were received.

An evaluation process was undertaken having specific regard to the following Qualitative Criterion:

Criterion	Weighting
Price	100%

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

CONCLUSION

Quotations were recently invited with two (2) quotes received and assessed by an evaluation panel.

The result was that the quote received from Synergy Electricity Generation and Retail Corporation, for Green (Natural) power represented the most advantageous quote to the City.

The evaluation panel therefore recommends that the contract be awarded to Synergy Electricity Generation and Retail Corporation for a period of ten (10) months.

ATTACHMENTS

1. Contestable Electricity Supply - Evaluation Summary Report - Quotation 52/20 - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as it deals with the matter relates to a contract entered into or which may be entered into by the City of Armadale*

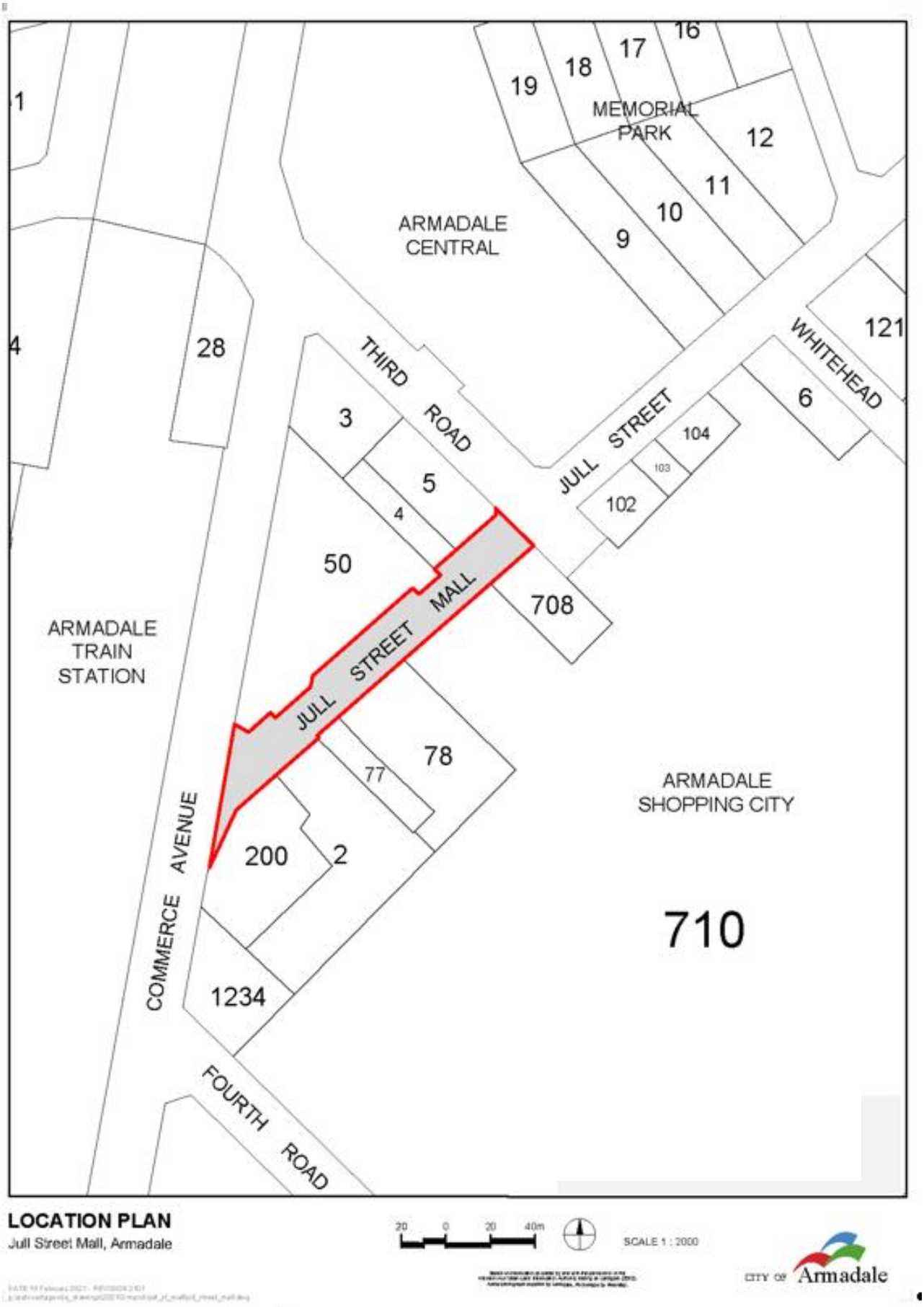
RECOMMEND **T16/3/21**

That Council, in regard to Request for Quotation 52/20 for Contestable Electricity Supply:

Accept the quotation from Synergy Electricity Generation and Retail Corporation for a period of ten (10) months for the supply of Green (Natural) power in accordance with:

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

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


19
18
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MEMORIAL PARK
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ARMADALE CENTRAL
121
WHITEHEAD
6
104
103
102
JULL STREET
THIRD ROAD
28
3
5
4
50
708
JULL STREET MALL
ARMADALE TRAIN STATION
78
77
ARMADALE SHOPPING CITY
200
2
710
COMMERCE AVENUE
1234
FOURTH ROAD
LOCATION PLAN
Jull Street Mall, Armadale
20 0 20 40m
SCALE 1 : 2000
CITY OF Armadale

**

4.1 - JULL STREET MALL

WARD : ALL

FILE No. : M/15/21

DATE : 26 February 2021

REF : JA

RESPONSIBLE MANAGER : Chief Executive Officer

In Brief:

- The City has received a written submission from Reconnect Jull Street and a non-conforming petition requesting re-opening the Jull Street Mall to one-way vehicle traffic.
- This report provides details on the history of decisions and actions taken by the City with respect to the Jull Street Mall; the financial implications, planning context and engineering advice; as well as external assessment and advice regarding the options and factors influencing the performance of the Jull Street Mall.
- It is recommended that Council resolve to direct the preparation of a Community Engagement Plan to be considered by Council to determine the community's view on whether to:
  - i open Jull Street Mall to one-way traffic
  - ii open Jull Street Mall to two-way traffic
  - iii retain Jull Street Mall as a public pedestrian and civic space.

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

1.2.3 Encourage initiatives to improve perceptions of safety.
2.2.1 Deliver attractive and functional streetscapes, open spaces, City buildings and facilities.
2.2.2 Protect and enhance the character of the City's spaces, City buildings and facilities.
2.2.3 Revitalise existing neighbourhoods whilst retaining the character of places.
3.1.2 Encourage and facilitate public and private sector investment.
3.2.2 Broadly promote Armadale as a place of business and investment.

Legal Implications

Assessment of relevant legislation has indicated that the following is applicable:

Local Government Act 1995 - Sect 3.50 Closing certain thoroughfares to vehicles

(1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

[(3) deleted]

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and

(b) give written notice to each person who —

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section;

and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 *a copy of the contents of the notice required by subsection (4)(a).*

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.

[(7) deleted]

(8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.
(9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.
[Section 3.50 amended: No. 1 of 1998 s. 11; No. 64 of 1998 s. 15; No. 49 of 2004 s. 26.]

The City and Minister complied with all the requirements set out in s. 331B of the *Local Government Act 1960* to construct or place obstructions on the relevant part of Jull Street for the purpose of prohibiting the movement of vehicular traffic and to form the Jull Street Mall. It can be seen from the Council's resolution P388/84 that it was intended that the obstruction would be permanent.

However, the *Local Government Act 1995* commenced on 1 July 1996, and (along with the *Land Administration Act 1997*) replaced many of the powers and functions then under the *Local Government Act 1960*, which was amended and renamed the *Local Government (Miscellaneous Provisions) Act 1960*. The effect of the transition provisions (including reg 6(2) of the *Local Government (Functions and General) Regulations 1996)* is that the previous decision has now expired.

If the City wishes to wholly or partially close a thoroughfare for a period exceeding four weeks, such as retaining the Mall or implementing one-way traffic then it will need to do so under the procedure set out in s.3.50 *Local Government Act 1995*.

Council Policy/Local Law Implications

Assessment of Council Policies and Local Laws indicates that the following are applicable:

- Policy – *COMB 2 – Community Engagement*

- *Activities and Trading in Thoroughfares and Public Places Local Law*

  2.24 Driving on closed thoroughfare
  (1) A person shall not drive or take a vehicle on a closed thoroughfare unless –
  (a) in accordance with any limits or exceptions specified in the order made under section 3.50 of the Act; or
  (b) the person has first obtained a permit.

  (2) In this clause –
  "closed thoroughfare" means a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act.

Consultation

- Executive Leadership Team.
- The requirements for community consultation are discussed in the report.

BACKGROUND

Original Council Decision

Council resolved to permanently close a portion of Jull Street to create a pedestrian Mall in 1984 and undertook the necessary processes in accordance with Section 331B of the *Local Government Act 1960*. Various workshops and working groups developed the concept with the works being completed in 1992.

Armadale Enquiry by Design 1999

In April 1998, the City of Armadale requested that the Western Australian Planning Commission adopt a 'regional task force' approach to major planning matters, with the intent of strengthening the growth potential of the City and to provide the higher level of infrastructure, investment, services, facilities and employment opportunities associated with a Strategic Regional Centre.

In July 1999, the then Ministry for Planning's Urban Design and Major Places Division and City officers presented to the Council a preliminary Urban Design Study that identified the issues that affected Armadale and assessed the existing function of Armadale in terms of its capacity to sustain urban development and future employment needs. The study focussed on achieving a better understanding of the regional, sub-regional and local context of the Armadale City Centre.

In subsequent discussions with the City of Armadale, the Ministry for Planning (now the Department of Planning, Lands and Heritage) agreed to co-ordinate and facilitate, in conjunction with the City of Armadale, a *non-binding* Enquiry-by-Design workshop to be held in Armadale. The workshop aimed to provide a clearer understanding of the current and future issues that affect Armadale, and to provide a framework for the securing of investment potential and targeting of financing requirements. The workshop was subsequently held on 1-3 December 1999 and a Workshop Paper was produced.

<u>Recommendations</u>

The Enquiry-by-Design workshop produced a wide range of outcomes and recommendations. There were 24 recommendations in total, with 21 being implemented as recommended, one recommendation was partly implemented (relocation of the bus station facility) and 2 were not implemented (Jull Street reopening and reconfiguration of the Church Street railway crossing). It is important to note that the Enquiry-by-Design process was common during the late 1990's to early 2000's and the process focused on design, without significant consideration of technical standards. Therefore, many Enquiry-By-Design recommendations required substantial investigation to determine their viability, appropriateness and compliance with required legislation.

With regard to the Jull Street Mall, the Enquiry by Design made the following recommendation:

"2. Re-opening Jull Street as a traffic-calmed street to allow better exposure for the Jull Street traders and convenient access for patrons".

CONSIDERATION OF THE MODIFICATION OF JULL STREET

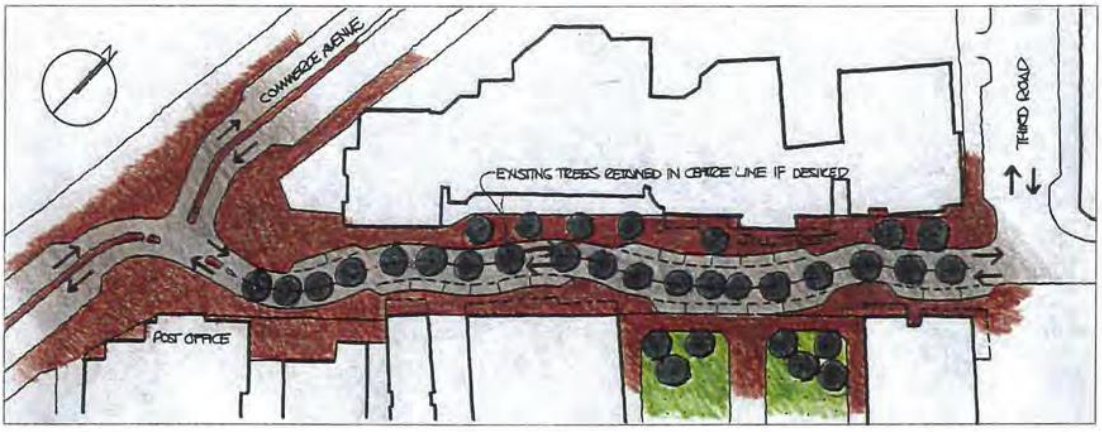
The Enquiry by Design stakeholders identified the retail viability of the Mall as the most pressing issue for the City Centre. Stakeholders advised that there had been a significant reduction in retail viability since the creation of the Mall and that a number of retailers had ceased trading since, and as a direct result of, creation of the Mall six (6) years previously. Stakeholders identified that the creation of the Mall had significantly reduced permeability for vehicles accessing the City Centre and created a ring road system that pushed more traffic onto Church Avenue than onto Jull Street.

The general opinion of the majority of stakeholders at the Enquiry by Design workshop was that the opening of Jull Street to through traffic was an imperative for the enlivenment of the Armadale City Centre. However, it was highlighted that if the Mall was to be opened to through-traffic, further community consultation needed to be carried out, particularly with the Jull Street traders to determine how the Mall should be treated to ensure a balance between the pedestrian amenity of the Mall and the need to provide the 'energy' associated with the 'movement economy'.

The workshop stakeholders considered the following three (3) options for the Jull Street Mall:

- Jull Street west of Third Road be retained as a pedestrian Mall;
- The Mall be opened to allow one-way traffic; or
- The Mall be re-opened to allow two-way traffic.

The outcome that was recommended in the Enquiry by Design document was that the Jull Street Mall be re-opened to vehicular traffic but in a manner that provided for traffic calming and preservation of pedestrian amenity.



Sketch of Jull Street Mall reopened with 2-way traffic (Armadale Enquiry by Design Workshop 1999)

Council Recommendations/Resolutions with regard to the Armadale Enquiry by Design Outcomes Report and the Jull Street Mall

The Enquiry by Design Outcomes Report was referred to City Strategy on 9 May 2000 and subsequently to Council on the 15 May 2000. The Minutes with regard to the Enquiry by Design Outcomes Report recommendation that the Jull Street Mall be reopened to traffic included the following notes:

"Council notes the need to examine all the recommendations of the Armadale Enquiry by Design Workshop Report recommendations, particularly singling out the following matters which are highlighted for special and rigorous analysis prior to acceptance:-

- *The future form of the western sector of Jull Street – what is the optimum relationship of Jull Street as a quality civic space, with business activity and traffic access?".*

At that meeting Council resolved that the Enquiry by Design Outcomes Report be advertised for community consultation for a period of 45 days. Note the Jull Street Mall was referred to as "the western sector of Jull Street" in this report to Council and the associated Minutes and subsequent reports and minutes.

Outcome of Community Consultation on the Enquiry by Design Outcomes Report

The subsequent Council agenda report identified that overall a total of 114 submissions were received from members of the public in relation to the recommendations contained in the Enquiry by Design Outcomes Report. A Table identifying the responses to the 25 specific recommendations of the Enquiry by Design Workshop was included in the agenda report. With regard to Recommendation 2 "Jull Street re-opening/traffic calming" there were 11 submissions indicating support for the recommendation and 24 submissions objecting to the proposal.

The report summarised that over 100 submissions were received of which most were very supportive of the Enquiry by Design concepts. The report also stated that *"overall, the Public responses indicate a general community support for the major directions established by the Enquiry By Design report in fostering enhanced development of the City Centre to fulfil the objectives of the Armadale community for economic and social development. However, there are varying degrees of support for the specific key recommendations of the Enquiry by Design process".*

With regard to the Enquiry by Design Outcomes Report recommendation with regard to the Jull Street Mall the report stated that:

"*People have expressed concerns about the reopening of Jull Street due to fears of safety for pedestrians and the removal of trees and seating*".

The agenda report also specifically detailed a submission from the Armadale Chamber of Commerce based on feedback from members who attended the Enquiry by Design Workshop. With regard to the Jull Street Mall, the submission stated that the Chamber's priority was:

"*1. Re-open Jull Street as a traffic-calmed street for trader exposure and patron convenience*".

