



ORDINARY MEETING OF COUNCIL
MONDAY, 13 NOVEMBER 2023

AGENDA

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AGENDA

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HELD ON 26 OCTOBER 2023

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HELD ON 26 OCTOBER 2023

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HELD ON 26 OCTOBER 2023

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HELD ON 6 NOVEMBER 2023

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HELD ON 7 NOVEMBER 2023

CHIEF EXECUTIVE OFFICER'S REPORT
HELD ON 13 NOVEMBER 2023

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, 13 NOVEMBER 2023

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

9 November 2023

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

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

Nil

4 PUBLIC QUESTION TIME

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

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

It is also available in the public gallery.

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

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence – Cr Jiby Joy

Request for leave of absence received from Cr Jiby Joy for the period Saturday 16 December 2023 until Sunday 28 January 2024 inclusive.

RECOMMEND

That Council grant leave of absence to Cr Jiby Joy for the period Saturday 16 December 2023 until Sunday 28 January 2024 inclusive. (includes 1 Ordinary Council Meeting – 18 December 2023).

6 PETITIONS

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 16 OCTOBER 2023. (ATTACHED)

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CITY OF ARMADALE

MINUTES

OF SPECIAL CORPORATE SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON THURSDAY, 26 OCTOBER 2023 AT 9.35 PM

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

APOLOGIES: Nil

OBSERVERS: Nil

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mrs S D'Souza	Executive Assistant to CEO
Ms M Bell	Head of City Legal
Mr D Baker	Senior Governance Advisor

PUBLIC: Nil

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

ELECTION OF CHAIR & DEPUTY CHAIR

The Executive Director Corporate Services called for nominations of **Chair**.

One written nomination was received from Cr Mosey

There being no further nominations, **Cr Mosey was declared elected as Chair** for a period of two years commencing October 2023.

The Chair called for nominations of **Deputy Chair**.

Two written nominations received:

- (1) Cr Peter
- (2) Cr Sargeson

There being no further nominations, a ballot was conducted.

The results of the ballot are as follows:

- Cr Peter – 5 votes
- Cr Sargeson – 2 votes

Cr Peter was declared elected as Deputy Chair for a period of two years commencing October 2023.

MEETING DECLARED CLOSED AT 9.42 PM

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CITY OF ARMADALE

MINUTES

OF SPECIAL COMMUNITY SERVICES COMMITTEE HELD IN THE
COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE,
ARMADALE ON THURSDAY, 26 OCTOBER 2023 AT 9.44 PM.

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

APOLOGIES: Nil

OBSERVERS: Nil

IN ATTENDANCE:	Ms J Abbiss	Chief Executive Officer
	Mrs S D'Souza	Executive Assistant to the CEO
	Ms M Bell	Head of City Legal
	Mr D Baker	Senior Governance Advisor

PUBLIC: Nil

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– [www.armadale.wa.gov.au/your council/councillors](http://www.armadale.wa.gov.au/your_council/councillors).”*

ELECTION OF CHAIR & DEPUTY CHAIR

The Chief Executive Officer called for nominations of **Chair**.

Two written nominations were received from:

- (1) Cr Silver
- (2) Cr Hetherington

There being no further nominations, a ballot was conducted.

The results of the ballot are as follows:

- Cr Silver – 4 votes
- Cr Hetherington – 3 votes

Cr Silver was declared elected as Chair for a period of two years commencing October 2023.

The Chair called for nominations of **Deputy Chair**.

One written nomination was received from Cr Hetherington.

There being no further nominations, **Cr Hetherington was declared elected as Deputy Chair** for a period of two years commencing October 2023.

MEETING DECLARED CLOSED AT 9.51 PM

CITY OF ARMADALE

MINUTES

OF SPECIAL DEVELOPMENT SERVICES COMMITTEE HELD IN THE
COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE,
ARMADALE ON THURSDAY, 26 OCTOBER 2023 AT 9.52 PM

PRESENT:

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

APOLOGIES: Nil

OBSERVERS: Nil

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr P Sanders	Executive Director Development Services
Mrs S D'Souza	Executive Assistant to the CEO
Ms M Bell	Head of City Legal
Mr D Baker	Senior Governance Advisor

PUBLIC: Nil

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ELECTION OF CHAIR & DEPUTY CHAIR

The Executive Director Development Services called for nominations of **Chair**.

One written nomination was received from Cr Wielinga

There being no further nominations, **Cr Wielinga was declared elected as Chair** for a period of two years commencing October 2023.

The Chair called for nominations of **Deputy Chair**.

Two written nomination received:

- (1) Cr Silver
- (2) Cr Keogh

There being no further nominations, a ballot was conducted.

The results of the ballot are as follows:

- Cr Silver – 6 votes
- Cr Keogh – 2 votes

Cr Silver was declared elected as Deputy Chair for a period of two years commencing October 2023.

MEETING DECLARED CLOSED AT 10.00 PM

CITY OF ARMADALE

MINUTES

OF SPECIAL TECHNICAL SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON THURSDAY, 26 OCTOBER 2023 AT 10.02 PM

PRESENT:

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

APOLOGIES:

Nil

OBSERVERS:

Nil

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr M Andrews	Executive Director Technical Services
Mrs S D'Souza	Executive Assistant to CEO
Ms M Bell	Head of City Legal
Mr D Baker	Senior Governance Advisor

PUBLIC: Nil

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ELECTION OF CHAIR & DEPUTY CHAIR

The Executive Director Technical Services called for nominations of **Chair**.

One written nomination was received from Cr Busby

There being no further nominations, **Cr Busby was declared elected as Chair** for a period of two years commencing October 2023.

The Chair called for nominations of **Deputy Chair**.

One written nomination was received from Cr Virk

There being no further nominations, **Cr Virk was declared elected as Deputy Chair** for a period of two years commencing October 2023.

MEETING DECLARED CLOSED AT 10.05 PM

CITY OF ARMADALE

MINUTES

OF SPECIAL CITY AUDIT COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON THURSDAY,
26 OCTOBER 2023 AT 10.09 PM

PRESENT:

Cr S Peter (Chair)
Cr P A Hetherington (Deputy Chair)
Mayor R Butterfield
Cr J Keogh
Cr S J Mosey
Cr M Silver

APOLOGIES:

Mr S Linden (Independent Member)

OBSERVERS:

Nil

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mrs S D'Souza	Executive Assistant to CEO
Ms M Bell	Head of City Legal
Mr D Baker	Senior Governance Advisor

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– www.armadale.wa.gov.au/mayor-councillors-and-wards.”*

ELECTION OF CHAIR & DEPUTY CHAIR

The Executive Director Corporate Services called for nominations of **Chair**.

One written nomination was received from Cr Peter.

There being no further nominations, **Cr Peter was declared elected as Chair** for a period of two years commencing October 2023.

The Chair called for nominations of **Deputy Chair**.

One written nomination was received from Cr Hetherington

There being no further nominations, **Cr Hetherington was declared elected as Deputy Chair** for a period of two years commencing October 2023.

MEETING DECLARED CLOSED AT 10.10 PM

CITY OF ARMADALE

MINUTES

OF TECHNICAL SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 6
NOVEMBER 2023 AT 7:00 PM.

PRESENT:

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

APOLOGIES:

Nil

OBSERVERS:

Cr G J Smith
Cr M Silver
Cr J Keogh
Cr S Stoneham

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr M Andrews	Executive Director Technical Services
Ms S van Aswegan	Executive Director Community Services (via teams)
Mr S Amasi	Manager Design Technical Services
Ms E Chan	Senior Traffic and Transportation Engineer
Ms N Mathieson	Senior Administration Officer

PUBLIC:

1

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– 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

Cr S S Virk

- Landfill Leachate Ponds – Budget Variation

QUESTION TIME

Heritage Drive, Roleystone – Drainage (Referral Item)

Ms Veronica Hansen – 8 Protector Grove, Roleystone

Q1: Having observed drivers driving at speed within this location, will the City upgrade the signage from “Water on the Road” to something like “Danger – Deep Water”?

Response: The Chair advised that the question will be covered within the Agenda Item discussion.

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Technical Services Committee Meeting held on 2 October 2023 be confirmed.

Moved Mayor R Butterfield

MOTION CARRIED

(8/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

No items were raised for further investigation or report.

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TECHNICAL SERVICES COMMITTEE

6 NOVEMBER 2023

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***1.1 - MAIN ROADS LOW COST URBAN ROAD SAFETY - PROGRAM - PROPOSED
ROAD SAFETY TREATMENTS - CHALLIS ROAD, LOWANNA WAY AND TAIT
STREET***

WARD : MINNAWARRA
FILE No. : M/555/23
DATE : 29 September 2023
REF : EC
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- This report provides a proposal to implement low cost road safety / Local Area Traffic Management (LATM) treatments along Challis Road, Lowanna Way and Tait Street, in the Armadale and Seville Grove areas, as part of Main Roads Low Cost Urban Road Safety Program (Low Cost – URSP). These sites have been chosen by Main Roads, which are prioritised based on crash history and potential pedestrian and cyclist activity in the area, and recommend the implementation of treatments such as raised safety platforms.
- The Low Cost – URSP will fund design and construction of the road safety treatments.
- The City will be responsible for delivering the project and funding the associated drainage and street lighting upgrades within the current budget under LATM – Renewal Projects (TBD) (CP000160) and LATM – Seville Grove (CP000161).
- The City has completed concept design and stakeholder consultation to date.
- Recommend that Council note the design plans and approve progressing the projects for detailed design and construction during the first half of 2024.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

- 2.5 Quality development that enhances the amenity and liveability of the City of Armadale
- 2.5.3 Protect the amenity of infill areas and the City Centre by strengthening the planning frameworks for middle density development and addressing catchment management as well as transport and traffic planning.