Council's resolution identified a specific list of priorities to be investigated with regard to the Recommendations contained in the Enquiry by Design Outcomes Report. The Jull Street Mall recommendation was not included.

Additional Council consideration of the reopening of the Jull Street Mall to Traffic

Public Petition to keep the Mall closed to traffic April 2002

A petition was received by Council in April 2002, signed by 2471 persons, urging the Council not to open the Jull Street Mall to traffic and calling on the Council to have a referendum on the issue before reaching any decision. The April 2002 report to Council on the matter argued that opening the Mall in itself will not address retailer concerns, and that a complex strategy would be required to address this issue. It was also identified that issues such as traffic calming, the design and orientation of shops and the Shopping City to the street, amongst other matters, requires assessment.

Armadale Redevelopment Authority's (ARA) City Centre Concept Plan 2002

The ARA's City Centre Concept Plan discussed the potential for modification of Jull Street to accommodate low-speed one-way traffic but did not propose opening in the short term. What was proposed by the ARA was to further consider the matter following upgrades to the surrounding street network, and in the light of further consultation to determine the community's level of support. In October 2003, Council resolved to support this approach.

Proposed Trial to reopen Jull Street Mall to One-way Traffic - September 2010

In 2010 a request was lodged with the City to consider a trial one way opening of the Jull Street Mall. The report identified that there were arguments for and against such a trial, with the difficulty that half measures could not be applied where traffic and pedestrian safety were of concern.

The report recommended that the Council:

i consider the relative merits of either preparing and designing a partial opening of the Jull Street Mall to one-way traffic, or similar costing of some modifications designed to activate the Mall opposite the station; and

ii seek a further report following facilitated discussions to be held later this year

The report identified that the main impediment to reopening the Mall to traffic was that the adjacent street network had undergone a number of changes over the previous decade that now made the reopening of Jull Street to vehicle traffic difficult. In particular, when Jull Street was open to traffic, the railway station was only 200m south of Jull Street. The station relocation had brought the new signalised pedestrian crossing to Jull Street itself, and there was insufficient distance between the crossing and the furthest north location for an intersection between Jull Street and Commerce Avenue to accommodate a safe left out movement from Jull Street into Commerce Avenue.

Discussion at the Council meeting concluded that, whilst there was a temptation to change the Mall environment as a trial, it would be expensive and high-risk. It was considered impractical and of little benefit to open the Mall to traffic on either a trial or permanent basis. Council resolved as follows (CS89/9/10):

"That Council

1. *is of the view that heavily constrained passing traffic will not change the trading figures for adjacent businesses;*
2. *is of the view that commercial enterprises themselves are the key to attracting customers; and*
3. *seek a further report following facilitated discussions to be held in November this year".*

Further consideration of the opening or modification of the Jull Street Mall – 20 December 2010

In November 2010, there was a facilitated workshop held with Councillors with regard to the reopening or activation of the Mall. The possibility of opening the Mall to traffic was raised with the Facilitator (a community activist and place maker from Brisbane). The Facilitator advised that this would not necessarily be a positive move as the Mall was too short to achieve any significant results by opening it to traffic. The Facilitator suggested that in order to invigorate an area, the area required density.

The report concluded that no additional grounds had been determined to further pursue the suggested reintroduction of traffic and further that the concerns of the Mall needed to be addressed more directly by redesigning the spaces and activities.

Council resolved as follows (CS121/12/10):

"*That Council request that a workshop be held to discuss activation of the Jull Street Mall*".

A number of reports were then progressed to Council that resulted in some modest capital investments in the public realm and varied implementation of activation strategies/approaches for the Mall, with the aim of increasing numbers of people accessing the precinct to make it a vibrant, economically viable and inviting element of the Armadale City Centre. The City defined its role in the improvement of the Jull Street Mall within the following plans and actions:

- Jull Street Mall Revitalisation Project 2012 – capital works
- Jull Street Mall Revitalisation Project Action Plan 2013 – 2015 – capital works and activation elements
- Armadale City Centre Activation Plan 2016-2018 – capital works, public art, mural art and activation elements
- First three month trial of Community Liaison Officer Patrols (November 2016)
- Second three month trial of Community Liaison Officer Patrols (November 2017)
- Armadale City Centre Activation Plan 2018-2020 – capital works, mural art, safety initiatives and activation elements

As part of the progression of the Armadale City Centre Activation Plan 2018-2020, separate consultations were conducted during November 2018 with businesses located in the Jull Street Mall, community members and artists as well as representatives from Telstra regarding the capital works elements of seating, green spaces –'parklets', a performance stage and lighting.

With respect to seating, businesses unanimously agreed that the seating should be changed, with many feeling the seating should be removed altogether. Some stated that seating can be a positive element for people to rest if needed, but the seating should be placed in different areas in the Mall (at the top end near the road), reduced in number, be designed for sitting (not lying on), and the types of seats should be changed to facing each other to assist with the anti-social behaviour of people interacting negatively with passers-by when using the current outward-facing seats.

Improved lighting was also suggested by many of the businesses due to the personal safety concerns of clients and staff after dark. Two businesses reported allocating additional staff to escort customers to their cars or the train station as some customers did not feel safe to walk alone.

Councillor Referral

At the Council meeting held on 8 July 2019, Cr Campbell referred the following matter to the City Strategy Committee.

"That the matter of the Jull Street Mall be referred to the City Strategy Committee".

At its meeting on 26 August 2019, Council resolved to *"note that an informal Councillors' briefing/workshop will be scheduled to consider future options for the Jull Street Mall in September 2019".*

Giving effect to this resolution, a Councillor Workshop on Jull Street Mall was held on 24 September 2019. In addition, a Councillor Workshop on 17 December 2019 on the City Centre looked at the City Centre Revitalisation, Civic Precinct and Jull Street.

Proposal from Reconnect Jull Street Mall Group

On the 22 August 2019, a submission was received from Reconnect Jull Street that expressed the view that crime, anti-social behaviour and a lack of activation were the primary forces behind businesses closing in the Mall (refer to Attachment 1). The submission provided the e-mail address of Tess Randell from government relations firm GRA Partners as the signatory for Reconnect Jull Street (RJS) and provided a list of those businesses said to form part of RJS.

Within the submission, RJS advise that their proposals are aimed at revitalising the heart of the Armadale CBD through a modern and inviting streetscape. The three main proposals contained within the submission are summarised as follows:

1. The removal of the oversized benches within the Jull Street Mall, as the seating is not serving its intended purpose and is contributing to gathering points for anti-social behaviour.

2. The lighting in the Jull Street Mall needs to be increased to improve security and community safety.
3. To reopen the Jull Street Mall to vehicle traffic, which is aimed at reducing the amount of space in which people can loiter and creates natural surveillance through increased car traffic and additional movement.

In relation to the third proposal above, the submission included a Concept Site Plan for the re-opening of the Jull Street Mall to one-way traffic prepared by architects Oldfield Knott. The submission describes that the re-opening proposal will result in the removal of 6 of the existing plane trees: 3 of the 17 plane trees currently in the Mall to allow for a winding one-way road for slow moving traffic (10-20kms per hour) and a further 3 trees would be removed in order to facilitate a total of 18 new car parking bays.

The submission acknowledges the draft nature of the Concept Site Plan but estimates the cost to re-open the Jull Street Mall to slow moving traffic as a one-off cost of $306,000.

City Views Concept

Following the presentation of the Roberts Day Group findings into the RJS proposal on 21 May 2020 (discussed later in this report), a further Councillor workshop was held on 8 July 2020 to discuss the future options for the Jull Street Mall and the estimated costs. The City Views Concept was included as an option, in line with the consultant's view that at a sub-regional scale the identity of Greater Armadale could be positively influenced by establishing a 'postcard' City Centre destination, with the Mall at the heart, that expresses the aspiration of bringing the hills to the City. The initial City Views Concept incorporated the Jull Street Mall as an origin point for an aerial walkway that would wind through the City and encompass a roof top park.

On the 13 July 2020, Council resolved to:

1. *Endorse expenditure from the City Projects - Professional Services -Consultancy budget for the Civic Precinct to conduct a pre-feasibility study of the City Views Concept.*
2. *Authorise the Mayor and Chief Executive Officer to engage with relevant stakeholders regarding the City Views Concept.*

During December 2020, a workshop was held with Councillors regarding the pre-feasibility analysis and options regarding the City Views Concept. The consultant designers and engineers advised that the option of having an origin point within the Mall had been discounted as an analysis of the current gradient of the Mall, the height of the walkway elsewhere on the route and the gradients required for disability access, would mean that the walkway would have to extend the entire length of the Mall which would have an undesirable impact on the function of the space and businesses within the Mall. As such, Council's consideration of the City Views Concept no longer presents an impediment to determining the future of the Jull Street Mall.

Mall Upgrades

At the Corporate Services Committee of 22 September 2020, City officers proposed expenditure of $335,439 from the City Centre Activation Reserve for upgrades in the Jull Street Mall to the lighting, sound system and seating as well improvements to the amenity of the Telstra Exchange in order to provide relief to some of the immediate concerns raised by RJS, with a view that the works could be implemented and provide value regardless of any final determination on the future form and function of the Mall.

On 22 September 2020 correspondence was received from RJS, signed by Michael Facey stating that *"RJS members support investment in the Jull Street Mall, however we believe that upgrades such as these should be deferred until a decision has been made by Council on whether to open Jull Street mall, in order to deliver the best value for ratepayers' money."*

On 29 September 2020, Council resolved (CS43/9/20) to:

Authorise the following additional operational expenditure for 2020/21:

Jull Street Mall – Security Patrols, festive decorations and activation
Expenditure is to provide for two security guards from the 1st November 2020 to 31st January 2021 for 30 hours per week, the installation of Festive Decorations within the Mall and any remaining funds to be spent on activation of the space. $70,000

Petition

A non-conforming petition was tabled at the Council's meeting on 9 November 2020 with 1013 names. The prayer reads as follows:
"We call on the City of Armadale to address community safety concerns and create a vibrant space for the people of Armadale by investing in the Jull Street Mall.

We urge the Council to redesign the mall by introducing landscaping and slow-moving one-way traffic. This reduces the amount of space for vandalism, drug abuse, crime and violence, while also encouraging natural surveillance and more eyes on the street by introducing traffic at a reduced speed.

We want the Jull Street Mall to be a vibrant, welcoming and family friendly venue for the Armadale community. However without Council investment, it will deteriorate further, experience less customer traffic, more anti-social behaviour and force remaining businesses to close. Without shops, it is no longer a shopping mall."

The petition included the names of individuals from many different areas including 129 from landowners/residents/business owners in the City of Armadale, 521 from the Perth Metropolitan area, 9 from Country areas in WA, 343 from Interstate and 11 from Overseas.

Community Liaison and Patrol Report

Following the Council's resolution of 29 September 2020 to contract a private security company to provide community liaison and patrolling services in the Jull Street Mall during the festive and summer period, the City appointed Southern Cross Protection (SCP).

This service commenced on 1 November 2020 and concluded on 31 January 2021.

SCP worked in partnership with the Aboriginal-owned company Six Seasons Resources to provide a culturally aware and inclusive approach to their liaison and patrolling. The main objectives of the patrols were to make visitors feel safe and to reduce antisocial behaviour in the Mall.

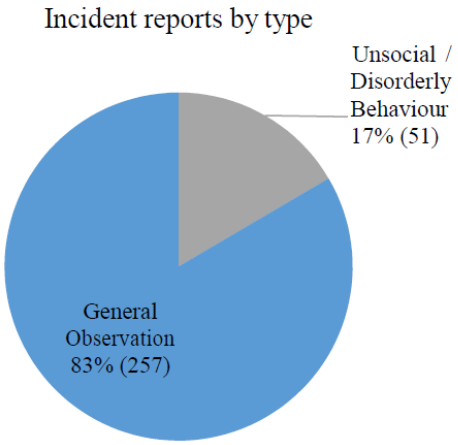
Over the period of three months, the community liaison officers covered 689 hours patrolling the Mall at a total cost of $43,059 (excl. GST).

Analysis
Daily, over the three-month period, incident reports by the community liaison officers were provided to the City. The purpose of the reports were to inform the City of the activities undertaken, and to give an insight into the Mall environment over this period.

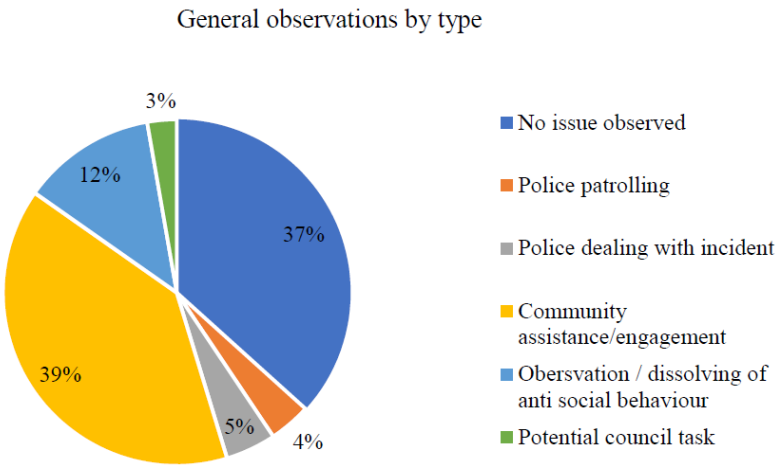
These incident reports were classified into two categories: 'General Observations' or 'Unsocial / Disorderly Behaviour'.

'General Observations' were made when the officers participated in community assistance/engagement or where there was low level anti-social behaviours, such as smoking in a prohibited area, that dissolved with officer input. 'Unsocial / Disorderly Behaviour' was reported when behaviours such as drunk and disorderly, swearing, shouting, fighting, and/or intimidation of shop owners or passers-by occurred.

A total of 308 incident reports were recorded. The majority of incidents were categorised as 'General Observation' (83% or 257 reports), and the remainder as 'Unsocial / Disorderly Behaviour' (17% or 51 reports).

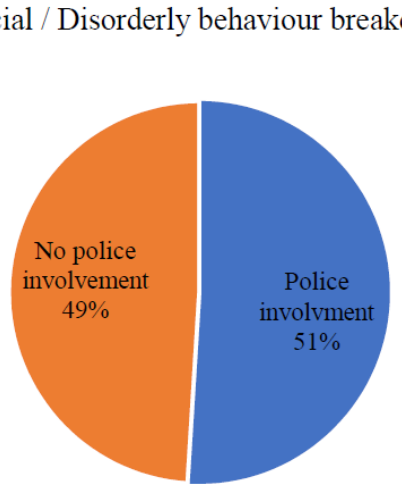


The breakdown of the 257 'General Observations' are indicated below:



The majority of 'General Observations' (76%) were when the officers were assisting or engaging with the community such as assisting the elderly and wheelchair users with shopping, or where the daily report recorded there were no issues observed.

Of the reported 51 'Unsocial / Disorderly Behaviour' incidents, police were called to deal with situations 26 times. Police were called when the issue was above the community liaison officers' role given their limited powers. The issues were either aggressive behaviour (including fights) or intimidating behaviour.



Community Consultation

Visitor feedback

After the three-month trial period, community consultation occurred over two days in the Mall (Friday 29 and Saturday 30 January 2021). 100 people were surveyed to investigate how the community felt about the patrols.

Of the 100 people surveyed, 50% visit the mall on a weekly basis, 30% daily, 10% monthly, 8% less than this, and 2% didn't answer. 78% of the respondents were from the City of Armadale area, and 22% from outside the City's boundaries.

72% stated that they were aware of the patrols, and 83% said that they felt safer because of them.

Some of the feedback made by the people surveyed included:

'Safety has improved since security has been involved. Dead-end mall with no shops to entice movement.'
'The atmosphere is a bit more peaceful.'
'Brought elderly sister in for her birthday and was apprehensive about security. More security needed.'
'Too many empty shops to visit.'
'Don't remove trees, leave mall as it is, change seating to make more vibrant.'
'Security helping but not a long-term solution'

Business feedback
The owner of the Dome Café stated an increase in patronage in comparison from last year (up to 20%) while the patrols were on. They had positive feedback from customers, felt response time from police had increased, and the patrol officers were very friendly.