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 budget has a total of \$655,400 under LATM – Renewal Projects (TBD) (CP000160) and LATM – Seville Grove (CP000161).

The Low Cost Urban Road Safety Program (Low Cost - URSP) is managed by Main Roads and partially funded by the State Government which contributes to the design and construction costs of the treatment(s). Main Roads WA has advised that once Council approval is received to progress the project, the City can apply and will receive reimbursement as per the Reimbursement Percentages and Milestones Table process (see Table 3).

Local Government is responsible for arranging the following activities, including the capital costs associated with:

- Community consultation;
- Design drawing approvals;
- Procurement of works;
- Delivery of treatments (project management);
- Associated drainage upgrades;
- Associated street lighting upgrades; and
- Evaluation (data collection pre and post treatment) and reporting

The City's costs for this 'balance of work' was approved in FY 2023/24 budget and detailed as LATM – Renewal Projects.

Consultation

Community consultation was undertaken in June 2023 on the concept designs.

As conveyed as part of the consultation, treatment locations were selected and designed at intersection and midblock locations minimising impact to driveway access. The proposed treatments are to be constructed within the existing road/pavement footprints, hence there will be no kerb modifications nor road widening works.

BACKGROUND

The Low Cost - URSP is a new road safety initiative from Main Roads. The program aims to support the opportunity for Local Governments to proactively implement low cost road safety / LATM treatments to local roads on an area wide or whole-of-streets basis, to reduce the likelihood of fatal and serious injury crashes.

Based on crash data, Main Roads has identified areas within the City's local road network that are considered suitable under this program. Treatment locations and types are determined by Main Roads through consultation with Local Government and the focus is more so to locations with crash history that do not meet the criteria for other road safety programs such as the Black Spot Program. For example, the State Black Spot Program general crash criteria for an intersection is a minimum of 5 crashes over a 5-year period. Consideration in identifying the areas for the Low Cost URSP is also given to potential pedestrian and cyclist activity in the area.

Main Roads will review the program annually when new crash data becomes available. The crash history records information such as the crash types (e.g. rear end crashes), crash severity (e.g. major property damage), crash location, crash date and time, crash number, light condition, weather condition, basic road features, vehicles/pedestrian volume and direction.

The program has undertaken pilot projects with the Cities of Vincent and Stirling in 2020/2021 including the use of mini roundabouts and raised safety platforms.

Treatment Types

Roundabouts are effective at reducing crashes resulting in fatality or serious injury. They reduce vehicle speed on approach and the occurrence of high severity right-angle crashes. Mini roundabouts operate the same way as standard roundabouts and can be considered on lower order roads under low speed environments, where standard roundabouts would not fit. An example of a mini roundabout is provided on [Figure 1](#) below.

An example of a mini roundabout is provided on [Figure 1](#) below.

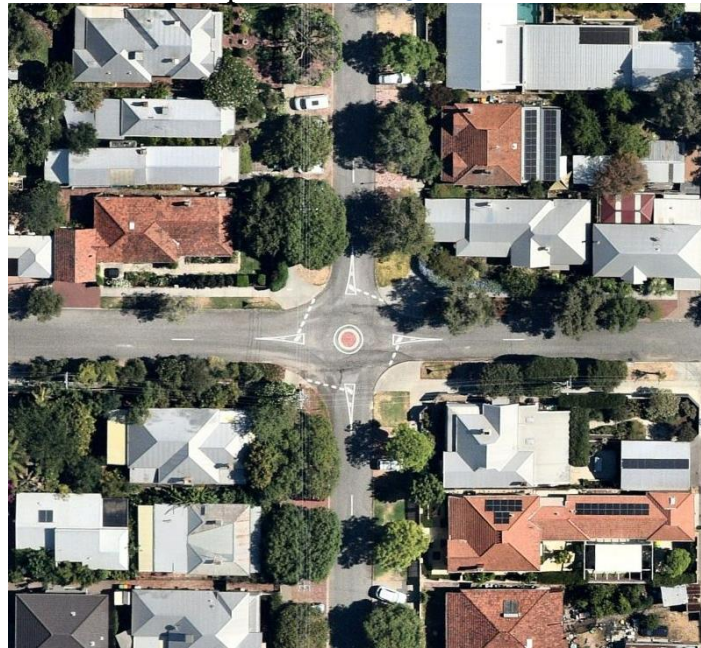


Figure 1 Example of a Mini Roundabout (Source: Nearmap)

Raised Safety Platforms are commonly implemented on simple intersections with ‘Stop’ or ‘Give Way’ controls on lower order roads that have been identified as having potential for right-angle crashes. They reduce operating speeds for vehicles travelling through these intersections and are able to cater for pedestrians crossing. An example of a raised safety platform is provided on [Figure 2](#) below.



Figure 2 Example of a Raised Safety Platform (Source: Nearmap)

Mid-block treatments such as speed humps, speed cushions and median islands are commonly implemented to reduce vehicle speed and discourage non-local through traffic, while improving amenity. They are most effective when applied in sets, as the repetition along a road corridor reinforces their traffic calming impact. An example of a set of speed cushions is provided on [Figure 3](#) below.

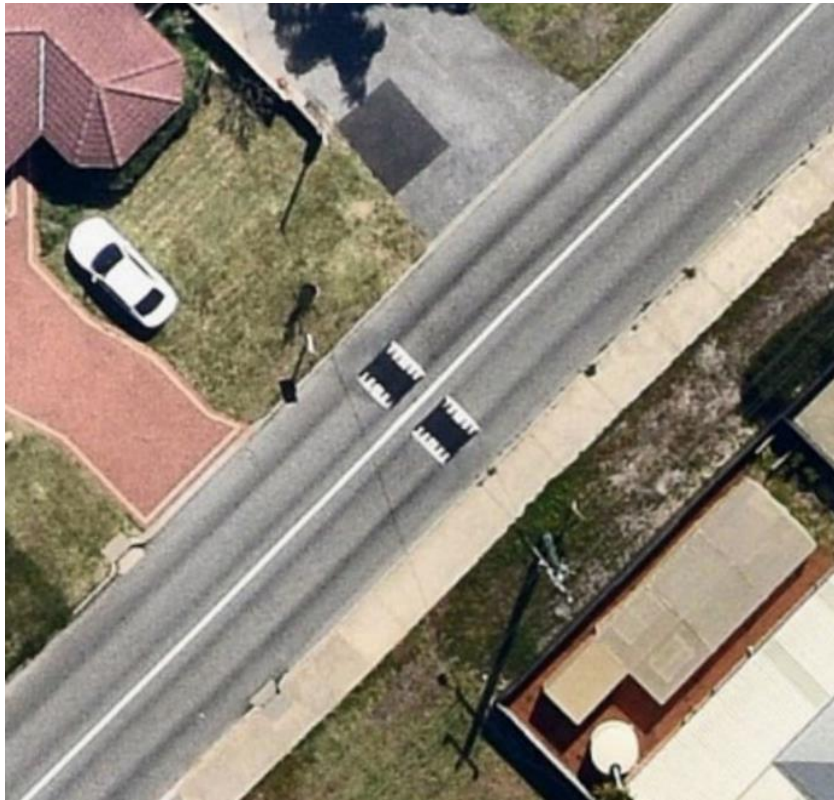


Figure 3 Example of a set of Speed Cushions (Source: Nearmap)

There are other road safety treatments in the Low Cost - URSP, including, but not limited to, pedestrian treatments such as pedestrian refuge and kerb extensions, gateway treatments at boundaries between different classification of streets or speed zoning areas, and 'road diet' treatments such as bike and parking lanes that narrow the road.

Selected Sites: Existing Conditions along Challis Road, Lowanna Way and Tait Street.

Challis Road, Lowanna Way and Tait Street are located in the Armadale and Seville Grove areas, north of Armadale Road. These roads are classified as Local Distributor, according to the Main Roads Metropolitan Functional Road Hierarchy (MFRH), with a posted speed limit of 50km/h.

The section of Lowanna Way between Braemore Street and approximately 80m northwest of Toongabbie Way, also has the school zone 40km/h speed limit restriction during school days peak periods.

The table below summarises five-year crash history between 2018 and 2022 for these roads, which is based on the Main Roads Crash Analysis Reporting System.

COUNCIL MEETING 13 NOVEMBER 2023

	Challis Road	Lowanna Way	Tait Street¹
Total No. of Crashes	9	9	5
<u>Severity</u>			
Hospital	0	1	1
Medical	2	2	3
Major Property Damages	4	4	0
Minor Property Damages	3	2	1
<u>Location</u>			
at intersection	6	5	4
at midblock	3	4	1

Note 1: Crashes at the intersection of Tait Street and Armadale Road have not been included.

In regard to existing treatments, Challis Road has a painted median with a number of raised median islands at intersection or midblock locations. There is also a roundabout at the intersection of Challis Road and Williams Road.