The new management at Armadale Shopping City stated that they did not notice any impact on their business, however the patrols did make them feel safer, and they had a positive experience with the patrols.

Some businesses such as the NAB and Westpac banks declined to answer the survey, while others like the Barber and S and S Hair Salon were constantly busy and did not find the opportunity to respond. Spins Massage was unable to respond due a language barrier.

Of the 4 businesses that answered the survey, all four said they had a positive experience with the service and that it made them feel safe. Two businesses stated it had a positive impact on their business, while the other two stated it did not.

PLANNING CONTEXT & CURRENT INITIATIVES

Activity Centre Structure Plan

The Armadale Strategic Metropolitan City Centre Structure Plan (ASMCCSP) sets the 'vision' and planning framework, with the City's Town Planning Scheme No.4, to guide the future planning and development of land within the Armadale City Centre. The ASMCCSP was also intended to be a 'visionary' document, as much as a planning framework, that could be used as an advocacy tool to seek State and Federal Government support on the City's preferred option to extend the Armadale passenger rail line to Byford. The Armadale passenger rail line to Byford extension project is a State Government initiative under its MetroNet program with an aspiration to commence in the 2021/22 financial year.

When the City embarked upon the preparation of the ASMCCSP for the Armadale Strategic Metropolitan Centre, it was important that the City reflect on the current condition of the City Centre so that it could develop a future vision that would meet the expected population growth and required employment. The City identified that with 129,140 jobs anticipated for the south-east corridor by 2050, significant expansion of the City Centre will be required - particularly in the areas of Tertiary Education (i.e. TAFE and University), Government Administration, variety in retail and commercial businesses/services and housing diversity. Currently the City Centre is home to approximately 3,000 jobs and with the population in the

corridor expanding significantly, it will be necessary for the Armadale City Centre to grow substantially in both the number of employment opportunities and range of job types that are available.

As part of the consultation process for the preparation of the ASMCCSP with State government, the City engaged with the MetroNet team and it became evident that the Armadale to Byford passenger rail extension and level crossing project will require consideration of the grade-separation of Armadale Road, Forrest Road/Third Road and Church Avenue. The need to resolve these traffic management and safety issues, and the significant investment required in the associated infrastructure solutions, also presented a unique opportunity to create a City Centre for Armadale that was fitting of its Strategic Metropolitan Centre status. Accordingly, as part of its planning, the City considered three scenarios for the Armadale Strategic Metropolitan Centre which reflected different treatments to the grade-separation of the at-grade crossings. These include an 'Underground Rail' option, 'Viaduct' option and 'Base' option.

The 'Underground Rail' option formed the basis of the ASMCCSP for the Armadale Strategic Metropolitan Centre, with the 'Viaduct' solution also considered a favourable option should undergrounding of the Train Station prove to be too costly to achieve. The City embarked on the process of preparing an ASMCCSP for the Armadale City Centre in 2016 and over a two year period of engagement with key stakeholders, business owners, landowners and the community, a preferred plan for the City Centre was developed. Council considered the submissions received and resolved to support the ASMCCSP, supporting Technical documents and Design Guidelines (Local Planning Policy) on 21 August 2018.

To ensure that the ASMCCSP would remain robust, each scenario for the Armadale to Byford passenger line extension was evaluated for its costs and benefits (i.e. 'UndergroundRail', 'Viaduct' and 'Base' case scenarios) and the ASMCCSP was prepared so that it could feasibly operate with any of the scenarios contemplated for the Armadale to Byford Line extension. This precautionary approach was taken to ensure the ASMCCSP could fit in with any plan eventually adopted by the State Government as their preferred project for the extension of the Armadale to Byford passenger rail line.

Positioned central to the Armadale City Centre, the ASMCCSP envisages that Jull Street Mall will play a pivotal role in connecting the retail hub of the City Centre, linking the two Armadale Shopping Centres and creating Jull Street as an entertainment precinct with tenancies with a range of activities including services, restaurant and café type uses, supported by apartment development when redevelopment opportunities become viable. Jull Street Mall and more broadly Jull Street is also seen as an important pedestrian link from the Armadale Train Station to the City's Civic and Office Precinct - creating a 'dumbbell' effect with the anchor to the south being the Train Station and anchor to the north being the Civic and Office Precinct with entertainment/food, services and retail being at the centre.

During preparation of the ASMCCSP, which included option analysis and consideration of different development plans for the City Centre, there was little community aspiration to further test the role of the Jull Street Mall, in particular whether it should be 'opened' in part to allow limited or full vehicle movement. Much of the attention on Jull Street Mall during the stakeholder and community consultation forum was focused on its current role and its possible enhancement with the Armadale to Byford passenger rail line extension with the various options for the Railway line/station. A number of benefits are envisaged with the MetroNet project, and its impact on the role and function of Jull Street Mall were considered

to be significant, particularly for the 'Underground Rail' and 'Viaduct'. These included the outcome for Jull Street to be a successful place, attracting people day and night, and accommodating a variety of uses that would support eating and drinking, entertainment and retail/services. *"The area centred on Jull Street Mall will be reinforced as a mix of retail, and particularly dining opportunities, to create an 'eat street' environment. The pedestrian-focused mall will blend into a shared pedestrian and vehicle environment between Third Road and Orchard Avenue. This will enable the City Centre core to merge with commercial and civic activities along the remainder of Jull Street, by reducing the barrier effect of vehicle traffic and prioritising pedestrian movement."*

City Centre Investment Framework and Project Plan

As part of the City's project to prepare the ASMCCSP, the City commissioned the Lead Planning Consultant – Hassells to prepare a Recommendations Report. The intent of the Recommendations Report was to consider possible initiatives and recommendations that the City could implement that would allow the 'vision' for the Armadale City Centre to be progressed. However, the report did not develop a road map for how to deliver and prioritise the recommendations. The City identified the need for an 'Investment Framework' to support the growth of the Armadale City Centre accompanied by a 'Project Plan' that serves as the blueprint for its implementation, with a scope of work to ensure a 'way forward' for the City to effect change and expansion of the Armadale City Centre. At its 14 December 2020 meeting, Council resolved to support and fund the preparation of an "Investment Framework" and "Project Plan". A tender for specialist consultants is currently being progressed.

Proposed Public Realm Strategy

The City is proposing to commence the preparation of a Public Realm Strategy for the Armadale City Centre in 2021, which aims to develop concepts for the future development of all the public realm areas within the City Centre. This includes the design of streets including the verge and roads, tree planting and landscaping, lighting and street furniture. The concepts developed will form the blue print for the future design of the Armadale City Centre public realm which will facilitate detailed design and construction over a period of 10 or so years as assets are renewed or new funding is allocated. The Public Realm Strategy is proposed to be undertaken in two phases, pending Council's consideration of the funding of the second phase as part of its consideration of the Four-Year Budget process. The Jull Street Mall area would be in the second phase of the Strategy, once funding becomes available and the outcome of the MetroNet Project is known and the design is available.

TPS Amendment No.103

Since progressing the ASMCCSP, the City in February 2020 initiated TPS Amendment No.103 which is a 'complex' amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015* that consists of 25 proposals affecting the area in the City's Town Planning Scheme No.4 (TPS No.4) that is designated as the Armadale Strategic Metropolitan City Centre. The purpose of the amendment is to align TPS No.4 with the ASMCCSP to:

- facilitate opportunities for new development, redevelopment of existing buildings and land use changes;
- improve the quality of development;

- remove some constraints and financial implications (i.e. car parking requirements) to assist redevelopment and appropriate land uses; and
- restrict/prevent development that does not achieve the desired built form and density required for a Strategic Metropolitan Centre.

A brief summary of the key proposals are listed below:

- A number of zoning changes to the Scheme Map for the Armadale City Centre – 16 proposals altogether which encourage diversity and increased density in residential development and increased commercial and retail opportunities;
- Modification to selected land uses against the Mixed Business / Residential zone and Strategic Regional Centre zone in Table 1 (Zoning Table) of the Scheme which identifies 'grouped housing and ancillary accommodation' as non-permitted land uses in the City Centre. This type of development is seen as 'under development' in the City Centre with the aim to encourage apartment development rather than grouped dwellings;
- Modification to Clause 4 in the Scheme to include development standards such as setbacks, building height and plot ratio for the Mixed Business / Residential and Strategic Regional Centre Zones;
- Modifications to Additional Use No.19 which includes Lot 123, 157 & 17 South Western Hwy and Lot 49 Crystal Court, Mount Richon which includes greater flexibility for land use permissibility;
- The removal of Restricted Uses No.7 and No.8 from the Scheme which improves retail and commercial opportunities for properties zoned Strategic Regional Centre;
- Modifications to Restricted Use No.12 (includes Lots 1, 330 to 332 Abbey Rd, Armadale) by including greater flexibility in land use;
- Creation of a new Restricted Use No.13 to create subdivision and development provisions for the Abbey Road Precinct, which encourage diverse residential and mixed use development;
- Modifications to Schedule 7A and 7B of the Scheme (car parking and end of trip facilities) to include new provisions for the City Centre.

Advertising of the proposed Amendment 103 closed on 3 July 2020 and the amendment was recommended by Council for adoption for final approval by the Minister for Planning at its meeting on 24 August 2020. On 16 December 2020, the WAPC advised the City of the Minister's approval, subject to a number of modifications. A report is being prepared for Council's consideration of the modifications.

Activity and Retail (Commercial) Centres Strategy

The Activity and Retail (Commercial) Centres Strategy 2020 was adopted by Council on 14 December 2020 and has now been referred to the Western Australia Planning Commission (WAPC) for endorsement. The Retail (Commercial) Centres Strategy serves a dual purpose in guiding the planning and development of existing and proposed Commercial Centres within the City and also forms a key strategic planning document that will guide the preparation of a new Local Planning Strategy and TPS No.5, the review of which is scheduled to commence in the 2020/21 financial year. The Activity and Retail (Commercial) Centres Strategy has a strategic focus on the hierarchy and role of all the City of Armadale's activity centres. This is to assist in ensuring they perform a pivotal role in supporting retail and employment growth, as well as assisting the centres to evolve into places for community congregation and places of destination within the Armadale community.

The Armadale City Centre is the primary activity centre in the City of Armadale and as such is considered the centre which has the greatest propensity to expand and evolve as population and development in Armadale expands. The work undertaken in the Activity and Retail (Commercial) Strategy for the Armadale City Centre builds on the retail and commercial analysis undertaken recently (2017-2018) during the preparation of the ASMCCSP which includes understanding the existing condition and future role of Jull Street. Similar to the ASMCCSP, the Activity and Retail (Commercial) Centres Strategy objective with regard to the Public Realm and the City Centre is to emphasise Jull Street to Memorial Park as the heart of the City and an important entertainment precinct that connects the Train Station to the Civic / Office Precinct of the City Centre supported by retail and service opportunities.

MetroNet's Proposals for Armadale Station - Railway Line

MetroNet have been progressing the design of an at grade 'Base' solution, the City's least preferred option. Metronet's at grade 'Base' solution includes the redevelopment of the Armadale Train Station in its current location and the construction of a railway overpass on Church Avenue, with the Forrest Road crossing proving difficult to resolve with possible significant adverse impacts on the City Centre, residents, commuters and businesses.

On 24 November 2020, the State Government announced that investigations for the Armadale to Byford line extension had been expanded to include elevated rail (Viaduct) as one of the solutions to potentially remove additional level crossings through Armadale. The announcement stated that the inclusion of elevated rail would enable the removal of additional level crossings including Armadale Road, improving connectivity and opening up new town centre activation opportunities and it would also minimise commuter disruption by not having to come back at a later stage to remove such crossings, helping to maximise value by incorporating these works into the Byford Rail Extension project.

On 20 January 2021, the State Government announced that they have reached the stage of shortlisting major construction proponents for the Armadale to Byford line extension and the Inner Armadale Level Crossing Removal project stating that these projects will now move to the competitive bid stage, where they will be asked to show how they will deliver the projects.

Following a Request for Proposal by the State Government, the contractors are developing their proposals for the project including the design and costings for the 'Viaduct' and at grade 'Base' options for the Armadale Station and railway line. The State Government also stated that major construction contracts for these projects will be awarded later this year. The retention of the Station and railway at grade will provide limited benefits for the City Centre as detailed in the ASMCCSP options and business case.

ANALYSIS OF RE-OPENING JULL STREET MALL TO TRAFFIC

For the purposes of this report, three options have been explored for vehicle traffic movement for the Jull Street Mall area, they include:

- One way traffic movement down - Third to Commerce;
- One way traffic movement up – Commerce to Third;
- Two way traffic movement between Third and Commerce;

As a preamble to the comment on the options, the following is common to all three options:

- The petitioners requesting the opening of the Mall have suggested a cost estimate of some $306,000. The City has reviewed these costings against the engineering requirements to open the Mall and have determined that this cost estimate falls short, as demonstrated in the City's development and peer review of its cost estimates for each of the Options provided in this report.

- The City's cost estimates have been based on concepts relating to each Option.

- The unit rates for each activity and activity costs forming the basis of the cost estimates have been established through a peer review by an independent engineering consultancy firm as to relevance and applicability to the nature and type of work.

- No detailed investigation regarding the presence and location of underground services has been completed. It is anticipated that these costs could be considerable, as the City is aware that after the closure of the road and the establishment of the Mall, there is a possibility that a new gas main and a new fibre optic communication cable have been laid. Being an area not under vehicular traffic, the depth to which these services have been installed may not meet the requirements of a trafficable road. Were it a requirement to relocate or protect these services to allow for the opening of the road in any form, then these costs could be considerable. A *provisional* allowance for 'Underground services protection/relocation' has been made in the estimates for this purpose. Actual costs may vary significantly.

- There have been no detailed investigations as to the degree to which the pavement layers of the Mall would meet the bearing capacity requirements for a trafficable road.

- The City is aware of service conduits containing water, street lighting and electrical services within the pavement of the existing Mall, all of which are located at a depth too shallow for a trafficable road. These will have to be relocated for either of the one-way options, but would have to be abandoned for the two-way option with such infrastructure then being replaced on new alignments where required.

- In all options, there is a provision to relocate trees affected. With these trees being mostly more than 20 years old, the relocation is a costly endeavour and each tree has been estimated to cost a minimum $25,000 each to relocate.

- A contingency allowance has been included in the cost estimate for all Options. Contingencies are applied to all cost estimates to make allowance for unknown factors. The more uncertain, the greater the contingency that should be provided for. In this case, a 10% contingency has been proposed, however this is on the lower side seeing that the City has not yet completed a detailed design or detailed bill of quantities, and especially since the City have not done potholing to determine underground service locations, nor have they done the detailed estimates to relocate those services which will require it.

- There has been no origin destination study to assess what traffic would utilise a one- or two-way road through the Mall, neither has there been any traffic modelling to understand what impact MetroNet's 'Viaduct' or at grade 'Base' options would have on traffic numbers in the Mall.

- The provision of parking in the Mall has been suggested in the Concept Plan provided by RJS. This suggestion is not supported for the following reasons:
    - There would be a reduction in the permeability of pedestrian movements through the Mall.
    - There would be increased interaction between vehicles and pedestrians creating greater probability for conflict.
    - A Parking Supply and Management Strategy was prepared in 2018 as part of the ASMCCSP and was advertised for public comment. The Parking Strategy, which should be read in conjunction with the Structure Plan, recommended a focus on an increased modal shift from private vehicles to public transport, walking and cycling, whilst recognising the transition from a private vehicle based culture should be undertaken over time. The Strategy did not identify the need for additional parking in the City Centre at this time.

Practical considerations

- If approved, the works are estimated to require 4 – 5 months to complete, considering the interface with members of the public using the Mall, as well as the disruption to businesses in the Mall generating a requirement for the hours of works to be restricted.

- Based on previous experience in the Mall, the construction process will, by necessity, need to be staged in smaller sections than normal road works due to the limitation of working within restricted hours and the need to retain some public accessibility for businesses. Construction works are extremely disruptive to the shop owners and Mall users alike. The noise factor is high (particularly cutting machines for paving) and complaints can be expected for the full duration of any works. The option to close the Mall completely, whilst allowing for a shorter construction period, is considered unacceptable.

- Were Council to support the relocation of the trees, the preparatory period to allow for the greatest transplanting success rate would be 3-6 months. Any preparatory period would require that the root area of the trees be exposed, wrapped and then kept wetted during this period. This would require removal of paving around the trees for this period, which would impede the ability to accommodate pedestrian traffic in the area. The best period for relocation would be during the dormant period of the trees which is in winter. Late winter is acceptable, but the transplant should not coincide with the spring budding, as the tree will almost certainly die if this were to occur. The best time would be for a transplant to occur in July into August. Taking this into consideration, and the preparation time, these trees would need to commence preparation now were transplanting this coming winter a consideration. If not possible, then to wait a further year would be required, or the trees are unlikely to be able to be successfully transplanted.

Trial period

The potential of opening the Mall to traffic as a trial in its current format is not recommended, with the following comment provided:

- Although there could be the perception that this is a less costly option that only requires the erection of bollards to delineate the vehicle route, as well as possibly

some line marking, this option is not recommended due to the liability risk to the City in permitting traffic to traverse on a public road that does meet Australian Standard requirements.

- A minimum of 3 trees would still be required to be removed in order to accommodate the required geometric alignment of a one-way road as the route would still need to meet Australian Standards.

- The Mall would have to be able to accommodate all "as of right" vehicles on the route. This includes cars and trucks. Alternatively, access can be limited to vehicles of a restricted mass - ie light vehicles only – but this becomes problematic in terms of policing.

- There is a high probability that the brick paving would become dislodged and deformed which will be a trip hazard to pedestrians. This is considered an unacceptable risk for a shared zone precinct.

- There is the probability that the services below the pavers as well as the service covers would be adversely impacted and require protection or relocation from the effects of traffic during the trial period.

- In order to facilitate the turning movements and intersection with Commerce the expenditure associated with the relocation of the taxi rank to Fourth Road would still be required. This would include the requirement to construct a fully compliant intersection at the Commence/Jull intersection (left out only).

- Any experimental or trial period will have to be long enough to demonstrate success or otherwise of the trial. The circumstances of this matter would demand that the trial be for a period sufficient to determine whether the issues of crime, anti-social behaviour and a lack of activation, claimed to be the primary force behind business closure by RJS, were positively impacted to such a degree that business recovery subsequently occurred as a result of allowing one way traffic through the Mall. A minimum trial period of 12 months would be required, and it is the view of the City's officers that during such a lengthy period, the brick paving would deteriorate to such a degree that full reconstruction or replacement would be required at a significant cost.

Option 1 – One way Down (Third to Commerce)

A plan prepared by the City detailing this option is included at Attachment 2. A key consideration with this option is the intersection treatments at either end of the road. In this respect, the Commerce/Jull intersection is recommended as a left-out only intersection, with right turn movements precluded. This is due to tight geometric constraints at this location as well as the anticipated congestion caused by right turn movements, particularly during peak traffic periods.

The left-out geometrics are very restricted in terms of the proximity of the raised pedestrian crossing at the station to the Mall entrance. As such Option 1 would not generally be supported. While the construction of an intersection at this location is not recommended, if directed by Council a less than desirable intersection configuration could be designed, with traffic management elements built in, providing a functional yet non-standard intersection.

The Third/Jull intersection is currently a shared zone and operates extremely well for both vehicular and pedestrian movements. With an opening of the Mall, the geometric configuration could remain with only a few amendments, with the shared zone retained at this location.

Of necessity, the taxi rank at the Commerce end of the Mall would need to be relocated, with the most likely location being on Fourth Road or in another location further along Commerce Avenue.

The road construction is proposed to be flush with the pedestrian Mall (i.e. no kerbing or height/step difference delineating the road) and defined by a change in material texture and colour which is likely to be red asphalt with the balance of the Mall having the brick paving finish retained.

One of the main challenges would be to delineate the traffic route and retain the permeability of the Mall to pedestrians, while at the same time managing the pedestrian/vehicle interface, creating a safe shared zone for both uses. The use of decorative bollards to delineate the traffic route is proposed, but these are suggested to be as few as possible in order to retain, as far as is practicable, the current character of the Mall.

Option 2 – One way Up (Commerce to Third)

This option is basically the same as Option 1, but with the traffic flows reversed. The costs and impacts are similar as are the intersection treatments, with the only change being that the access from Commerce will be left in only. A plan prepared by City officers detailing this option is included at Attachment 3.

The shared zone at the intersection of Third and Jull is proposed to be retained in its current form with the required line marking amendments applied. Priority movements will still be the Third/Jull movements, and the traffic exiting the Mall will be controlled by a “stop” sign condition.

As detailed above, the cost impact to implement either Options 1 or 2 is essentially the same, with the estimate detailed in the table below.

In the case of either Option 1 or 2 being implemented, three trees within the Mall are identified for relocation. Additionally, there are three trees planted within the median (located at the intersection of Jull Street and Third Road where the pedestrian crossings are located) which will require removal as detailed within the attached plans. However, these trees are not performing well in their current location and have not grown to a significant size yet, and as such are not recommended for relocation.

Option 1 & 2- One Way	
Item	Cost Estimate ($)
Relocate Ped Crossing	60,000
Construct Trafficable Road	540,000
Removal of taxi rank and associated structures	30,000
Relocate 3 Trees	75,000
Upgrade Lighting	50,000
Landscaping	100,000
Bench replacements	100,000
Underground services protection/relocation	47,000
Signage and street furniture	175,000
Sub Total	1,177,000
Contingencies (10%)	117,700
Total	1,294,700
Design & Preliminaries	75,000
Contract Management & Admin	75,000
Total Project Cost	1,444,700

Option 3 – Two way

This option clearly has the greatest impact on the current Mall environment, requiring the full reconstruction of the road, parallel parking, removal of the largest number of trees, the likelihood of major service relocations and renewal of all footpath treatments. A plan prepared by City officers detailing this option is included at Attachment 4. Costs are higher than the other options and have been detailed overleaf.

Option 3 - Two Way	
Item	Cost Estimate ($)
Relocate Ped Crossing & Modify Intersection of Jull and Third and Jull & Commerce	75,000
Construct Trafficable Road	600,000
Removal of taxi rank and associated structures	35,000
Relocate 18 Trees	450,000
New Street Lighting	100,000
Landscaping	75,000
Underground services protection/relocation	200,000
Signage and street furniture	125,000
Sub Total	1,660,000
Contingencies (10%)	166,000
Total	1,826,000
Design & Preliminaries	75,000
Contract Management & Admin	75,000
Total Project Cost	1,976,000

Option 3, in line with Options 1 and 2, will also require the removal of the three trees planted within the median (located at the intersection of Jull Street and Third Road where the pedestrian crossings are located).

External Review and Advice

Roberts Day Group – Multi-Criteria Analysis

In February 2020, the City commissioned Town Planning & Urban Design consultants – Roberts Day Group to define the purpose and role of the Jull Street Mall, benchmark what success looks like, measure 3 specific options through the development of a multi-criteria analysis, establish a recommendation from the 3 options and provide advice on a delivery pathway. The 3 options the consultants were required to assess were:

Option 1 Business as Usual
Annual Activation $50,000 per year
Seating Replacement/Upgrades $100,000 capex
Lighting Upgrades $50,000 capex

Option 2 Soft Infrastructure
Annual Activation $50,000 per year
Seating Replacement/Upgrades $100,000 capex
Lighting Upgrades $50,000 capex
Taxi Rank Relocation $50,000 capex
Community Liaison Patrol $250,000 per year (3 FTE)

Option 3 Re-open Mall to One-Way Traffic
Relocate Pedestrian Crossing $10,000
Construct Trafficable Road $250,000
Removal of taxi rank and associated structures $50,000
Relocate trees $250,000
Upgrade Lighting $50,000
Landscaping $200,000
Bench Replacements $100,000
Underground Services Protection/Relocation $50,000
Signage and Street Furniture $50,000
Traffic management $50,000
Contingencies (10%) $111,000
Design & Preliminaries (5%) $61,050
Total $1,282,050

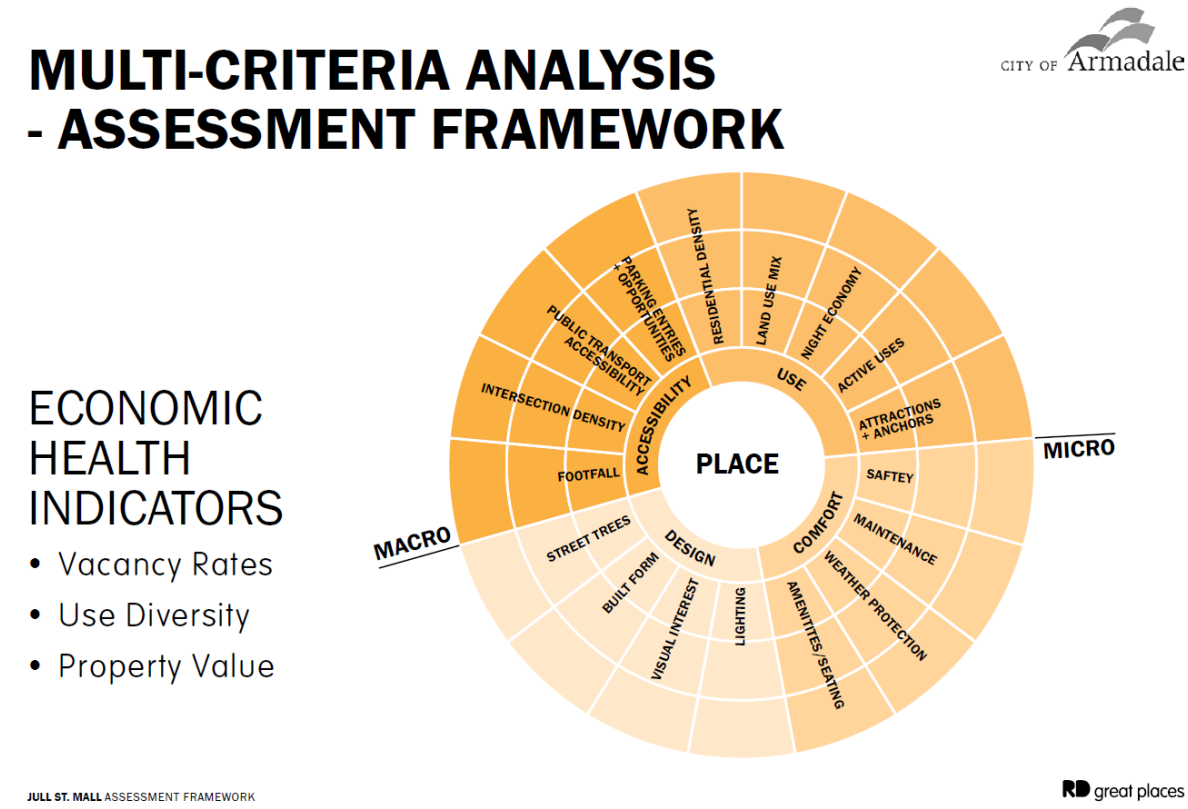
The consultants presented their findings to elected members on 21 May 2020. The report outlined a series of macro and micro urban elements that must be taken into consideration when assessing the performance and functionality of the Mall. These elements are:

Macro

Footfall, intersection density, public transport accessibility, parking entries and opportunities, residential density, land use mix, night economy, active uses, and attractions and anchors.

Micro

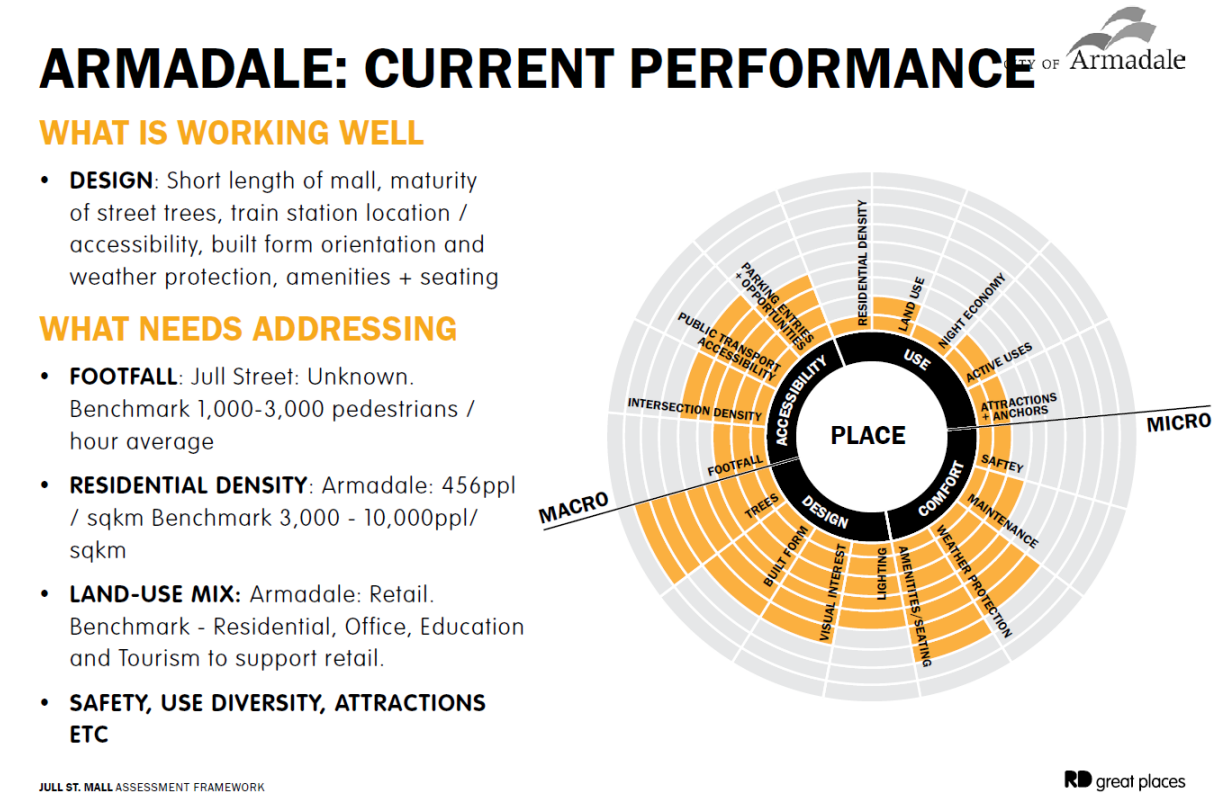
Street trees, built form, visual interest, lighting, amenities and seating, weather protection, maintenance and safety.



The consultants noted that economic health indicators such as vacancy rates, property value, use diversity and employment were not part of their brief but were integral to competently assessing all of the benefits.