Lowanna Way has a painted median between Braemore Street and Challis Road with a few raised median islands at intersection or midblock locations.

Tait Street has temporary installation of electronic speed display signs.

DETAILS OF PROPOSAL

The proposed LATM treatments along Challis Road, Lowanna Way and Tait Street are outlined as per [Figure 4](#) below, which is based on the recommendations from Main Roads and the relevant LATM studies. Treatment locations have been selected and designed at intersection and midblock locations minimising impact to driveway access. The proposed LATM treatments are to be constructed within the existing road footprint, hence there will be no kerb modifications and road widening works.

The Low Cost – URSP has also agreed to fund pedestrian crossing upgrades if the location is adjacent to any of the proposed LATM treatments. It is anticipated there will be a total 12 pedestrian crossings on Challis Road and Lowanna Way that will get upgraded.



Figure 4 Proposed LATM Treatments along Challis Road, Lowanna Way and Tait Street

The table below summarises design and construction cost estimates of the proposed LATM treatments and associated street lighting upgrade on these roads, and the available budget.

Road	Cost Estimate (\$) (May 2023)
Challis Road	\$74,624
Tait Street	\$13,820
Lowanna Way	\$65,770
Total Construction Cost Estimate	\$154,214
Total Construction Cost Estimate plus 10% Contingency	\$169,635
Design fees – external consultancy	\$20,000
Total Design and Construction Cost Estimates	\$189,635
Associated Drainage Upgrade	\$133,254
Associated Street Lighting Upgrade	\$211,410
Total Project Cost Estimates	\$534,299
Budget	
LATM – Renewal Projects (TBD) (CP000160) (Consists of \$142,500 carry forward from FY 2022/2023)	\$513,400
LATM – Seville Grove (CP000161) (Consists of \$142,000 carry forward from FY 2022/2023)	\$142,000
Total Budget Available	\$655,400
Potential Grant Funding Reimbursement	\$189,635
Remaining Budget	\$310,736

*Note: All figures exclude GST.

The budget has a total of \$655,400 under *LATM – Renewal Projects (TBD) (CP000160)* and, *LATM – Seville Grove (CP000161)*. It is expected the City is able to be reimbursed for the costs of design and construction of LATM treatments from the Low Cost – URSP, which is approximately \$189,635 (35% of the total project cost estimates). The costs of associated drainage and street lighting upgrades are allocated within the budget under these two LATM items. Remaining budget will be utilised for future LATM projects.

The Principal Advisor of Low Cost – URSP advised that once Council approval is received to progress the project, the City can follow the table below for reimbursement of the costs.

Table 3: Reimbursement Percentages and Milestones

Milestone	Payment Percentage
Commencement of project	20%
Progress towards completion 1 (undertaking of design)	20%
Progress towards completion 2 (design/construction)	20%
Progress towards completion 3 (undertaking of construction)	20%
Project completion (noting, a report must be submitted before the final payment is made)	20%

The above cost estimates are based on the concept design as at May 2023. The cost estimates will be reviewed and updated when the project progresses onto detailed design/construction stages. Given City Officer insights, it is anticipated that any variation from the estimates will be covered by the remaining budget.

Stakeholder Consultation

Consultation has been undertaken in June 2023 for a period of four weeks via letter drops to the residents, businesses and schools along these roads. The project was also listed and opened for comment on the City's Engage website during this period. A total of two responses have been received and are summarised in the table below. The designer and City's comments are also noted in the table.

Respondent No.	Feedback	Designer's Response	City's Response
1	There is poor lighting at the intersection of Challis Road and Stroma Street. Drivers may not be aware of the speed plateau.	The lighting at this intersection is being upgraded as part of the proposal. No action required.	Agree with Designer's response. No action required.
	Instead of speed humps, please install a roundabout at the intersection of Challis Road/Stroma Street.	A roundabout will provide a more comfortable drive with horizontal deflection instead of vertical deflection. It will also act as a traffic calming device to reduce vehicle speeds. Roundabout will have larger construction costs.	This is a low cost treatment to minimise speeding issues. The treatment at Stroma Street is also consistent with other intersections nearby such as Morgan Road and Braemore Street. Roundabout is not supported due to greater construction costs which may be as high as approximately \$350,000. Roundabouts are also inconsistent with other local intersection treatments.
	Upgrade the lighting along the whole length of Challis Road.	A full lighting review of Challis Road has not been undertaken.	Not supported. Lighting upgrades will be part of a future lighting strategy for the City and will be based on priority.
2	Move the speed hump outside No 17 Tait Street closer to Armadale Road, or install another speed hump closer to Armadale Road.	Moving the speed hump closer to Armadale Road will place it on a curve and across three lanes instead of two, which will increase construction costs. The T-junction has poor sight distance due to the horizontal curve, so the existing location of the speed hump is also well-placed to assist slowing drivers down before they reach the T junction with Armadale Road.	Not Supported – the speed humps outside No 17 are to stay with nothing additional closer to the intersection for safety reasons.
	Consider full width speed humps instead of speed cushions.	Full width plateau speed humps are already proposed. No action required.	Agree with Designer's response. No action required.

The City has also consulted the Public Transport Authority (PTA) and they have no comment to provide. These roads are not currently on any bus routes and they also have no future plans to modify existing routes or to run additional services.

It is anticipated that construction to be first half of 2024.

CONCLUSION

Implementation of the proposed LATM treatments along Challis Road, Lowanna Way and Tait Street will control vehicle speed and reduce the likelihood of fatal and serious injury crashes.

This is a great opportunity for the City to proactively improve road safety along these roads with funding supported by the Low Cost – URSP.

ATTACHMENTS

1. [↓](#) E22-46-00 - Tait Street - Public Consultation Plan
2. E22-72-00 - Lowanna Way - Public Consultation Plan
3. E22-56-00 - Challis Street, Public Consultation Plan

RECOMMEND

T1/11/23

That Council:

- 1. Note the design plans and approve progressing the project for detailed design and construction.**

Moved Mayor R Butterfield
MOTION CARRIED

(8/0)

2.1 - LANDFILL LEACHATE PONDS - BUDGET VARIATION

Cr S S Virk declared a proximity interest as he owns a share of a property located near the landfill and left the meeting at 7:10pm

WARD : ALL
FILE No. : M/596/23
DATE : 18 October 2023
REF : GS
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- Consistent with the buildings and road projects previously raised to Council, cost escalation due to the current economic climate is equally evident in other civils projects.
- The City's Officers have identified an increase in costs for the landfill's proposed leachate ponds – the estimate carried out in 2022 (design estimate accuracy of +/- 20%) vs. the estimate carried out in FY24 (design estimate accuracy of +/- 10%) equates to a 12% increase.
- The consequence is a shortfall in the original project budget, in effect due to higher than originally envisaged contractor rates and improved estimate accuracy.
- Recommend that Council increase the Project Budget to accommodate the increased cost which the Executive Manager Corporate Services has confirmed can be accommodated from the Waste Reserve budget.

Tabled Items

Nil

Decision Type

☐ **Legislative**

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

☒ **Executive**

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

☐ **Quasi-judicial**

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

Officer Interest Declaration

Nil

Strategic Implications

2.4 Sustainable waste management

- 2.4.1 The City will provide a contemporary, responsive and affordable waste management service to the community that balances environmental, social and financial sustainability outcomes

Legal Implications

The works are subject to Part V, Division 3, Section 59B(1) of the *Environmental Protection Act 1986* – Procedure for amending, revoking or suspending works approval or licence.

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Through the budget processes Council has approved the allocation of funds to Major Projects associated with the closure of the Landfill Site.

This paper seeks to increase the available budget relating to the construction of the Leachate Ponds – the purpose of the project is to ensure compliance with environmental requirements.

It is proposed that this additional costing will be sourced from the Waste Reserve and will have minimal impact on any future projects funded from this source.

Project : Leachate Ponds Construction	FY22/23	FY23/24	Total Project Budget
Funding from Waste Reserve	\$725,000	\$100,000	\$825,000
Additional Funding Required from Waste Reserve		\$355,000	\$1,180,000

Consultation

1. Head of Environment and Sustainability
2. Head of Program Delivery
3. Executive Director of Technical Services
4. Executive Manager Corporate Services
5. Department of Water and Environmental Regulation

DETAILS OF PROPOSAL

With the ongoing direction to transfer all Municipal Waste to the Avertas Kwinana Waste to Energy (WtE) Facility by December 2024, the Leachate Ponds Construction Project is required to increase the available ‘airspace’ within the Landfill Site by redirecting the current leachate into a permanent pond. This pond will capture the leachate produced by the landfill mass, store it in a purpose built pond where it will evaporate.

The process of landfill closure and methodology/process to achieve this has been developed with specialist consultant design input and subsequently approved by the Department of Water and Environmental Regulation in FY23/24.

COMMENT

The City has Tendered (TEN 18 of 23 – closed on the 27th July 2023) for a suitably qualified contractor to construct the permanent Leachate Ponds. Three compliant submissions were received before the closure date. The submitted costing from the preferred respondent is higher than the available budget and we seek to increase the budget to allow award of this project to the successful respondent.

The selected contractor was chosen as providing best value for money for the City, demonstrating the experience and capacity required to successfully deliver the scope of works and in consideration of cost/risk pricing.