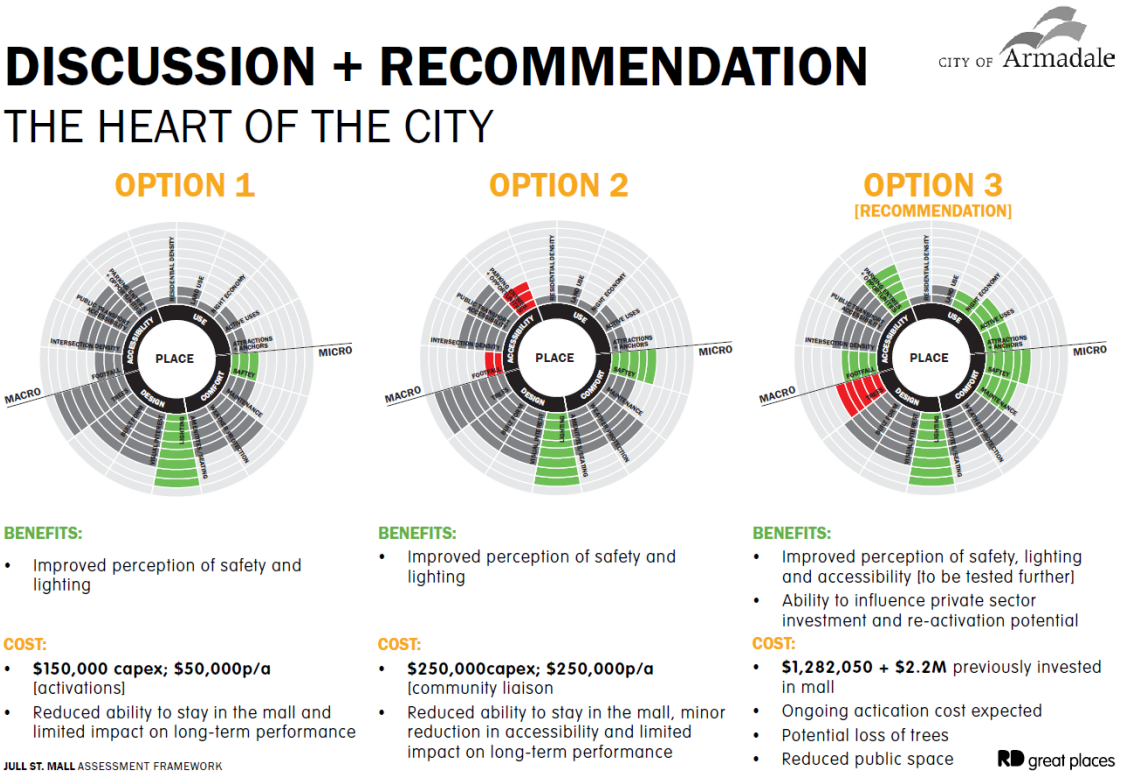
The Consultant's Findings

The consultants identified that the mall is working well in terms of design, specifically the short length of the mall, maturity of street trees, train station location/accessibility, built form orientation and weather protection, amenities and seating. They specified that what needs to be addressed to improve performance is footfall, residential density, land use mix, safety, use diversity and attractions.



Option 1 ('Business as Usual') & Option 2 ('Soft Infrastructure'):
*The findings for both options suggest improvements to 2 of the 17 assessment criteria, signaling t**he proposed works will provide limited benefit to the performance of the Mall**. Option 2 (soft infrastructure) could result in reduced accessibility and activation outcomes, which would further reduce the performance of the Mall.*

Option 3 ('Reopen Mall'):
*The findings indicate some reduction in amenity, due to removal of some trees and seating. Some improved performance across 8 assessment criteria would result, **however these improvements are minor.***



Conclusions

The analysis has provided some understanding of the design options across a range of performance criteria, ***however, the value of this work has been to reveal that the treatment of the Jull Street Mall in isolation of considering planning changes for the surrounding precinct is at risk of further investment failing to successfully address the challenges it set out to resolve.*** *Our conclusions are summarised in 5 thought areas:*

1. Analysis
2. Interpreting the Analysis Through Planning Scales
3. Typology Options
4. Cost/Benefit
5. Revitalisation

Analysis

Option 3 performs comparatively better to the results of Options 1 + 2, mostly due to incremental improvements in the macro criteria. ***However, these improvements are considered insufficient to ensure a mall or street would perform optimally.***

Interpreting the Analysis Through Planning Scales

To support the analysis, Roberts Day prepared illustrations of relevant planning considerations at 3 scales (that are relevant to the ACP vision): mall/street, precinct and subregional to interpret some of the criteria and highlight some key opportunities and constraints that would assist decision making. The illustrations interpret the behavioural matters relevant at each scale. Key observations are:

A. ***A street will reduce areas for large groups of people to dwell. Pedestrian movements would be channelled to a footpaths, improving the trading interface to tenancies.*** *This option would support CPTED principles (Crime Prevention Through Environmental Design), a relevant consideration in the context of the underlying issue of anti-social behaviour.*

*B. At a precinct level, t**here are several structural elements that need consideration to improve the footfall within the thoroughfare (regardless whether it is a mall or street), including key anchor uses and the dominant retail uses.***
C. At a subregional scale, the identity of Greater Armadale can be positively influenced by establishing a 'postcard' City Centre destination. ***The Mall has been correctly identified in the ACP as the heart of the City Centre****, however, it is lacking a soul. The soul needs to express the aspiration to 'Bring the Hills to the City' and, for this to be successful, it will be important that this vision is detailed further with all stakeholders.*

Typology Options
The assessment was limited by the brief to consider 2 typologies for the thoroughfare: a mall or street. A range of thoroughfare typologies are possible and ***alternatives to a mall or a street could be preferred to respond to the role and function of this thoroughfare as well as the contextual circumstances,*** *including the precinct revitalisation and redevelopment opportunities.*
This further highlights the need for a more considered precinct planning process to holistically address the challenges of the Mall.

Cost/Benefit
The work performed relies on a multi-criteria analysis approach assessed against an estimated capex for the nominated options. The multi-criteria are planning based elements. ***The gap in this analysis is an understanding of the return on investment for each option.*** *In the absence of this awareness, decision making is likely to focus on abortive costs and additional expenditure.*
An awareness of the rate revenue generation from planning interventions is critical for competent and balance decision making to select a preferred holistic outcome where the return on investment will support the ongoing cost of place development, maintenance and activation*. This awareness would establish a more thorough understanding of the planning grounds for decision making to all stakeholders and would assist in defusing the current politicised circumstances of the Mall.*

Revitalisation
*A broader point that emerges from considering the above conclusions is that they all serve to revitalise the Armadale City Centre. Then, more specifically, h**ow critical the correct treatment of the Jull Street Mall thoroughfare is as a pivotal tactic to the progress and prosperity of the Armadale City Centre** (and the City's advocacy in relation to its dealings with the Government's Metronet team).*

The presentation to the City's Executive Team and Elected Members provided a recommendation to prepare a City Centre Revitalisation Plan as a stage 1 initiative for a suggested ACP Implementation Strategy (conceptual strategy only). ***The basis to this is to reinforce the tactical importance of a Revitalisation Plan.***

Recommendation
To provide the Elected Members with further guidance for orderly and proper planning of the Jull Street Mall and the City Centre Core Precinct, ***we recommend a detailed planning exercise to build on the foundations of the ACP. The aim of this would be to provide planning certainty and a clear path for immediate implementation.***

[emphasis added]

The detailed planning exercise recommended by the consultants was to build on and be complementary to the ASMCCSP by establishing a clear and robust place-led vision with buy-in from all stakeholders to inform all sequential planning and implementation initiatives. This would result in a Place Blueprint that would inform every planning, civic works, redevelopment and place curation task over the life of the project. This would be followed by the preparation of a Station Precinct Plan, medium to long term forecasting of rate revenue generation and an Implementation Plan. Implementation will include roles to be played by each level of government and the private sector in unlocking the challenges with City Centre.

The additional work proposed by the consutlant has some of the same elements as the proposed "Investment Framework" and "Project Plan," which Council at its 14 December 2020 meeting resolved to support and fund. A tender for specialist consultants is currently being progressed.

Syme Marmion & Co

On behalf of the City of Armadale, Syme Marmion & Co have prepared several reports and strategies related to economic development and retail/activity centres including the City's Activity and Retail (Commercial) Centres Strategy and the preparation of the Armadale Strategic Metropolitan City Centre Structure Plan and related Business Cases. Syme Marmion's advice is provided in full below:

The Armadale City Centre is performing poorly. It has very high retail vacancies: 15.5% compared with average 6.8% across the 17 Major Regional and Regional Shopping Centres (June 2020). Compared with other Strategic Metropolitan Centres it has a very small amount of office floorspace (Midland has 6 times more). It has no major, nationally based activity centre landowners, in contrast to other centres, and is the only major centre, apart from Rockingham, not to have shared in the $5bn of activity centre investment initiated across Perth in the past 5 years.

*This performance is common across the City Centre: in the two supermarket complexes (The Coles-based Armadale Shopping City and the Woolworths-based Armadale Central Shopping Centre) and also in Jull Street, the small shopping strip outside of the two supermarket complexes. I**n common with the Centre overall, Jull St has many vacant shops and many reports from traders of trading difficulties.***

The main reason for this is structural:** the two supermarket complexes are the focal points of retail activity in the Centre. However, each is internalised, with underground carparks leading directly to internal shopping malls. They each have a connection to Jull St, but these are minor entrances and there is little incentive for a car-based shopper (i.e. the majority) to go anywhere but their chosen mall for a shopping trip. There is consequently only limited spin-off activity from the shopping malls to Jull St. Thus, **the landholding configuration of the City Centre, and the way it has been developed over time, means that its main retail anchors do not contribute to its general activity and vibrancy.

This might be contrasted to the situation at for example, the Claremont Quarter / Bay View Terrace interface and the Victoria Park Central/ Albany Highway interface, each of which have strong connections with the neighbouring main streets. It is noteworthy that since the completion of the Claremont Quarter project, Bay View Terrace is now almost completely pedestrianised, with only very limited vehicle movement.

Jull St has two sections: the eastern section has two-way vehicle movement and on-street parking; the western end is a pedestrianised mall. It was pedestrianized in 1992 and there have been subsequent lighting and landscape upgrades (2010 – 2012). There is now a view by some that reopening the western section to vehicles will result in an increase in activity and better trading. There are also concerns regarding safety on the street, with the proposition that opening the street to vehicular traffic will assist in addressing those issues.

A question is whether reopening all of Jull Street to vehicles is likely to make any material difference and whether it is a wise use of funds. There are several aspects to this:

- *The trading levels;*
- *Street activity and associated real and perceived safety issues;*
- *Consequences for further development.*

Trading Levels

In general, retail trading levels are a function of foot-fall - the number of people passing a store. Exceptions are destination stores (e.g. anchor supermarkets) which create the footfall for other stores. For this reason, in a mall-style shopping centre, speciality stores typically pay much higher rent than anchor tenants.

It is unlikely that vehicles in the western section of Jull Street will significantly increase footfall in that part of the street. The additional parking spaces (if any) will be small in number, compared to the general parking availability in the vicinity and not add materially to the number of people on the street. *The eastern end of Jull St appears to be busy, but that activity mainly consists of through-traffic, not people on the street.* ***It is unlikely that vehicles in the western section will significantly increase trading levels of the current stores in the street and it is highly unlikely that it will cause any new store to open.***

Street Activity and Safety

The western end of Jull Street section, towards the railway station, has very low levels of retail activity, with most shops vacant and only a bar and government offices providing any level of activity. This has led to concerns of anti-social behaviour and unsafe environment.

*There is already surveillance of this area from the existing activity and from Commerce Avenue. There are no major CPTED issues in the infrastructure or street design that need to be addressed. W****ithout significant increase in activity (unlikely, as noted above) it is doubtful that vehicles in the street will change either real or perceived safety issues.***

Consequences for further development

The history of development in the Armadale City Centre shows that minor changes to street layouts and landscaping upgrades do little, if anything, to bolster retail performance or City Centre activity at specific locations. ***Analysis shows that a significant redevelopment of key sections of the City Centre is required to address the structural issues noted above.*** *Possible solutions include much better integration of Jull Street with main focal points of retail and other Centre activity. The proposed work around the rail line associated with the Metronet project gives a rare opportunity to undertake this redevelopment.* ***It is quite likely that any work in Jull Street undertaken now would be at best premature, and quite possibly counter-productive to such redevelopment efforts.***

Any major changes to Jull Street that involves re-introducing vehicles to the western section of the street will come at a reasonably substantial financial cost. ***There is no evidence that this expenditure will have a positive benefit – cost outcome.*** *It would more likely be a case of throwing good money after bad. Moreover, it would divert attention from the effort to find more robust and enduring solutions to the overall shortcomings of the Armadale City Centre. These solutions may be challenging to realize, but they are available, and should be able to be pursued without diversion.*

[emphasis added]

Financial Implications

Re-Opening Costs

The capital costs outlined in this report for re-opening the Jull Street Mall to traffic (including tree relocation) under each of the three options are:

Option 1 - One way Down (Third to Commerce)	$1,444,700
Option 2 – One way Up (Commerce to Third)	$1,444,700
Option 3 – Two Way	$1,976,000

Maintenance costs are not anticipated to differ significantly, however the depreciation on the new infrastructure will add between $22,000 to $32,000 annually to the City's operating position.

Officer Recommendation Costs

If the Officer Recommendation is adopted, Council will need to consider the allocation of funds for:

- Community Consultation and Engagement on the proposals, as outlined in this report. This is estimated at $35,000 which provides for a range of community engagement approaches to be selected in accordance with the City's Community Engagement Policy and Strategy; and

- Extending the Community Liaison Patrols that operated between 1 November 2020 and 31 January 2021 to the end of this financial year. This will require an allocation of $45,000

- Undertaking the Jull Street Mall Underground Services and Pavement Investigation estimated at $47,000.

Funding a Re-opening Proposal

Council has four options (and combinations thereof) to fund the capital works:

1. Borrow the funds required, either externally from the West Australian Treasury Corporation, or internally from the City's cash reserves as an 'internal loan';
2. Utilise cash reserves;
3. Reprioritise other municipal funded capital works in the four year budget capital works program; or
4. Utilise additional rate funds.

These options are discussed below:

1. Borrow the funds required, either externally from the West Australian Treasury Corporation, or internally from the City's cash reserves as an 'internal loan';

   The indicative loan rate from the West Australian Treasury Corporation (WATC) is 0.76%, in addition a loan guarantee fee of 0.7% would also apply. For a loan of $1.444m taken over five years, the repayments would be as follows:

Jull St Mall - Option 1 & 2 $1,444,700 @1.46%, 5 years

Debt Servicing	2021/22	2022/23	2023/24	2024/25	2025/26	TOTAL
Principal repayment	280,595	284,707	288,879	293,112	297,407	**1,444,700**
Interest repayment	20,072	15,961	11,789	7,556	3,261	**58,637**
Guarantee Fee	9,615	7,617	5,605	3,579	1,539	**27,956**
Total Debt Servicing	**310,283**	**308,285**	**306,273**	**304,247**	**302,207**	**1,531,294**

For a loan of $1.976m taken over five years, the annual repayments would be as follows:

Jull St Mall - Option 3 $1,976,000 @1.46%, 5 years

Debt Servicing	2021/22	2022/23	2023/24	2024/25	2025/26	TOTAL
Principal repayment	383,787	389,410	395,116	400,906	406,781	**1,976,000**
Interest repayment	27,454	21,830	16,124	10,334	4,460	**80,202**
Guarantee Fee	13,151	10,419	7,667	4,896	2,105	**38,237**
Total Debt Servicing	**424,392**	**421,659**	**418,907**	**416,136**	**413,346**	**2,094,439**

As an alternative the Council could establish an internal loan utilising, for example, the future projects cash reserve and repaying that reserve in accordance with an internal loan schedule, at an interest rate better than current investment rates but lower than the WATC rate (including the guarantee fee). For a five year internal loan at 1.0%, the repayments to the cash reserve would be:

Jull St Mall - Option 1 & 2 $1,444,700 @1.0%, 5 years

Debt Servicing	2021/22	2022/23	2023/24	2024/25	2025/26	TOTAL
Principal repayment	283,205	286,044	288,911	291,808	294,733	**1,444,700**
Interest repayment	13,741	10,902	8,034	5,138	2,212	**40,026**
Guarantee Fee						**0**
Total Debt Servicing	**296,945**	**296,945**	**296,945**	**296,945**	**296,945**	**1,484,726**

Jull St Mall - Option 3 $1,976,000 @1.0%, 5 years

Debt Servicing	2021/22	2022/23	2023/24	2024/25	2025/26	TOTAL
Principal repayment	387,355	391,239	395,161	399,122	403,123	**1,976,000**
Interest repayment	18,794	14,911	10,989	7,027	3,026	**54,747**
Guarantee Fee						**0**
Total Debt Servicing	**406,149**	**406,149**	**406,149**	**406,149**	**406,149**	**2,030,747**

2. Utilise cash reserves;

   The City has a category of cash reserves that have been established for future projects and works. These reserves are listed below, projected in the current draft of the four year budget:

Reserve Balance at End of Year	2021/22	2022/23	2023/24	2024/25	2025/26
Future Operational Works					
City Centre Activation	265,439	268,839	273,039	278,139	284,239
Future Projects & Works					
Freehold Sales Capital Works	580,223	429,023	434,423	440,923	448,623
Future Project Funding	14,676,514	14,152,314	14,329,214	14,544,114	14,798,614
Strategic Asset Investments	1,112,830	1,123,930	1,137,930	1,155,030	1,175,230

   The purpose of the Cash Reserves are:

   City Centre Activation

   To be used to assist in City Centre Activation projects.