TEN 18 of 23 will be awarded to the preferred respondent and will be submitted to the CEO for approval after endorsement of the additional funding by Council.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T2/11/23

That Council:

- 1. APPROVE an amendment to the Capital Project Budget for the Construction of Leachate Ponds as follows:**
 - a) Increasing the available budget available in FY23/24 from \$825,000 to \$1,180,000 by transfer from the Waste Reserve.**
 - b) Reduce the Waste Reserve by \$355,000 from \$30,967,950 (as of 30th September 2023) to \$30,612,950**
- 2. NOTE, dependent upon the outcome of Council's decision on approval of the budget increase, City Officers intend to recommend that the CEO approves award of TEN 18 of 23 to the preferred respondent.**

Moved Cr M Hancock
MOTION CARRIED

(7/0)

Cr S S Virk returned to the meeting at 7:11pm

3.1 - ASPIRI OVAL, PIARA WATERS - FENCE (REFERRAL ITEM)

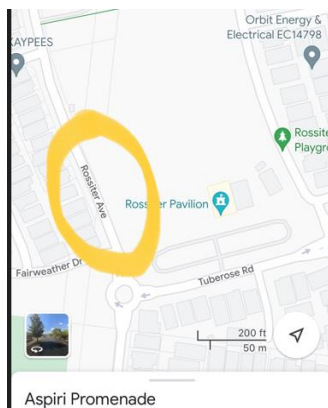
At the Council meeting held on 11 September 2023, Cr Virk referred the following matter to Technical Services Committee.

That the matter of the safety concern regarding a small portion of the fence that is missing or not installed at Aspiri Oval in Piara Waters be referred to the Technical Services Committee.

Comment from Cr S S Virk

Residents have raised concerns on several occasions whilst using the exercise equipment at Rossiter Avenue close to Fairweather Street (see image below).

When parents are using the exercise equipment or socialising with other residents, small children often went to the street. The exercise equipment is only around 10 meters from the Rossiter Avenue. Requesting a small gate at the entry.



Officer Comment

Officers responded to a similar referral item in February 2023, T3/2/23 refers. For ease of reference the report is copied below. The recommendation at the time of the initial report was to leave the status quo and not make any changes. The onsite inspection undertaken by City Officers at the time provided sufficient detail as not to warrant an additional inspection, as such there are no changes to the Officers initial recommendations.

Previous Report

Cr. Virk's request relates to the outdoor fitness equipment adjacent to Rossiter Avenue, as opposed to the children's play area adjacent to Sunray Avenue.

An onsite inspection has been undertaken by Council Officers, regarding the request for fencing and gates to the Rossiter Playing Field outdoor fitness equipment, due to the proximity to the adjacent local road.

The following is noted in response to the referral item.

The distance from the outdoor fitness equipment to the active roadway is approximately six (6) meters. The outdoor fitness equipment is currently separated from the road by a low

fence, roadside pathway and also roadside car parking bays. Entry to the fitness equipment area is funneled through two pathways with bollards (refer to images one and two).

The style of access way is repeated around the exterior of this parkland to enable pedestrian access to the oval. To date, no other complaints have been registered with the City either via CRM or email.

The City details user guides for its outdoor fitness equipment on its website (refer to Attachment 1) – for the area in question, the guide has a close out statement as detailed below.

“The City of Armadale accepts no responsibility, as far as permitted by law, for any loss, damage, accidents, injuries or deaths to any property or person that may occur as a result of participation in this workout. Participants are responsible for maintaining their own safety and welfare (or that of children under their supervision or control) at all times.”

This advice is also repeated on signs placed on each of the existing individual outdoor fitness equipment at this location.

OPTIONS

Option 1

Install pedestrian access gates to both pathways and extend fencing as required.

Option 2

Remove bollards and install staggered pedestrian hoops to slow children down on entry to the road.

Option 3

Leave the status quo and not make any changes.

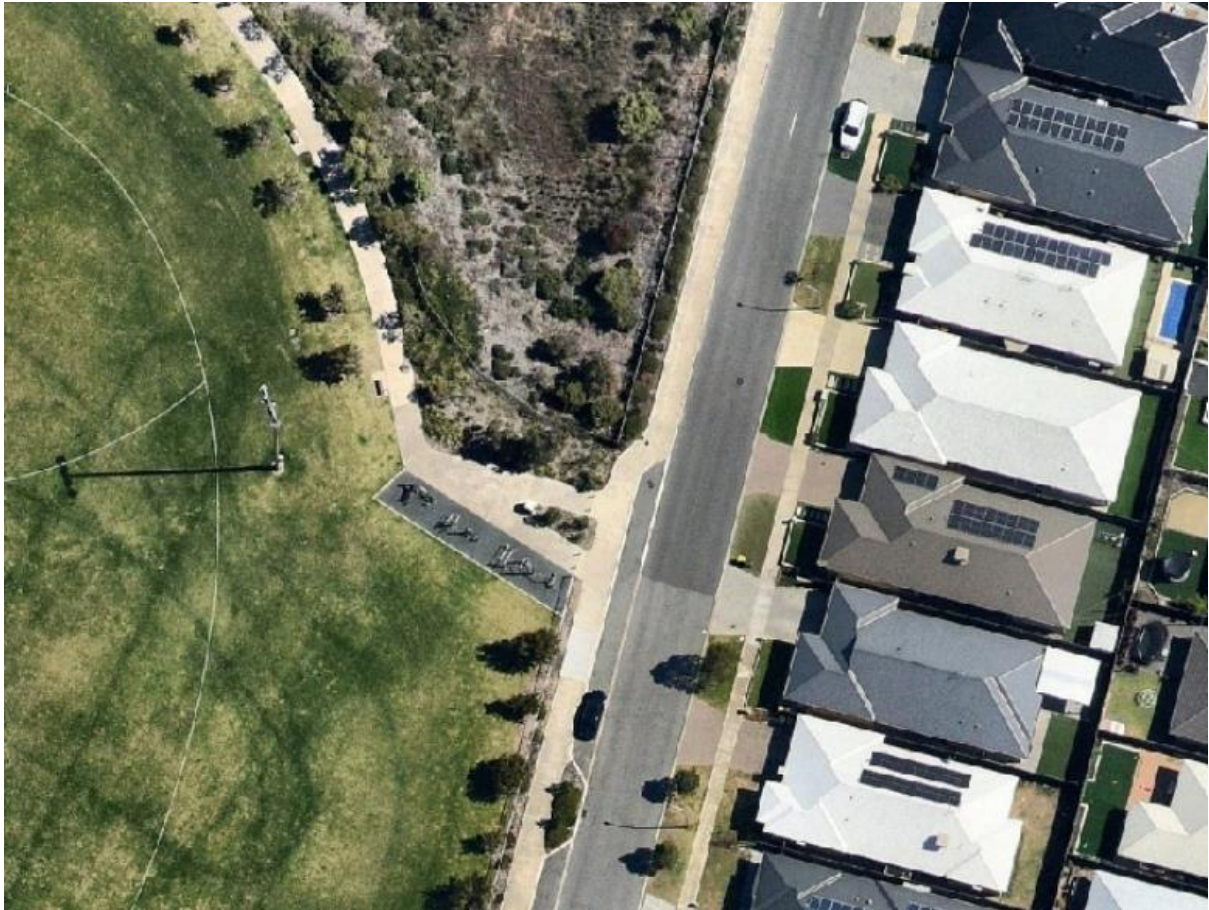


Image 1 – Location of fitness equipment



Image 2 – Street view

Suggested Recommendation

It is recommended that Council note the Officers comments on the matter, and consider Option Three (3) as the preferred approach.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T3/11/23

That Council:

1. Leave the status quo and not make any changes

Moved Cr M Hancock **OPPOSED** Cr S S Virk
Seconded Cr P A Hetherington
MOTION CARRIED

(5/3)

3.2 - COMMENCEMENT OF IMPROVEMENTS/TREATMENTS TO THE PUBLIC REALM OF KELMSCOTT (REFERRAL ITEM)

At the Council meeting held on 24th July 2023, Cr J. Keogh referred the following matter to Technical Services Committee.

That the matter of Commencement of Improvements/Treatments to the Public Realm of Kelmscott be referred to the Technical Services Committee.

Comment from Cr J Keogh

I would like the city to investigate ways to use the FY24 budget allocations (Approx \$550,000) towards cost effective measures to make the road verges, open and public spaces more green and welcoming to engage the wider community and engage people in the area as an attractive and vibrant precinct.

Officer Comment

Cr Keogh's comments have been received and noted by the City's Officers.

It is worth noting that achieving a green inviting landscape with trees is a challenging task, which was compounded by Metronet's activities associated with its Denny Avenue Level Crossing Removal Project – which has led to the greening of Kelmscott Town Centre requiring commitment, innovative thinking, budget and time.

Under the Corporate Business Plan actions 2.2.2.7 and 2.2.2.4 the following deliverables are outlined for the Kelmscott area in FY24:

- Develop landscape concept plan post Denny Avenue works
- Identify opportunities to “green” the Kelmscott Town Centre ahead of the adoption of a Public Realm Strategy.

In order to escalate this body of work ‘*to make the road verges, open and public spaces more green and welcoming*’ it must be acknowledged that the impacts on existing capacity and concerns over existing industry saturation and the limitations these may present are real. In addition undertaking works in a timely manner could be challenging, as due to the value of the works - this project will require a formal tender process, which takes an average of three months from advertisement to award. From a time and capacity perspective this is a substantial request to escalate and it is likely that some of the current programmed design and installation works would be delayed to enable prioritisation of this project.

Therefore, with these concerns in mind the following options to achieve the objectives of the request have been outlined below for consideration.

Option 1 – Outsource Design

Seek to engage Consultants to undertake full design and documentation suitable to advertise for Tender. This approach will utilise external consultants for the heavy lifting design wise, with less impacts on the City's Design team and its projects. Under this approach the following deliverables would be achieved in the following minimum timeframes:

Task / Deliverable	Duration
Create Project Plan and RFQ	1 week
Issue RFQ assess and award	4 weeks
Concept Phase	4 weeks
Community /Stakeholder Engagement Phase	4 weeks
Detailed Design Phase	4 weeks
Tender Documentation	2 weeks
Tender advertisement and award	12 weeks
Lead times for stock ordering	10 weeks
Construction	4 weeks
Practical Completion	1 weeks
Minimum	46 weeks

This approach relies on consultants and contractors to meet timeframes in an industry that is already saturated. It also relies on achieving a timely design resolution for complex areas or excluding these areas from the scope i.e. Main Roads WA (MRWA) areas.

In addition nursery stock has been difficult to secure, with nursery's advising for some tree stock having a minimum 9-12 month lead time. This could be resolved by utilising stock more commonly available however this means the design outcome may be compromised should suitable species be unavailable.

For clarity, outsourcing of activities does not represent a one-to-one benefit i.e. the percentage of time to project manage this, still requires internal resourcing which will result in the deferring of work – more specifically:

- Site main switch boards renewal program
- Irrigation cabinets renewal program
- Corporate business plan action 2.2.2.5 and deliverable. Create five year streetscape improvement plan.

Option 2 – In house Design

This approach will utilise internal resources as much as practical reducing time required to engage in consultancy. Under this approach the following deliverables would be achieved in the following minimum timeframes:

Task / Deliverable	Duration
Create Project Plan	1 week
Concept Phase	4 weeks
Community /Stakeholder Engagement Phase	4 weeks
Detailed Design Phase	4 weeks
Tender Documentation	2 weeks
Tender advertisement and award	12 weeks
Lead times for stock ordering	10 weeks
Construction	4 weeks
Practical Completion	1 weeks
Minimum	42 weeks

Again this approach has similar concerns expressed under Option 1.

This will result in the deferring of work – more specifically:

- Site main switch boards renewal program
- Irrigation cabinets renewal program
- Corporate business plan action 2.2.2.5 and deliverable. Create five year streetscape improvement plan.
- Playground renewal works including Bedfordale Hall and Troon Reserve.

Option 3 – Quick wins and long term planning

This is a two phase approach.

Phase 1 would be to identify areas of quick wins and set aside a suitable budget allocation to be transferred from reserve. The improvements covered under this scope could include:

- New tree planting where possible to Gillwell Avenue, Page Road and Fancote Street
- Planting within areas of existing irrigation and landscaping that could be uplifted easily by using only readily available stock and re-mulched.

This approach will likely utilise the Service Delivery team or existing panel contractors as much as possible. These works would be identified and undertaken as soon as practical.

The remaining funding would be held in reserve for future phase 2 works. Officers' time will be invested to engage with stakeholders to formulate the best design to implement with the remaining funding. This would include engaging with MRWA and local business owners to explore best greening opportunities where space is constrained.

The improvements covered under this scope could include

- Greening to Davis Road and Albany Highway, including investigating locations of trees or alternative frangible options such as green arbours
- Liaising with MRWA, local business owners to green verges, medians or private landscaping to enhance the appearance of the general area.

Task / Deliverable	Duration
Phase 1	
Identify quick wins and plan improvements	4 weeks
Secure available stock	1 week
Install quick wins	2 weeks
Phase2	
Create Project Plan	1 week
Concept Design	4 weeks
Community & Stakeholder Engagement Phase	8 weeks
Detailed Design	4 weeks
Tender Documentation	2 weeks
Tender advertisement and award	12 weeks
Lead times for stock ordering	10 weeks
Construction	4 weeks
Practical Completion	1 weeks
Minimum	53 weeks

Option 3 is recommended as it provides for an immediate amenity improvement whilst allowing time to achieve the best long term outcomes for the space.

Option 4 – Remain as is

Retain funds within reserve and undertake concept design for the installation of improvements in FY25, as per the corporate business plan actions.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T4/11/23

That Council adopt “Option Three – Quick Wins and long term planning” which is a two phased approach as outlined in the report.

**Moved Mayor R Butterfield
MOTION CARRIED**

(8/0)

3.3 - PARKING ON SKEET ROAD (REFERRAL ITEM)

At the Council meeting held on 14 August 2023, Cr S.Peter referred the following matter to Technical Services Committee.

That the matter of Parking on Skeet Road be referred to the Technical Services Committee

Comment from Cr S.Peter

That the matter of a feasibility report for parallel parking along Skeet Road from Ranford Road to Nicholson Road mainly within the residential areas be referred to the Technical Services Committee.

Officer Comment

An initial assessment has been carried out for the proposed construction of On-Street Parking Bays along Skeet Road, in particular the section between Fairhaven Avenue and Windstorm Road

In reporting on this matter it is of benefit-to-understand the associated drainage infrastructure, how it works and outcomes if it is impacted.

Skeet Road Drainage System

Background:

The Skeet Road drainage system was designed and constructed in 2014. The road drainage has been designed to cater for major rainfall events on the following basis. The design aligns with ARR87 (Australian Rainfall and Runoff - 1987) and AS3500 - Plumbing and drainage, Part 3: Stormwater drainage, standards and in the case of this drainage asset, it was done so on the basis of a 1 in 100 Average Recurrence Interval (ARI) or 1% Annual Exceedance Probability (AEP) meaning it has a 1% chance on any year, that a wet-weather event may push the drainage asset to its limit.

Drainage System:

The entire drainage system has been designed to carry stormwater runoff through the pipe located in the center of the road median.

The road side swales have been designed to provide a water quality and quantity management system and form an integrated part of the overall drainage system. The stormwater runoff from the road reserve flows to the road side swales where, the water quality improves by the treatment within the swale. For example, the swale has been planted with native vegetation which strips nutrients. The swale is designed to also regulate and detain the water flow before it drains back to the pipe drainage system constructed in the centre of the road median.

The street view has been provided below for reference:



Parking Bay Impact:

Replacement of the road side Swale with Parking Bays is not financially feasible.

Removing the swales would jeopardise the stormwater management on Skeet Road. The proposed Parking Bays in place of the swale will remove the treatment benefit required to achieve the environmental/water quality target, and the ability to control the water quantity management (detention volumes). If replaced with a 'piped system' it would necessitate the need to upgrade the central pipe drainage system – a very expensive process due to the 'overhaul of the road and drainage design.

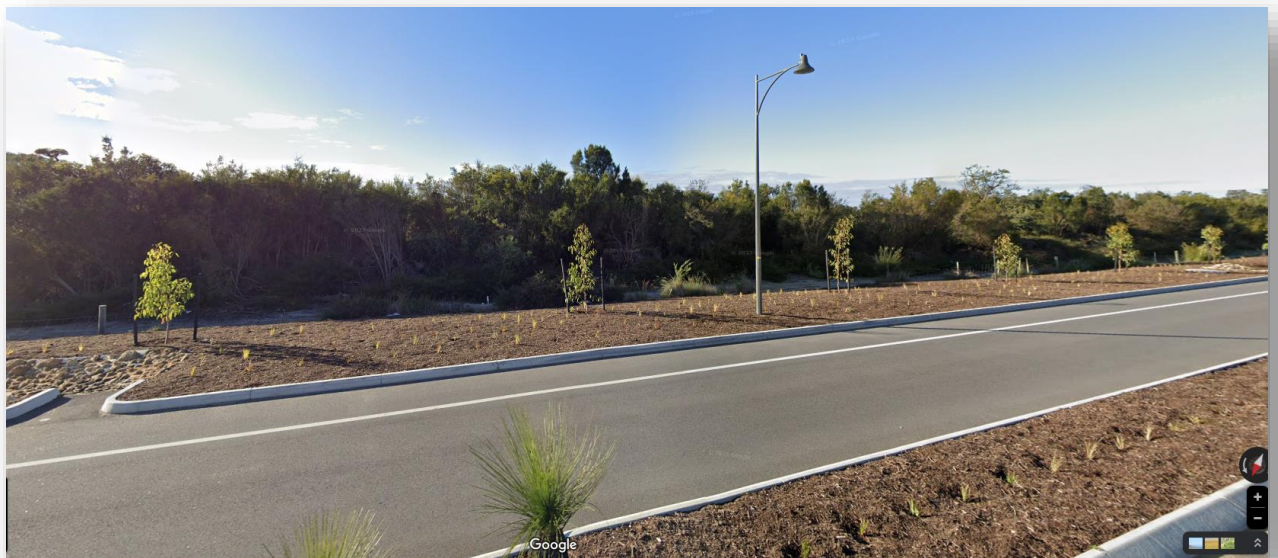
For these reasons, the City can only consider Parking Bays where there is no existing drainage infrastructure.