   Freehold Sale Capital Works

   To be used to assist in funding capital works and to be funded from the proceeds (30% of net sale proceeds) of selling Freehold land parcels.

   Future Project Funding

   To be used to assist in funding future projects.

   Strategic Asset Investments

   To be used to fund the acquisition of strategic asset investments and to be funded from the proceeds (70% of net sale proceeds) of selling Freehold land parcels.

   It is important to note that in December 2020, the Council decided to commission the preparation of the City Centre Investment Framework and Project Plan. This framework will establish a blueprint for implementing the vision of the ASMCCSP and inform the use and application of the City's Future Projects and Works cash reserves.

   However, it remains open to the Council to utilise the Future Projects and Works category of reserves for this particular project.

3. Re-prioritise other municipal funded capital works in the four year budget capital works program;

   The current four year budget capital works program applies on average, $3.85m of Municipal funds to capital projects for new and/or upgraded infrastructure. It is open to Council to review, re-prioritise and reprogram the planned capital works to future years, thus freeing up Municipal funds allocated to capital works in the FY22 year as a source of funds for the Jull Street Mall options.

4. Utilise additional rate funds.

   Council may opt to levy an increase on rates to be able to pay for the capital works. At this stage, no modeling has been undertaken on this option.

Funding the Officer Recommendation

Funding the one-off operating costs for the community engagement, the extension of the community liaison service until 30 June 2021 and engineering design investigations can be dealt with in the current budget through an allocation from the City Centre Activation Reserve, which has a balance of $265,500.

The balance remains unallocated at this stage.

Financial Implications Summary

The capital works for opening the Jull Street Mall to traffic will range from $1,444,700 to $1,976,000 depending on the option selected (assuming tree relocation is included).
Funding sources for these capital works include borrowings, (internal or external), utilizing cash reserves, reprioritising currently planned municipal funded capital works or raising rates.

If the Council opts to utilise borrowings, it will be committed to servicing the debt at:

- External Loan - $306,000 average pa. (Option 1 and 2) to $418,000 average pa. (Option 3); or
- Internal Loan - $297,000pa. (Option 1 and 2) to $406,000pa. (Option 3).

Servicing this debt will need to be funded over the next five years and currently does not form part of the City's draft Four Year Budget.

Funding of the Community Engagement ($35,000), the Jull Street Mall Underground Services & Pavement Investigation ($47,000) and the Extension of the Community Liaison Service ($45,000) can be sourced from the City Centre Activation reserve and dealt with in the City's current year budget through a budget amendment.

Operationally, the project will reduce the City's operating position between $22,000 to $32,000 per annum.

Community Consultation

The City undertook an extensive engagement process as part of the preparation of the ASMCCSP including community workshops, open sessions in the shopping centres and direct engagement. The City was awarded a commendation by the Planning Insititute of Australia (WA) for its engagement processes. Community feedback included continuing with the Jull Street Mall, activation, as well as the importance of trees and safety. The opening of the Jull Street Mall to vehicle traffic did not receive strong support from the community nor was it significantly raised or agreed as a solution to improve the City Centre. The community feedback had a strong focus on retaining trees and the "green feel" to the environment of the City Centre, with Memorial Park/Minnawarra Park and the Mall being identified as significant assets.

Council has adopted Policy – COMB 2 – Community Engagement and endorsed a Community Engagement Strategy which outlines the City's commitment to quality engagement, defines how and when it will engage and what the community can expect in regard to reporting and accountability so that they know how their views are being used. The standards for Community and Stakeholder Engagement Strategies are set by the City's Policy COMD2 – Community Engagement and the related Management Practice.

Given the significant role and social attachment that the community has to the Armadale City Centre, the multiple conflicting views and interest, the complexity of the technical considerations from a planning and engineering perspective and financial implications as well as the significant political and media interest, any decision to change the Jull Street Mall to accommodate vehicle traffic in a one way or two way format is rated as the highest level of impact and risk and warrants community engagement to determine the level of support, prior to a decision that changes the current arrangements.

The highest level of impact/risk is any level which scores two or more indicators. The level of impact/risk will then determine what oversight the engagement requires (see bottom of the table).

Note: this table is a guide of the minimum oversight for engagements, however there may be lower impact projects which require a higher level of oversight due to the high level of stakeholder or Council interest.

	Limited Impact/Risk	Low Impact/Risk	Medium Impact/Risk	High Impact/Risk
Social	❑ Outcomes won't involve any substantial changes ❑ Limited impact and across community ❑ No potential for cultural or historical offence	❑ Outcome likely to be perceived as having a low impact ❑ The impacts/benefits affect a only a narrow section of the community ❑ No potential for cultural or historical offence	❑ Outcome likely to be perceived as having a moderate impact ❑ Multiple views on the preferred outcome, but more points of agreement than disagreement ❑ Potential for cultural or historical offence	❑ Outcome likely to be perceived as having a significant impact ❑ Multiple conflicting views on the preferred outcome ❑ Significant potential cultural or historical offence
Technical	❑ Simple decision; there are very few solutions with no technical or regulatory challenges	❑ Uncomplicated decision; there are very few technical solutions with a few technical or regulatory challenges	❑ Complicated decision; there are several technical solutions with a few technical or regulatory challenges.	❑ Highly complicated decision; there are several technical solutions, with several technical or regulatory challenges.
Economic	❑ No economic benefit or impact	❑ Minimal economic benefit or impact	❑ Moderate economic benefit or impact	❑ Significant economic benefit or impact
Environment	❑ No environmental benefit or impact	❑ Minimal environmental benefit or impact	❑ Moderate environmental benefit or impact	❑ Significant environmental benefit or impact
Political	❑ No media and political interest ❑ No competing interests	❑ Minimal media interest ❑ Minimal competing interests	❑ Some media interest ❑ Some local political interest ❑ Some community action/groups present ❑ Some competing interests	❑ Significant media interest ❑ Significant local, state or federal political interest ❑ Strongly supported by community action/groups ❑ Multiple competing interests
Total ☑				
Minimum level of oversight required	Officer & Manager	Manager	MANEX	MANEX & Council

As discussed in the Legal Implications section of this report, s.3.50 of the *Local Government Act 1995* sets out the required process for consultation in regard to wholly or partially closing a thoroughfare should the Council decide to continue to maintain the Mall or implement one-way traffic.

SUMMARY

Two decades ago, when considering the 1999 Enquiry By Design Outcomes Report recommendation regarding the reopening of Jull Street, the Council of the day faced the very same question that is before the current Council - "*what is the optimum relationship of Jull Street as a quality civic space, with business activity and traffic access?"* In balancing all the considerations at that time, the Council determined not to re-open the Mall.

Like this report, when considering the 2471 signature community petition to retain the Mall in April 2002, the report to Council on the matter argued that opening the Mall in itself will not address retailer concerns and that a complex strategy would be required to address this issue.

Similarly, past approaches have acknowledged the need to engage the community around any proposed change. The ARA City Centre Concept Plan 2002 discussed the potential for modification of Jull Street to accommodate low-speed one-way traffic but proposed to further consider the matter following upgrades to the surrounding street network and in the light of further consultation to determine the community's level of support.

How effective a one-way street would be in changing trading figures, and the level of responsibility the traders themselves should take, has also been questioned in previous decisions. When determining not to support a proposed trial opening of the Mall in 2010, Council was of the view that heavily constrained passing traffic will not change the trading figures for adjacent businesses and that commercial enterprises themselves are the key to attracting customers.

The need for density to drive invigoration has also been noted in the past. As part of a facilitated workshop in 2010 following the request for the trial opening, the Facilitator suggested reopening would not necessarily be a positive move as the Mall was too short to achieve any significant results by opening it to traffic and that in order to invigorate an area, the area required density. The report to Council concluded that no additional grounds had been determined to further pursue the suggested reintroduction of traffic and further that the concerns of the Mall needed to be addressed more directly by redesigning the spaces and activities.

The redesign and activation approach has been pursued over the last decade with some modest capital investments in the public realm as well as implementation of various activation strategies/approaches for the Mall including the:

- Jull Street Mall Revitalisation Project 2012 – capital works
- Jull Street Mall Revitalisation Project Action Plan 2013 – 2015 – capital works and activation elements
- Armadale City Centre Activation Plan 2016-2018 – capital works, public art, mural art and activation elements
- First three month trial of Community Liaison Officer Patrols (November 2016)
- Second three month trial of Community Liaison Officer Patrols (November 2017)
- Armadale City Centre Activation Plan 2018-2020 – capital works, mural art, safety initiatives and activation elements

A decade later, the form and function of the Jull Street Mall was raised again. In July 2019 the matter of the Jull Street Mall was referred to the City Strategy Committee and in August 2019 a submission from RJS was received requesting the removal of seating, increased lighting and the reopening of the Jull Street Mall. In September 2020 an officer recommendation was made to improve the lighting, sound system and seating as well improve the amenity of the Telstra Exchange. RJS requested these improvements be deferred until a decision on the opening of the Mall had been made and in the interim Council determined to implement a security patrol, festive decorations and activation during 2020/21. This was followed in November 2020 by a non-conforming petition containing 1013 names, the majority not identified as being from within the City of Armadale, requesting the reopening of the Mall to slow-moving one-way traffic.

Over the last 5 years, the City has progressed a series of strategic planning documents that specify the form and function the Mall should take. The ASMCCSP envisages that Jull Street Mall will play a pivotal role in connecting the retail hub of the City Centre, linking the two Armadale Shopping Centres and creating Jull Street as an entertainment precinct with tenancies with a range of activities including services, restaurant and café type uses, supported by apartment development when redevelopment opportunities become viable. Similarly, the Activity and Retail (Commercial) Centres Strategy sees Jull Street (and the Mall) as being the 'centre of gravity' for activity and entertainment in the City Centre with a focus being developed for restaurant, bar and café type uses, in addition to other service activities.

There is uncertainty as to how the options for the Jull Street Mall will interact with vehicle and pedestrian movements impacted by redevelopment of the Armadale Train Station and the associated changes to rail crossings from the MetroNet project, as well from the new Justice Precinct and TAFE. There are also elements of the ASMCCSP that remain uncertain as they have not been adopted by the WAPC pending the determination by the State Government on the MetroNet solution and its final design. Similarly, the inclusion of Jull Street Mall has been put in to the second phase of the City's Public Realm Strategy, pending City budget considerations and the design for the MetroNet Project for the Railway Precinct being progressed and available.

There is also uncertainty regarding the costs of protecting and relocating underground services and the suitability of any existing pavement layers. Tree relocation costs have been included given the inherent value of this natural asset to the City and the community, but these costs are discretionary. Option 1 and 2 for one-way traffic would cost in the order of

$1.45m with tree relocation included, or $1.37m without. Option 3 would cost in the order of $1.98m with tree relocation, or $1.53m without. If included in the scope of works, the timing of relocation of the trees needs to be considered, as does the timing of the disruption that would be caused to businesses and users should Council determine to construct a road through the Mall.

Expert advice was sought in relation to the proposal to open the Mall to one-way traffic. The Roberts Day Group identified that the Mall is working well in terms of design, specifically the short length of the mall, maturity of street trees, train station location/accessibility, built form orientation and weather protection, amenities, and seating. They specified that what needs to be addressed to improve performance is footfall, residential density, land use mix, safety, use diversity and attractions. The multi-criteria assessment demonstrated that there were only minor improvements to be gained from opening the Mall to one-way traffic (the recommended of the 3 options), mostly due to incremental improvements in the macro criteria. However, these improvements were considered insufficient to ensure a mall or street would perform optimally.

Roberts Day Group concluded that the treatment of the Jull Street Mall in isolation of considering planning changes for the surrounding precinct is at risk of further investment failing to successfully address the challenges it set out to resolve. Roberts Day Group advise that at a precinct level, there are several structural elements that need consideration to improve the footfall within the thoroughfare (regardless of whether it is a mall or street), including key anchor uses and the dominant retail uses. They also state that a range of thoroughfare typologies are possible and alternatives to a mall or a street could be preferred to respond to the role and function of this thoroughfare as well as the contextual circumstances, including the precinct revitalisation and redevelopment opportunities. They identified the need for a more considered precinct planning process to holistically address the challenges of the Mall and that there was a gap in the current analysis as there wasn't an understanding of the return on investment for each option. The ultimate recommendation from Roberts Day Group was that a detailed planning exercise was required to build on the foundations of the AMSCCSP. The aim of this would be to provide planning certainty and a clear path for immediate implementation.

Syme Marmion concurred that the principal cause of retail vacancies in the Mall is structural: the two supermarket complexes are the focal points of retail activity in the Centre. However, each is internalised, with underground carparks leading directly to internal shopping malls. The landholding configuration of the City Centre, and the way it has been developed over time, means that its main retail anchors do not contribute to its general activity and vibrancy. Syme Marmion conclude that it is unlikely that vehicles in the western section of Jull Street will significantly increase footfall in that part of the street, nor will it significantly increase trading levels of the current stores in the street and it is highly unlikely that it will cause any new store to open, nor will it change either real or perceived safety issues. They conclude that analysis shows that a significant redevelopment of key sections of the City Centre is required to address the structural issues and it is quite likely that any work in Jull Street undertaken now would be at best premature, and quite possibly counter-productive to such redevelopment efforts and that there is no evidence that this expenditure will have a positive benefit – cost outcome.

In furtherance of its strategic planning work to establish the foundations for a successful Strategic Metropolitan Centre, at its 14 December 2020 meeting Council resolved to support and fund the preparation of an "Investment Framework" and "Project Plan". A tender for

specialist consultants is currently being progressed with a view to providing the road map to deliver and prioritise the recommendations of the AMSCCSP and enable the realisation of the 'vision' for the Armadale City Centre

Consistent with the City's Community Engagement Framework, given the significant role and social attachment that the community has to the Armadale City Centre, the multiple conflicting views and interests, the complexity of the technical considerations from a planning and engineering perspective and financial implication as well as the significant political and media interest, any decision to change the Jull Street Mall to accommodate vehicle traffic in a one way or two way format warrants community engagement to determine the level of support, prior to a decision that changes the current arrangements.

As discussed in the Legal Implications section of this report, there is a need to undertake the required process for consultation in regard to wholly or partially closing a thoroughfare as required by s.3.50 of the *Local Government Act 1995* should the Council decide to maintain the Mall or implement one-way traffic.

CONCLUSION

The external advice obtained by the City identifies that the principal issues impacting the performance of the Mall are structural, footfall, residential density, land use mix, safety, use diversity and attractions.

It is evident from the external assessment and advice that neither a road, nor activation, are going to resolve the structural issues or macro factors determining the performance of the Mall. As such, re-opening the Mall to one-way traffic is only expected to generate a marginal improvement in performance.

To assist Council in their determination City officers have provided advice as to the history of decisions and previous actions regarding the Mall, the relevant planning frameworks and strategies and how they relate to the Mall, as well as the engineering considerations and financial implications of the proposal.

In addition to the uncertainties outlined in this report, what remains outstanding is the view of the community. This is considered particularly important given a proposal to re-open the Mall to one-way traffic is contrary to the vision outlined in the ASMCCSP that was developed in consultation with the community, would result in a loss of civic space and trees, as well as the potential financial costs and the loss of previous capital investment.

As such, prior to making a final determination on the matter, it is recommended to prepare a Community Engagement Plan for the approval of Council to determine the community's view on whether to open Jull Street Mall to traffic or retain the Jull Street Mall as a public pedestrian and civic space.