To help understand the situation, the extensive existing drainage system has been shown in the image below (snippet from CoA's Intramap) for reference:



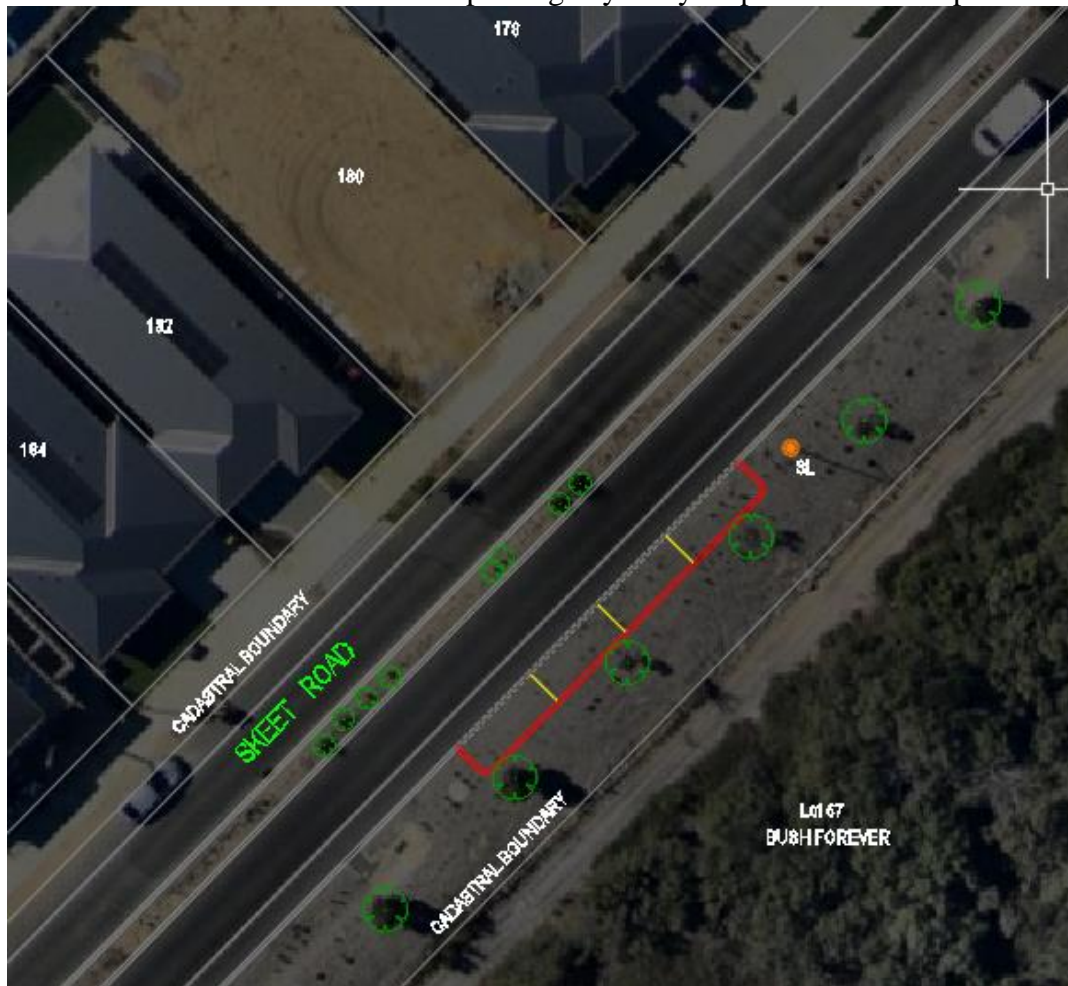
Parking Opportunity

There is one road side area in this location where there is no drainage infrastructure as indicated above and as per street view below:



The area is adjacent to Bush Forever land and on the opposite side of the road to the existing properties. The verges have been landscaped and trees planted to soften the road infrastructure and help 'green' this space.

The sketch below indicates that 4 x parking bays may be possible in this specific location:



Parking Bay Cons

- No pedestrian access can be constructed to safely access these parking bays due to the existing surrounding drainage infrastructure
- No direct vehicle access to properties due to the road design and central median island
- Existing vegetation within this corridor are Australian Natives, especially selected due to their proximity to the bush forever site and are to be removed and relocated elsewhere, if able to do so
- Limited use by the community and likely to service 4 x properties only
- Estimated construction cost above \$50,000.

Conclusion:

The Skeet Road design was never intended to accommodate On-Street parking. Parking should also not be considered anywhere unless safe access for pedestrians can be provided and this is not possible in this location. Without significant expense and extensive disruption, the road side Swale constructed along Skeet Road cannot be impacted or eliminated to provide any Parking Bays.

Options:

1. Note the Officers comments and do nothing
2. Proceed with the installation of 4 x Car Parking Bays at an estimated cost of \$50,000, noting Officers comments on Parking Bay safety concerns mentioned above
3. Complete redesign of Skeet Road and its associated drainage system

MOVED Cr K Kamdar

That Council adopt Option Two - Proceed with the installation of 4 x Car Parking Bays at an estimated cost of \$50,000, noting Officers comments on Parking Bay safety concerns mentioned above.

*Seconded Cr S S Virk, Opposed Cr P A Hetherington
Motion Lost (2/6)*

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T5/11/23

That Council:

1. **Note the Officers comments and do nothing.**

**Moved Cr P A Hetherington
MOTION CARRIED**

(8/0)

3.4 - HERITAGE DRIVE, ROLEYSTONE - DRAINAGE (REFERRAL ITEM)

At the Council meeting held on 11 September 2023, Cr S Mosey referred the following matter to Technical Services Committee.

That the matter of Heritage Drive, Roleystone drainage be referred to the Technical Services Committee.

Comment from Cr S.Mosey

I raise this Councillor Item in the hope that the drainage can be investigated and a long term proactive, rather than reactive, solution can be recommended to Council.

Officer Comment

Background:

On occasion, Heritage Drive (near intersection with Old Albany Lane) evidences surface water during heavy rain events.

This location has a high potential for water to accumulate on the road surface during intense rainfall events because it is the low point along the road. Whilst the City accounts for this via regular maintenance inspections of the pipe drains to keep the road open and serviceable, ultimately the City has no control over the volume of water experienced nor the level of debris from the surrounding area that may contribute to the issues experienced.

In the knowledge of an intense wet weather event being forecast, the City has an established practice of planned preventative maintenance i.e. the cleaning of drainage pipes, and the clearing of pits and grates.

Existing Drainage System:

The pipe drainage system on the Heritage Drive was designed and constructed as part of the Araluen Golf Resort Estate.

The surface water occurs at the low point where two Side Entry Pits (SEPs) are designed to capture the runoff at the lowest point along the roadway – refer to the image below.

Image:



The pipe drainage system has been operating according to its original design (1994). There have been no significant changes in the catchment characteristics or major developments in the area since. It has been noted that the City's preventative maintenance is successful but given the design characteristics and the variables that may be encountered, surface water may be experienced at this location from time to time.

The City's maintenance team will continue its process of cleaning the system before the winter months and carry out pre-intense weather event clearing when capacity allows.

Suggested Recommendation

That Council note the officers' comments on the matter of the maintenance schedule of the drainage system.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T6/11/23

- 1. That Council note the officers' comments on the matter of the maintenance schedule of the drainage system and consider signage and other additional mitigation measures.**

Moved Cr S J Mosey OPPOSED Mayor R Butterfield

Seconded Cr S S Virk

MOTION CARRIED

(5/3)

**3.5 - APPOINTMENT OF COUNCILLORS TO OCCASIONAL ADVISORY GROUPS,
REFERENCE/WORKING GROUPS AND EXTERNAL ORGANISATIONS**

WARD : ALL
FILE No. : M/619/23
DATE : 30 October 2023
REF : MA
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- Following the local government elections on 21 October 2023 consideration is required to be given to the appointment of Councillors to:
 - Occasional Advisory Groups, Reference/Working Groups
 - External/Local Committees, Reference and Working Groups.
- This report recommends that Council appoint nominated Councillors to Occasional Advisory Groups, Reference/Working Groups and External/Local organisations, for the period November 2023 – October 2025.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

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

Legal Implications

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

Council Policy/Local Law Implications

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

Budget/Financial Implications

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

Consultation

Intra-Directorate and relevant groups

BACKGROUND

In addition to the formation of Council established Committees, Council also nominates representatives to occasional advisory groups, reference/working groups and external local organisations. Council may nominate representatives to such committees/organisations by a simple majority resolution of Council and unless otherwise explained, the appointments are optional.

At its Special Meeting of Thursday, 26 October 2023, Council resolved that the matter of Council representation on a number of advisory, reference and working groups established by Council, be referred to the Technical Services Committee.

For reference, those groups include:

- Armadale Gosnells Landcare Group
- Armadale Settlers Common Working Group
- Bushcare & Environmental Working Group
- Jandakot Regional Park Community Advisory Committee
- Metropolitan Regional Road Sub-Group
- Parks Darling Range Community Advisory Committee
- Rivers Regional Council
- South East Regional Energy Group
- South East Regional Centre for Urban Landcare
- Wirra Willa Working Group.

Unless otherwise determined by Council, the tenure of a Councillor's membership on a Council established Committee or as a delegate to such a Committee continues until the:

- Councillor no longer holds the office by virtue of which the Councillor became a member.
- Councillor resigns from membership of the Committee.
- Committee is disbanded.
- Next ordinary election day - whichever happens first.

DETAILS OF PROPOSAL

Committee is requested to consider and recommend appointments from its membership to the various committees and groups for the period November 2023 – October 2025.

The following gives a brief explanation of each to assist Committee with nominations. In this instance that is the Technical Services Committee.

Armadale/Gosnells Landcare Group

The Armadale/Gosnells Landcare Group (*the Landcare Group*) is an incorporated, not for profit, community organisation whose focus is river restoration, bushland management, and environmental education in the catchment of the Upper Canning, Southern and Wungong Rivers.

The Landcare Group attracts significant grant funding, relies heavily on volunteer participation and is financially supported by Council. Consequently, it is considered beneficial to have Councillor representation.

The Council representative is a liaison role only (no voting rights).

Council/Representation Required	Prior Appointments	Meeting Details
1 Member	Cr Smith	Meets bi-monthly. Venue alternates between CoA and CoG

Armadale Settlers Common Working Group

The Armadale Settlers' Common Working Group (*the Working Group*) assists in the conservation and management of Armadale Settlers' Common as a conservation reserve, and encourages recreation and education of the natural bushland environment.

Armadale Settlers' Common is a large 'A' Class reserve vested in the City of Armadale, which does not receive funding for environmental management from the City. Management actions are implemented by the Working Group in conjunction with the City's Environmental Services Department.

The Working Group attracts significant annual grant funding. One member of this Working Group also sits on the "Bushcare and Environmental Working Group". The Working Group relies heavily on volunteer participation, and as with other groups, it is considered beneficial to have Councillor representation.

The Council representative is a liaison role only (no voting rights).

Council/Representation Required	Prior Appointments	Meeting Details
1 Member	No current rep	Meets Monthly at Settlers Common

Bushcare & Environmental Working Group

The Bushcare and Environmental Working Group (*the Working Group*) provides the primary formal link between Council and the community in regard to protection and rehabilitation of the natural environment. The Working Group also oversees and coordinates the efforts of other 'working' and 'friends' groups.

The Working Group comprises twelve members from the community, one Councillor, a City Environmental Officer, and the City's Bushcare Supervisor. The role of the Working Group is to advise the City on policy matters associated with environment, to coordinate conservation groups, and to provide support to the various volunteer environmental groups.

The Working Group relies heavily on volunteer participation, and it is considered important to have Councillor representation. This will provide appropriate recognition by the City, with the Councillor becoming the 'Champion', providing support and advice to the Working Group. The Working Group meets on the second Wednesday of every second month.

The Council representative votes in accordance with Council policy/position where it exists.

Council/Representation Required	Prior Appointments	Meeting Details
1 Member	Cr Smith	Bi-monthly at the City's
1 Deputy (Optional)	Cr Butterfield	Administration office

Jandakot Regional Park Community Advisory Committee

The Jandakot Regional Park Community Advisory Committee (*the Committee*) was established by the Department of Parks and Wildlife (DPAW) to provide a regular forum to hear public opinion and exchange advice on management issues affecting regional parks.

The Committee consists of community representatives, DPAW Officers, Local Government Officers, and invites a Councillor representative from each Local Government to attend. The Committee meets quarterly on a Tuesday, usually beginning in February.

The Council representative is a liaison role only (no voting rights).

Council/Representation Required	Prior Appointments	Meeting Details
1 Delegate	No current delegate	Quarterly at Cockburn
1 Deputy (Optional)		Wetlands Education Centre, Bibra Lake

Metropolitan Regional Road Sub-Group

The Metropolitan Regional Road Group (MRRG) manages and administers State allocated funding for Road Projects and Black Spot Programs on the local road network of the Metropolitan Region. Metropolitan Local Governments are divided into 6 Sub Groups with membership being an Elected Member and Technical Representative from each Local Government. Each Sub Group appoints one representative Elected Member and Technical representative to the MRRG.

The South East Metropolitan Regional Road Sub-group assists in informing the decisions of the MRRG and comprises of members from the Town of Victoria Park, the City of Gosnells, City of Armadale, City of Belmont, City of Canning, City of South Perth, and the Shire of Serpentine Jarrahdale as well as representatives from the West Australian Local Government Association (WALGA) and Main Roads Western Australia. (MRWA).

Councillor representation is considered important and the Group influences policy with significant funding implications for the City, as well as assisting in ensuring that the outcomes of the Regional Road Group and the funds expended under the State Roads Funds to Local Government Agreement are in line with the City's priorities.

The Council representative votes in accordance with Council policy/position where it exists

Council/Representation Required	Prior Appointments	Meeting Details
1 Delegate 1 Deputy (Optional)	Cr G Nixon Cr S Peter	Bi-annually at MRWA Offices in East Perth

Rivers Regional Council (RRC)

Membership of the RRC includes representation from the Cities of Armadale, Gosnells, Mandurah and South Perth, Shire of Murray and Shire of Serpentine-Jarrahdale.

The vision of RRC is to provide sustainable waste minimisation, recycling and Alternative Waste Treatment (AWT) services for Member Councils; to provide these services in a way which will move Member Councils and their communities substantially towards a zero-waste environment; and to undertake this role sustainably.

During the current financial year, the RRC is likely to transition to a Rivers Regional Subsidiary which will only require representation from the Administration (Technical Officers).

Member Sitting Fees for the RRC are as follows:

Councillors Annual Meeting Attendance Fee \$7725 each

Deputy Councillors Fee \$200 per meeting

Other allowances include travel allowance at cost in accordance with the Local Government (WA) Officers Award.

Council/Representation Required	Prior Appointments	Meeting Details
2 Delegates 2 Deputy	Cr K Busby, Cr E Flynn Cr M Silver Cr G Nixon	Bi-monthly (predominantly online) and venue alternates between Member Councils

South East Regional Energy Group (SEREG)

The South East Regional Energy Group comprises of representatives of the Cities of Armadale, Gosnells, and the Shire of Serpentine Jarrahdale, working in partnership to reduce regional greenhouse gas emissions through the implementation and review of the Switch your thinking Business Plan, and Partner Councils' Corporate Greenhouse Action Plan. The Group meets bi-monthly and meetings are attended by Officers of the City of Armadale. The Council representative votes in accordance with Council policy/position where it exists.

Council/Representation Required	Prior Appointments	Meeting Details
1 Delegate 1 Deputy	Cr R Butterfield Cr S Peter	Bi-monthly and venue alternates between Member Councils

Wirra Willa Working Group

The Wirra Willa Working Group is progressing towards restoring and preserving the heritage listed gardens back to its former glory for the Community to enjoy.

Wirra Willa is a heritage listed garden that celebrates its unique history. It is our vision to deliver garden rooms for visitors to explore, it will be a place of reflection, small gatherings,

and learning about culture, heritage and horticulture. Wirra Willa is a destination site for locals and garden tourists around the world.

NOTE: Council representation is the Mayor & Chair of Technical Services Committee. The Council representative is a liaison role only (no voting rights).

Council/Representation Required	Prior Appointments	Meeting Details
2 Delegates	Cr R Butterfield Cr G Nixon	Bi-monthly at the City's Administration Centre

Explanatory Notes

The following procedural notes are provided to assist Committee in making recommendations on the above appointments.

- 1. Appointments to any of the above committees/groups would preferably (but not essentially) be restricted to members of the Technical Services Committee.*
- 2. Nominations for appointment can be verbal or in writing - past practice, which has operated without problem, has been on a verbal basis.*
- 3. In the event of no nominations being received, the matter be referred to full Council for nomination and subsequent appointment.*

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

That Council appoint nominated Councillors to Occasional Advisory Groups, Reference/Working Groups and External/Local organisations, for the period November 2023 to October 2025 as follows:

Group Name	Member / Delegate	Deputy
Armadales Gosnells Landcare Group	Cr G Smith	Cr S Stoneham
Armadales Settlers Common Working Group	Cr S J Mosey	
Bushcare & Environmental Working Group	Cr S Stoneham	Cr J Joy
Jandakot Regional Park Community Advisory Committee	Cr S S Virk	Cr M Silver
Metropolitan Regional Road Sub-Group	Cr M Hancock	Cr J Keogh
Parks Darling Range Community Advisory Committee	Cr S Stoneham	Cr S J Mosey
Rivers Regional Council	Cr K Busby Cr M Silver	Cr M Hancock Cr S J Mosey
South East Regional Energy Group	Mayor R Butterfield	Cr J Keogh
South East Regional Centre for Urban Landcare	Cr G Smith	Cr S J Mosey
Wirra Willa Working Group	Mayor Butterfield Cr K Busby	Cr M Silver

COUNCILLORS' ITEMS

Nil

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 8.12pm

TECHNICAL SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
6 NOVEMBER 2023		
ATT NO.	SUBJECT	
1.1	MAIN ROADS LOW COST URBAN ROAD SAFETY - PROGRAM - PROPOSED ROAD SAFETY TREATMENTS - CHALLIS ROAD, LOWANNA WAY AND TAIT STREET	
1.1.1	E22-46-00 - Tait Street - Public Consultation Plan	
1.1.2	E22-72-00 - Lowanna Way - Public Consultation Plan	
1.1.3	E22-56-00 - Challis Street, Public Consultation Plan	

The above attachments can be accessed from the Minutes of the Technical Services Committee meeting of 6 November available on the City's website

CITY OF ARMADALE

MINUTES

OF COMMUNITY SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 7
NOVEMBER 2023 AT 7:00PM.