ATTACHMENTS

1. Attachment 1 - Reconnect Jull Street Mall Group - Proposal - August 2019
2. Attachment 2 - Jull Street Option 1 - One Way Down - Third to Commerce
3. Attachment 3 - Jull Street Option 2 - One Way Up - Commerce to Third
4. Attachment 4 - Jull Street Option 3 - Two Way
5. Attachment 5 - Aerial Plan – Proposed Closure of Thoroughfare

RECOMMEND **T17/3/21**

That Council:

1. Direct the preparation of a Community Engagement Plan to be considered by Council to determine the community's view on whether to:

i. Open Jull Street Mall to one-way traffic
ii. Open Jull Street Mall to two-way traffic
iii. Retain Jull Street Mall as a public pedestrian and civic space

The community engagement plan is to contain the wording and images to be used to explain each option – inclusive of costs, anticipated benefits and impacts.

2. Amend* the 2020/21 budget by:

OPERATING EXPENDITURE
Increasing the Operating Expenditure Budget for the City Centre Activation (Jull Street Mall) by $35,000

TRANSFERS FROM CASH RESERVES
Increasing the transfers from the City Activation Cash Reserve by $35,000

3. Continue to provide a community liaison patrol consistent with the service provided from 1 November 2019 to 31 January 2021, until 30 June 2021.

4. Amend* the 2020/21 budget by:

OPERATING EXPENDITURE
Increasing the Operating Expenditure Budget for the City Centre Activation (Jull Street Mall) by $45,000

TRANSFERS FROM CASH RESERVES
Increasing the transfers from the City Activation Cash Reserve by $45,000

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

5. Conduct the necessary investigations to determine service locations and pavement capacity to assist with the refinement of costs for the one-way and two-way traffic options.

6. **Amend* the 2020/21 budget by:**

OPERATING EXPENDITURE
Establishing an Operating Expenditure Budget for the Professional Services - Jull Street Mall Underground Services & Pavement Investigation, totaling $47,000

TRANSFERS FROM CASH RESERVES
Increasing the transfers from the City Activation Cash Reserve by $47,000

7. In-accordance with Section 3.50 of *the Local Government Act 1995*, give local public notice of the intention to order that a portion of Jull Street (the thoroughfare) as identified on the Attached Plan (Attachment 5) be closed to the passage of vehicles to address the technicality of the original order for its permanent closure having expired. This will retain the status quo until such time as the community engagement process for the 3 options described in part 1 of this resolution have been conducted and a final determination considered by Council.

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

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

4.2 - PARKING AT WILLANDRA PRIMARY SCHOOL (REFERRAL ITEM)

At the Council meeting held on 25 January 2021, Cr Northcott referred the following matter to the Technical Services Committee.

> *That the matter of parking at Willandra Primary School be referred to the Technical Services Committee.*

Comment from Cr M Northcott

It has been requested that the City investigate the possibility of increased parking for Willandra Primary School as parking is limited, particularly during drop off/pick up times.

It is understood that the City is currently working with Willandra Primary School and the Education Department for a drop/kiss/ride area on Strawberry Drive, the City could investigate what options are available for a parking extension on Chidzey Drive, Seville Grove for access to the primary school, the school oval and Public Open Space within the vicinity.

Officer Comment

Options for increasing parking around the school are currently being investigated and a detailed report is scheduled to be presented at the 12 April 2021 Technical Services Committee meeting.

ATTACHMENTS
There are no attachments for this report.

RECOMMEND **T18/3/21**

That Council note a report on the matter of increased parking at Willandra Primary School will be provided at the 12 April 2021 Technical Services Committee meeting.

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

4.3 - ASBESTOS REGISTER UPDATE (REFERRAL ITEM)

At the Council meeting held on 8 February 2021, Cr Wielinga referred the following matter to the Technical Services Committee.

> *That the matter of Asbestos Register Update Review of Last 10 Years be referred to the Technical Services Committee.*

Comment from Cr C Wielinga

Previous discussions resulted in the City's aim to replace and phase out asbestos from City buildings over a period of time. The provision of a progress report would be timely.

Officer Comment

The Property Services department is responsible for maintaining the City Asbestos Register. The register consists of an Asbestos Management Plan and Master Asbestos Materials Register together with individual Facilities Inspection surveys. The Management Plan and Facilities Inspections were completed in December 2020 by Enviro 360, the City's current contractor, with the 29 affected facilities having had inspection surveys. These will be reviewed annually in accordance with current legislative requirements.

All asbestos identified in the registers is fully encapsulated and poses very low risk to the health of user groups or staff if it remains undisturbed. Hard copies of all inspection reports are located in the red contractor's box in all affected buildings.

In response to Council direction, additional emphasis has been placed on removal of asbestos as part of maintenance and renewal works, if economically feasible. Over the past 5 years, the below facilities have been removed from the registers due to upgrade or demolition of the facility, and all asbestos removed:

- Kelmscott Hall
- Armadale Fitness and Aquatic Centre (AFAC)
- Cross Park Cricket Pavilion
- Creyk Park Pavilion.

It should be noted that any asbestos remaining in buildings is fully encapsulated and only remains in the buildings due to the significant cost to remove as the asbestos is usually located in areas where it is inaccessible. These are mainly in the following areas:

- Floor/tile adhesive – to remove would require full floor covering removal and replacement
- Urinal backing fully covered by tiles – to remove asbestos would require full replacement of all tiling in toilets
- Ceiling lining – requires full roof replacement to remove.

Renewed facilities that have had the majority of asbestos removed from them are listed below:

- Kindiamanna Kindy and Health
- Armadale District Hall (still asbestos in eaves outside the projection room and is to be removed as part of maintenance activities this financial year)
- Harold King Community Centre
- City of Armadale Depot
- Gwynne Park Pavilion
- City of Armadale Main Administration Building

Facilities that have previously had asbestos partially removed due to their risk rating or capital improvement works are:

- Roleystone Theatre (in process)
- Armadale Football Club
- Roundhouse (Depot grounds)
- Armadale Tennis Club
- Bedfordale Hall
- Armadale Arena

A common source of asbestos in City buildings is the backing boards in electrical cabinets and underground cable pits on the outside of buildings. The following buildings are scheduled to have such asbestos removed in the following years:

- City of Armadale Main Administration Building (distribution boards recently replaced)
- Roleystone Hall
- Armadale Visitors Centre
- Forrestdale Hall and public toilets (scheduled for demolition as part of the Forrestdale Hub upgrade in 2022/23)
- Karragullen Hall
- Roleystone Karragullen Seniors Club

Facilities identified in the capital works renewal and upgrade programs in the current four year plan that will have most or all asbestos removed are:

Current 2020/21:

- John Dunn Hall
- John Dunn Sportsman's Pavilion
- Gwynne Park Badminton
- Harold King/School mates
- Westfield Scouts
- Bob Blackburn

Proposed 2021/22:

- Rushton Park public toilet and change rooms
- Gwynne Park Armadale Scouts (*subject to a future report to Council by Community Services*)
- Gwynne Park Armadale Guides (*subject to a future report to Council by Community Services*)
- Armadale Tennis (*subject to a future report to Council by Community Services*)
- Bedfordale Pavilion

Proposed 2023/24:

- Forresdale Hub Building

Proposed 2023/24:

- Armadale Arena (*subject to a future report to Council by Community Services*)
- Kelmscott Agricultural (*subject to a future report to Council by Community Services*)
- Roleystone Hall (*subject to a future report to Council by Community Services*)
- Kelmscott Tennis (*subject to a future report to Council by Community Services*)
- Gwynne Park Pavilion (*subject to a future report to Council by Community Services*)

Facilities identified for upgrade or renewal works as part of the capital works improvement program follow these procedures to identify and manage asbestos risk and are included in a formal checklist that references the Asbestos Register:

1. The current Asbestos Register for the facility is checked.

2. The City's asbestos contractor, Enviro 360 is contacted and an inspection from Enviro 360 prior to works commencing is arranged in conjunction with the scope of proposed works.

3. Property Maintenance is informed of results and progress to allow updating of the buildings Inspection Register as required.

If Asbestos is identified that will be affected by the proposed works:

1. Prior to the scheduled construction works commencing, the asbestos is removed by a licensed asbestos removal contractor, under an Asbestos Management Plan.

2. All contractors are required to conduct a site induction and inspect the Asbestos Register.

3. All contractors are provided with a copy of the OSH Information and Guide, where item 3 (viii) refers specifically to Asbestos.

4. On completion of the works, the Asbestos Register is updated by Property Maintenance as per the Project Completion Checklist.

ATTACHMENTS
There are no attachments for this report.

RECOMMEND **T19/3/21**

That Council note the content of this report regarding the progress of the City's asbestos removal program.

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

4.4 - BROOKTON HIGHWAY FOOTPATH (REFERRAL ITEM)

At the Council meeting held on 8 February 2021, Cr Wielinga referred the following matter to the Technical Services Committee.

> *That the matter of Brookton Highway Footpath Update be referred to the Technical Services Committee.*

Comment from Cr C Wielinga

Residents (including school children) continue to navigate along a narrow steep gravel verge adjacent to heavy haulage vehicles/trailer (also known as road trains or B-Double articulated trucks) to access bus stops. The situation is very dangerous and unsustainable.

It would be appreciated if a status update could be provided on the negotiations with Main Roads Western Australia regarding the installation of a footpath along Brookton Highway through the suburb of Roleystone.

Officer Comment

BACKGROUND

The matter of the provision of a footpath along Brookton Highway was first raised a number of years ago by the Ward Councillor for the Hills Ward. As this footpath would be on a road under the jurisdiction and management of Main Road Western Australia (MRWA), this was referred to them for consideration and possible inclusion in their works programs. The request was accompanied by an independent Road Safety Inspection (RSI) report which clearly described the risks and made recommendation in this regard.

This request was rejected by MRWA on the grounds that it was not on the program for the foreseeable future. This was reported to Council on 8 April 2019 and Council resolved to write to the Minister of Transport requesting that this be considered. The Minister responded on 31 July 2019 with ‘in effect’ the following:

1. That MRWA is responsible for the maintenance of ‘side verges’ only and considers the construction of a footpath the responsibility of the City of Armadale; and

2. That MRWA would be willing to fund 50% of the cost of a footpath, on the condition that the City take over the maintenance and management of the route (full road reserve cross section including drainage) from the Canning River Bridge to the end of the built up environment – interpreted as being to the Canning Road intersection. The ongoing costs associated with this condition are unknown at this stage, but would be on-going and considerable in direct cost terms as well as officer time.

Following receipt of this communication, the City has communicated and met with MRWA on a number of occasions; with the same response. At this stage the matter is in stalemate.

In parallel with these departmental communications, the City has succeeded in having this route included in the Long Term Cycling Network (LTCN) as a secondary route, which will therefore be considered in future cycle path funding. At this stage, this route is a low priority and is unlikely to come into consideration in the near future.

The City has also been advocating for the inclusion of this project in state government funding opportunities and grants. There has to date been no success in this regard. The project was also included in the Darling Range Advocacy Booklet prepared by the City for distribution to candidates in the forthcoming state election.

OPTIONS

The following options remain open to the City:

1. Abandon this request – not a feasible outcome as the risk to pedestrian road users remains. This option is not recommended.
2. Fund the footpaths through the City's budget. The total funding required to fund the footpath from the Canning River Bridge to Hawkstone Road is estimated at some $5M. The costs will be considerable due to the difficulty of construction and the high costs related to traffic management on this busy heavy vehicle route. The MRWA approval of this option will also expected to be conditional on the City taking over the verge maintenance of the road reserve. This option is not recommended.
3. Accept the MRWA offer to jointly fund the footpath and accept the costs and responsibility associated with the management of the road reserve, including the verge and drainage management. This option is not recommended.
4. Continue to advocate for the funding of the footpath through the Mayor's office, where the opportunities for such advocacy become available.

Suggested Officer Recommendation:

"That the City continue to advocate through all appropriate methods, including as an election advocacy strategy."

ATTACHMENTS
There are no attachments for this report.

Committee Discussion

Committee agreed to the suggested Officer recommendation.

RECOMMEND **T20/3/21**

That the City continue to advocate through all appropriate methods, including as an election advocacy strategy.

Moved Cr C Frost
MOTION CARRIED **(7/0)**

4.5 - FRYE PARK UPGRAGES (REFERRAL ITEM)

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

> *That the matter of asset renewal of parks with regard to the pirate ship at Frye Park be referred to the Technical Services Committee.*

Comment from Cr R Butterfield

Recently the much loved Pirate Ship at Frye Park had to be removed, due to it becoming rusted and being assessed as 'unable to be repaired'. The replacement pirate ship is unfortunately a much smaller version of its predecessor and it is being questioned as to the reasons for this significant change in scale. It is requested that consideration be given to the new smaller version to be supplemented with additional elements or that it be relocated to a smaller park and replaced with a pirate ship of similar scale to the original.

Officer Comment

A report on this matter is in the process of being prepared and will be provided for consideration at the 3 May 2021 Technical Services Committee meeting.

ATTACHMENTS
There are no attachments for this report.

RECOMMEND **T21/3/21**

That Council note that a report on the matter of the replacement of the pirate ship play area at Frye Park will be provided at the 3 May 2021 Technical Services Committee meeting.

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

COUNCILLORS' ITEMS

1.Review of the City's Parks Facilities Strategy (Cr Shanavas Peter)

Councillor Peter requested a review of the City's Parks Facilities Strategy.
RECOMMEND **T22/3/21**

That Council refers the following Councillor Item:

- **Review of the Parks Facilities Strategy**

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

Moved Cr G Nixon
MOTION CARRIED (7/0)

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

1.Update on the Status of the Hopkinson Road Landfill and Recycling Facility Flaring Project

The Executive Director Technical Services (EDTS) provided an update on the status of the Hopkinson Road Landfill and Recycling Facility Flaring Project, following the report Considered by Council in December 2020. In summary the EDTS advised that Council, in 2015, entered into a contract with the Federal Government to sell 68,006 Australian Carbon Credit Units (ACCUs). Following the audit recently concluded on emissions abatement figures for the period 20 June 2018 to 19 June 2020, the City has been able to claim 19,323 ACCUs, equating to the abatement at the site.

Accordingly, a claim for ACCUs was submitted to the Clean Energy Regulator (CER). This week, the City received confirmation that the CER has accepted the application.

Prior to the latest audit, 38,860 ACCUs have been provided to the federal government. In addition, a surplus is accumulated in the City's account, equating to 16,917 units. This, in conjunction with the 19,323 ACCUs recently credited, means that the City now has sufficient units to extinguish all commitments under the contract.

This will be enacted in two stages. A total of 19,830 units will be provided in March 2021. The second stage involves the provision of 9,176 units and is anticipated to be enacted in July 2021.

It should be noted that the City is also entitled to submit an additional claim for the period 20 June to 12 December 2021 (project end date). It is anticipated that by this point, the City will still have an accumulated surplus of circa 15,000 ACCUs, on top of those noted above. These units will be considered in the updated Corporate Greenhouse Action Plan which is anticipated to be presented for Council's consideration later this year.

2.Update on the Waterwise Council Program

The EDTS advised that the City has been endorsed and recognised as a Waterwise Council for 2021. The City will be formally recognised at a function to be held on 12 May 2021.

26 February 2021

Ms Joanne Abbiss
Chief Executive Officer
City of Armadale
Locked Bag 2
Armadale WA 6992

CC: Neil Burbridge

Dear Ms Joanne Abbiss,

Waterwise Council Program – Endorsement status update for the City of Armadale

We are pleased to advise the **City of Armadale** has been endorsed and recognised as a **Waterwise Council** for 2021.

We would like to congratulate the City of Armadale for your achievements in sustainable water management and for demonstrating your commitment to building waterwise communities over the past year.

You will be formally recognised at the Waterwise Recognition Breakfast at the Perth Convention and Exhibition Centre on the 12 May 2021. An invitation with further information will be sent closer to the event date. For now, please wait until the official announcement at the event before promoting your new Waterwise Council status.

We look forward to working closely with your team over the coming year. If you have any queries regarding the program please contact our team via WEpartnerships@watercorporation.com.au.

Yours sincerely,

Adele Gismondi
Manager Water Efficiency Partnerships
Water Corporation

MEETING DECLARED CLOSED AT 9.37PM.

TECHNICAL SERVICES COMMITTEE

SUMMARY OF ATTACHMENTS

3 MARCH 2021

ATT NO.	SUBJECT	
1.1	**WARTON ROAD DUPLICATION/ WIDENING - REQUEST FOR DELEGATION TO APPLY FOR CLEARING PERMIT**	
1.1.1	Clearing Principles Letter - Warton Road Duplication	
1.1.2	E44-20-801 Typical cross section details & verge treatments - Harrisdale	
1.1.3	E44-20-800-2 Location of retaining walls, drainage swales & accesses Warton Road	
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The above attachments can be accessed from the Minutes of the Technical Services Committee meeting of 3 March available on the City's website

CHIEF EXECUTIVE OFFICER'S REPORT

8 MARCH 2021

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1.1 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 4/2021

WARD	:	ALL
FILE No.	:	M/147/21
DATE	:	25 February 2021
REF	:	MC
RESPONSIBLE MANAGER	:	Chief Executive Officer

In Brief:

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 4/2021 to be received by Council

Strategic Implications

The following general information and memorandums were circulated in Issue No 4/2021 on 4 March 2021.

COMMENT

Correspondence & Papers

NIL

Information from Human Resources

Employee Movements

Information from Corporate Services

Progress Report

Progress Report on Contingency, Operational & Strategic Project

Outstanding Matters & Information Items

Report on Outstanding Matters – Corporate Services Committee

Economic Development

Tourism & Visitor Centre Report

Report of the Common Seal

Information from Development Services

Outstanding Matters & Information Items

Report on Outstanding Matters - Development Services Committee

Review before the State Administrative Tribunal (SAT)

Health

Health Services Manager's Report – February 2021

Planning

Planning Applications Report – February 2021

Town Planning Scheme No.4 - Amendment Action Table

Subdivision Applications - WAPC Approvals/Refusals – February 2021

Subdivision Applications - Report on Lots Registered for 2020/2021

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

ATTACHMENTS
There are no attachments for this report.

RECOMMEND

That Council acknowledge receipt of Issue 4/2021 of the Information Bulletin

CITY OF Armadale

ORDINARY MEETING OF COUNCIL

MONDAY, 22 FEBRUARY 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, 22 FEBRUARY 2021 AT 7.00PM.**

---

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

---

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

PRESENT:

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

IN ATTENDANCE:

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

Public: 6 Press: Nil

LEAVE OF ABSENCE:
Leave of Absence previously granted to Cr H T Jones and Cr M Silver

APOLOGIES:
Apology received from Cr C Frost and Cr C A Campbell

3 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

1 Carol Gadaldi - 11 Chadwick Parade, Brookdale

Q. There are Council trees on our properties that are 30 years old that are causing problems to houses e.g. gutters & fences being broken, fallen nuts causing difficulties to whipper snip and pedestrians to slip and fall. What can we get done about it?

The Mayor invited the Executive Director Technical Services to respond.
The Executive Director Technical Services (EDTS) advised that this is not an uncommon request – living in the hills environment there are many trees that do drop nuts and cause issues and Council do not remove trees just because they cause leaf litter or drop nuts. Regular tree inspections are carried out on Chadwick Parade. When trees are healthy and not causing any obstruction or visibility issues we do not remove trees. However, a number of remedial actions can be undertaken i.e. if trees are causing excessive leaf litter then these are trimmed and if driveways are being damaged then surface roots are removed and repairs are done to driveways.

The Mayor suggested that the tree at 11 Chadwick Parade be inspected and assessed against Council's tree protection policy and urban forest strategy.

EDTS advised that the tree at No.11 has already been inspected twice and the Manager Parks has made the assessment that the tree is healthy and does not recommend removal.

The Mayor advised that as the City has already conducted two assessments and determined that the tree is healthy and complies with Council's urban forest strategy it will need to remain.

2 Le-anne Hoek, 45 Eighth Road, Armadale

Q. I am experiencing a number of problems with one of the roundabouts on Eighth Road with my driveway being far too close to the exit of the roundabout. I've had a stolen car crash into my fence causing considerable damage. Reversing out of my driveway in dangerous as cars turning left from Gribble into Eighth don't look left before turning. To avoid any crashes I drive across the road or use the verge to turn around. The footpath which is also used by cyclists is to be moved right up to the boundary reserve and will be dangerous for both pedestrians and cyclists with cars reversing out of my driveway. The proposed modifications between Gribble and Forest do not identify this as a problem and would ask Council to reconsider modifications to Eighth Road to resolve these problems.

The Mayor invited the Executive Director Technical Services to respond.

The Executive Director Technical Services advised that an officer will make contact and arrange a suitable time to inspect and assess the situation and will work with the resident to come up with some options to resolve the problems being experienced.

Public question time closed at 7.09pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 8 FEBRUARY 2021.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 8 February 2021 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (10/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayors Announcements

Wednesday 10th February 2021

Chaired SOHAG (Standing Order & House Advisory Group) meeting. Councillors Frost, Nixon, Campbell, Busby, Munn and Northcott were in attendance.

Thursday 11th February 2021

Attended an onsite inspection of special native vegetation along Railway Ave, with Dr Tony Buti MLA and Mr Kim Fletcher, with a view to moving the PTA fence to accommodate the construction of the final piece of the Principle Shared Path. The Executive Direction Technical Services and two officers were also in attendance.

Attended a TEAMS meeting with Dr Tony Buti MLA; CEO & Officers in relation to the Jull Street Mall.

Attended a briefing ahead of the South East Metro Zone meeting.

Friday 12th February 2021

Attended a Teams meeting with the CEO and Deputy Mayor Carole Frost to discuss State Government election commitments.

Monday 15th February 2021

Attended a Teams meeting with the CEO and Deputy Mayor Carole Frost to discuss State Government election commitments.

Tuesday 16th February 2021

Attended a meeting with members of the Dale Hockey Club regarding issues at Bob Blackburn Oval.

Attended the Corporate Services Committee Meeting on Cr Jones' behalf.

Friday 19th February 2021

Had a conversation with a landowner in the West of Rail precinct regarding the City's normalisation plan and Developer Contribution Scheme.

Sunday 21st February 2021

Met with community member to discuss issues facing the Kelmscott town centre shopping centres and the Armadale Shopping Centres.

Monday 22nd February 2021

Attended a regular meeting with the CEO to discuss various items.

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

Nil

10 REPORTS

10.1 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 15 February 2021.

MOVED Cr D M Shaw that the report be received.

MOTION not opposed, DECLARED CARRIED (10/0)

BUSINESS ARISING FROM REPORT

Recommendation D4/2/21 - Review of Local Planning Policy PLN 2.4 – Tree Preservation

MOVED Cr D M Shaw

That Council:

1. **In accordance with Schedule 2, Part 2, clause 4 (3) and (4) of the *Planning and Development (Local Planning Schemes) Regulations 2015* adopt the amended Local Planning Policy PLN 2.4 – Landscape Feature and Tree Preservation.**

2. **Publishes a notice in a newspaper circulating in the district stating the amended Local Planning Policy PLN 2.4 – Landscape Feature and Tree Preservation has been adopted.**

3. **Forward a copy of the Policy to the Western Australian Planning Commission.**

4. **Note that the City's Subdivision Guidelines (engineering and water management strategies) will need to be updated to reflect the new Policy.**

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation D5/2/21 - Proposed Local Planning Policy PLN 3.4 - Designing Out Crime

MOVED Cr D M Shaw

That Council:

1. **In accordance with Schedule 2, Part 2, clause 4 (3) and (4) of the *Planning and Development (Local Planning Schemes) Regulations 2015* adopt Local Planning Policy PLN 3.14 - Designing Out Crime as attached.**

2. **Publishes a notice in a newspaper circulating in the district stating that Local Planning Policy PLN 3.14 - Designing Out Crime has been adopted without modifications.**

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation D6/2/21 - Local Laws - Hoarding in Residential Areas (Referral Item)

MOVED Cr D M Shaw

That Council request the Western Australian Local Government Association (WALGA) Zone representative to request an update from WALGA regarding the matter of hoarding.

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation D7/2/21 - Councillor Referral Item - Liveable Neighbourhoods Document (Cr Peter)

MOVED Cr D M Shaw

That Council request the Chief Executive Officer to write to the Western Australian Planning Commission (WAPC) and the Western Australian Local Government Association (WALGA) requesting an update on the status of the Liveable Neighbourhoods Version 2015 document.

MOTION not opposed, DECLARED CARRIED (10/0)

10.2 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 16 February 2021.

MOVED Cr J H Munn that the report be received.

MOTION not opposed, DECLARED CARRIED (10/0)

BUSINESS ARISING FROM REPORT

Recommendation CS1/2/21 - List of Accounts Paid - January 2021

MOVED Cr J H Munn

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

Municipal Fund
Accounts paid totalling $11,781,732.66 on Batch 2578-2586, Cheques 033168, 033172-033181, Direct Debits and PY01.15-PY01.16

Credit Card
Accounts Paid totalling $1,458.73 for the period ended December 2020.

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS2/2/21 - Statement of Financial Activity - December 2020

MOVED Cr J H Munn

That Council:

1. **pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accepts the Statement of Financial Activity for the six (6) month period ended 31 December 2020;**

2. **notes that there are reportable actual to budget material variances for the period; and**
3. **notes the correction to the 2021 Annual Budget and the officer's advice that a recommendation will be made to Council in the next Monthly Financial Statement report (Year-to-Date January 2021).**

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS3/2/21 - Statement of Financial Activity - January 2021

MOVED Cr J H Munn

That Council:

1. **pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accepts the Statement of Financial Activity for the seven (7) month period ended 31 January 2021;**

2. **notes that there are reportable actual to budget material variances for the period; and**

3. **AMENDS the adopted 20/21 Budget by decreasing the transfer to Civic Precinct Reserve by $2.5M from $2.5M to $0M.**

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS4/2/21 - Rate Exemption Applications - Foundation Housing Limited - Lot 13 - 81 Doorigo Road, ARMADALE

MOVED Cr J H Munn

That Council pursuant to Section 6.26(2) (g) of the *Local Government Act 1995* approves a rates exemption on property assessment 21614 Lot 13, 81 Doorigo Road Armadale, owned by Housing Authority, leased by Foundation Housing Limited effective from 5 December 2019 on the basis the land is and continues to be used exclusively for the charitable purposes of crisis care accommodation.

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS5/2/21 - Rates Concession Options 2021

MOVED Cr J H Munn

That Council considers the information in this Report as part of the City's COVID-19 Response and Recovery response in the 21/22 Annual Budget deliberations, informed further by the Pandemic Emergency status and the Federal and State Government's advice and response at that time.

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS6/2/21 - 2021 Ordinary Council Elections

MOVED Cr J H Munn

That Council:

1. **in accordance with section 4.20(4) of the *Local Government Act 1995* the Western Australian Electoral Commissioner to be responsible for the conduct of the 2021 City of Armadale ordinary elections together with any other elections or polls which may also be required between this resolution date and the 2023 ordinary elections; and**
2. **in accordance with section 4.61(2) of the *Local Government Act 1995* all elections and polls as referred to in part (1) be conducted on a postal basis.**

ABSOLUTE MAJORITY RESOLUTION REQUIRED

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (10/0)

Recommendation CS7/2/21 - Community Sporting & Recreation Facilities Fund Grant Outcomes and Implications - Forrestdale Hub and Morgan Park

MOVED Cr S Peter, SECONDED Cr J H Munn
OPPOSED Cr D M Shaw

That Recommendation CS7/2/21 be amended as follows:

1. Consider the inclusion in the draft FY22 to FY25 Four Year Budget and the FY22 Annual budget a transfer from the **Land Acquisition Reserve of $695,000** to fund (in part) the Forrestdale Hub;
2. Consider the inclusion in the draft FY22 to FY25 Four Year Budget and the FY22 Annual budget a transfer from the **Future Recreation Facilities Reserve of $540,000** to fund (in part) the Forrestdale Hub;
3. Notes that the use of the Land Acquisition reserve will require public notice of the change in purpose of the reserve, if utilised
4. Instruct the Chief Executive Officer to direct staff to continue to explore external funding and advocacy opportunities,
5. Authorise the Chief Executive Officer to execute the CSRFF grant agreements.

MOTION LOST (2/8)

MOVED Cr D M Shaw

That Council:

1. **Consider an increase of the loan amount included in the draft FY22 to FY25 4 year budget and the draft FY22 annual budget documents for Forrestdale Hub from $2,145,000 to $2,840,000.**

2. **Consider an increase of the loan amount included in the draft FY22 to FY25 4 year budget and the draft FY22 annual budget documents for Morgan Park from $3,070,000 to $3,610,000.**

3. **Instruct the Chief Executive Officer to direct staff to continue to explore external funding and advocacy opportunities,**

4. **Authorise the Chief Executive Officer to execute the CSRFF grant agreements.**

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS8/2/21 - Draft City of Armadale Access and Inclusion Plan 2021-2026

MOVED Cr J H Munn

That Council endorse the draft City of Armadale Access and Inclusion Plan 2021-2026 as attached, allowing the draft Plan to proceed to the stage of the public comment and feedback.

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS9/2/21 - Provision of ICT Technical Resource to Implement Audit Recommendations

MOVED Cr J H Munn

That Council:

1 AGREES to allocate $125,000 from the Business Recovery Account to the Implementation of ICT Security Projects;

2. Pursuant to s6.8 of the *Local Government Act 1995*, AMENDS* the 2020/2021 budget as follows:

Decrease in Operating Expenditure

Business Recovery Account $125,000

Increase in Operating Expenditure

ICT Employee Costs Account for FY21 $31,000

(First three months)

Reserve Transfers

Transfer to the Computer technologies Reserve $94,000

(set aside the balance to draw on in FY22 for the remaining nine months)

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (10/0)

Recommendation CS10/2/21 – Councillor Items

MOVED Cr J H Munn

That Council refers the following Councillor Items:

- Australia Day Entertainment
- Public Liability Insurance

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

MOTION not opposed, DECLARED CARRIED (10/0)

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 (10/0)

BUSINESS ARISING FROM REPORT

Recommendation - Access Request - Lot 51 Armadale Road, Haynes

MOVED Cr E J Flynn

That Council:

1. **Grant MCAC Aboriginal Corporation a non-exclusive licence to utilise Lot 51 Armadale Road, Haynes as a temporary staging area commencing 23 February 2021 for an initial period not exceeding six weeks, contingent on MCACs acceptance of the conditions outlined in this report.**
2. **Authorise the CEO to enter into negotiations with MCAC Aboriginal Corporation regarding the licence fee payable for the non-exclusive use of the site, and to determine the final amount payable by MCAC Aboriginal Corporation as outlined in condition 8.**
3. **Upon application from MCAC Aboriginal Corporation, authorise the CEO to grant an extension to the licence for an additional period not exceeding six (6) weeks, under the same terms and conditions as the original licence.**
4. **Authorise the CEO to sign any relevant documentation and correspondence to MCAC Aboriginal Corporation to effect the granting of the licence and to include any standard terms to give proper form and effect to the licence and its conditions.**

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation - Appointment of Complaints Officer

MOVED Cr D M Shaw

That Council in accordance with Schedule 1, cl. 11(3) and cl. 11(2)(a) of the *Local Government (Model Code of Conduct) Regulations 2021*:

1. **Authorise the Chief Executive Officer to undertake a Request for Quote process for persons to act as the City's Complaints Officer from law firms on the City's legal services panel, for future determination by Council.**
2. **Appoint the Manager Governance and Administration as an authorised person to receive and withdraw complaints until such time as Council determines the outcome of the Request for Quote process.**
3. **Approve the complaint lodgement form as attached to this report.**

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation - Councillors Information Bulletin - Issue No 3/2021

MOVED Cr K Busby

That Council acknowledge receipt of Issue 3/2021 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (10/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

Nil

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 7.38pm

MINUTES CONFIRMED THIS 8 MARCH 2021

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MAYOR