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

APOLOGIES: Cr K Busby

OBSERVERS: Mayor R Butterfield
Cr S J Mosey
Cr L Sargeson

IN ATTENDANCE:	Ms J Abbiss	CEO
	Mrs S van Aswegen	Executive Director Community Services
	Mr G Dixon	Manager Libraries and Heritage
	Mr C Halpin	Manager Recreation Services
	Mrs R Milnes	Manager Community Development
	Mr R Porter	Manager Ranger and Emergency Services
	Mr L Puig	Manager Economic Development & Advocacy
	Ms J Cranston	Executive Assistant Community Services

PUBLIC: 1

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 3 October 2023 be confirmed.

Moved Cr J Keogh
MOTION CARRIED

(7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

Report on Outstanding Matters – Community Services Committee

Items referred from the Information Bulletin – Issue 16 – October 2023

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

CONTENTS

COMMUNITY SERVICES COMMITTEE

7 NOVEMBER 2023

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***1.1 - APPOINTMENT OF COUNCILLORS TO OCCASIONAL ADVISORY GROUPS,
REFERENCE/WORKING GROUPS AND EXTERNAL ORGANISATIONS***

WARD : ALL
FILE No. : M/618/23
DATE : 27 October 2023
REF : JC
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- Following the local government elections on 21 October 2023 consideration is required to be given to the appointment of Councillors to:
 - Occasional Advisory Groups, Reference/Working Groups
 - External/Local Committees, Reference and Working Groups.
- This report recommends that Council appoint nominated Councillors to Occasional Advisory Groups, Reference/Working Groups and External/Local organisations, for the period November 2023 – October 2025.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

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

Legal Implications

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

Council Policy/Local Law Implications

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

Budget/Financial Implications

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

Consultation

Intra-Directorate and relevant groups

BACKGROUND

In addition to the formation of Council established Committees, Council also nominates representatives to occasional advisory groups, reference/working groups and external local organisations. Council may nominate representatives to such committees/organisations by a simple majority resolution of Council and unless otherwise explained, the appointments are optional.

At its Special Meeting of Thursday, 26 October 2023, Council resolved that the matter of Council representation on a number of advisory, reference and working groups established by Council, be referred to the Community Services Committee.

For reference, those groups include:

- City of Armadale Highland Gathering Reference Group
- Access and Inclusion Reference Group
- History Reference Group
- Neighbourhood Watch Committee (CoA)
- Reconciliation Action Plan Working Group

Unless otherwise determined by Council, the tenure of a Councillor's membership on a Council established Committee or as a delegate to such a Committee continues until the:

- Councillor no longer holds the office by virtue of which the Councillor became a member.
- Councillor resigns from membership of the Committee.
- Committee is disbanded.
- Next ordinary election day - whichever happens first.

DETAILS OF PROPOSAL

Committee is requested to consider and recommend appointments from its membership to the various committees and groups for the period November 2023 – October 2025.

The following gives a brief explanation of each to assist Committee with nominations. In this instance that is the Community Services Committee.

City of Armadale Highland Gathering Reference Group

The purpose of the group is to assist with the Armadale Highland Gathering and has a membership that includes organisations that participate in the event. The Council representative is a liaison role only.

Council/Representation Required	Prior Appointments	Meeting Details
1 Member 1 Deputy (Optional)	Cr Smith Cr Northcott	Monthly on the 1 st Wednesday of each month at 6.30pm (mid-year onwards).

Access and Inclusion Reference Group

The purpose of the Group is to provide a forum on access and inclusion issues, information sharing and advocacy. It provides feedback on the City's Access and Inclusion Plan and has membership of officers from different Directorates in addition to community members and government and non-government agencies. The Council representative is the Chair, as per the Terms of Reference.

Council/Representation Required	Prior Appointments	Meeting Details
1 Member 1 Deputy (Optional)	Cr Northcott Cr Smith	Quarterly – Thursday at 10am

History Reference Group

This Group advises and makes recommendations to Council, (via the Community Services Committee), on a range of issues associated with the City's historical collections, its Museums, Local Studies Library and historic precincts and any other matters related to preserving the history of the district. Its membership comprises community members and representatives from relevant organisations. The Group was established pre-2009 and endorsed as part of the review of Advisory Committees on August 24 2009 - CS85/8/09 refers. The Terms of Reference for the group were updated in February 2017. The Council representative is a liaison role only.

Council/Representation Required	Prior Appointments	Meeting Details
1 Member 1 Deputy (Optional)	Cr Keogh Cr Smith	Quarterly, 1 st Thursday, 5:30pm at the Armadale Library

Neighbourhood Watch Committee (City of Armadale)

Neighbourhood Watch is a community self-help program that aims to prevent crime and protect the safety, security and quality of life for everyone in our Community. The Council representative to this group is a liaison role only.

Council/Representation Required	Prior Appointments	Meeting Details
1 Delegate (liaison only) 1 Deputy (Optional)	C S Peter Cr Smith	3 rd Wednesday of every month at 11am

Reconciliation Action Plan Working Group

The purpose of the Reconciliation Action Plan Group is to provide feedback and guidance on the delivery of the City's Reconciliation Action Plan. Membership comprises Aboriginal Development staff, Executive Directors, community members and Councillors.

Council/Representation Required	Prior Appointments	Meeting Details
	Cr E Flynn Cr R Butterfield Cr M Northcott Cr Mosey	Quarterly, Thursday at 5.30pm

Explanatory Notes

The following procedural notes are provided to assist Committee in making recommendations on the above appointments.

- 1. Appointments to any of the above committees/groups would preferably (but not essentially) be restricted to members of the Community Services Committee.*
- 2. Nominations for appointment can be verbal or in writing - past practice, which has operated without problem, has been on a verbal basis.*
- 3. In the event of no nominations being received, the matter be referred to full Council for nomination and subsequent appointment.*

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

C31/11/23

That Council appoint nominated Councillors to Occasional Advisory Groups, Reference/Working Groups and External/Local organisations, for the period November 2023 to October 2025 as follows:

Group Name	Member / Delegate	Deputy
City of Armadale Highland Gathering Reference Group	Cr G J Smith	Cr P A Hetherington
Access & Inclusion Reference Group	Cr G J Smith	
History Reference Group	Cr J Keogh	Mayor R Butterfield
Neighbourhood Watch Committee (CoA)	Cr J Joy Cr G J Smith	Cr K Kamdar
Reconciliation Action Plan Working Group	Cr S Stoneham Cr S J Mosey Cr P A Hetherington Cr J Keogh	

Moved Cr S Stoneham
MOTION CARRIED

(7/0)

****2.1 - DOG PROHIBITED AREAS - CAROLS BY CANDLELIGHT/CHRISTMAS
PARADE AND AUSTRALIA DAY EVENTS**

WARD : MINNAWARRA
FILE No. : M/544/23
DATE : 22 September 2023
REF : RM/RP
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- The City has always discouraged the presence of dogs (assistance dogs excluded) and other animals at the Carols by Candlelight/Christmas Parade and Australia Day Celebration events due to the risk they pose in a densely populated setting.
- It has been identified that for City Rangers to legally direct attendees to remove their dogs from the area, a defined dog prohibited area needs to be established in accordance with section 31(2B)(b) of the *Dog Act 1976*.
- Recommend that Council endorse the proposed dog prohibited areas for the Carols by Candlelight/Christmas Parade and Australia Day Celebration events as set out in the recommendation and authorise the giving of a local public notice in accordance with section 1.7 of the *Local Government Act 1995*.

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

Aspiration 1 – Community

1.1 Foster and strengthen community spirit

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

Aspiration 4 – Leadership

4.1 Strategic leadership and effective management

- 4.1.5 Establish comprehensive governance policies and processes.

Legal Implications

The statutory environment is clearly outlined in the *Dog Act 1976*, with section 31 being the most relevant to the issue addressed within this report.

31. Control of Dogs in Certain Public Places

- (1) A dog shall not be in a public place unless it is —
 - (a) held by a person who is capable of controlling the dog; or
 - (b) securely tethered for a temporary purpose, by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.
- (2A) Despite subsection (1), a dog shall not be in a public place —
 - (a) at all if the place is specified under subsection (2B) as a place where dogs are prohibited at all times; or
 - (b) at a time when the place is specified under subsection (2B) as a place where dogs are prohibited at that time.
- (2B) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited —
 - (a) at all times; or
 - (b) at specified times.
- (2) A dog is exempt from the requirements of subsection (1) if —
 - (a) it is in a dog exercise area specified under subsection (3A); or
 - (b) it is in a public place that is in an area of the State outside the metropolitan region or outside a townsite, and that is not a rural leashing area specified under subsection (3B); or
 - (c) it is in or on a vehicle; or
 - (d) it is being exhibited for show purposes; or
 - (e) it is participating in an obedience trial or classes conducted under the auspices of the body known as the Canine Association of Western Australia (Inc.) or a body approved by the local government in whose district the obedience trial or classes are conducted; or
 - (f) it is registered as being bona fide used in the droving or tending of stock and is being so used or is going to or returning from a place where it will be, or has been, so used; or

- (g) it is a foxhound in a pack bona fide engaged in hunting or hound exercise or in going to or returning from hunting or hound exercise; or
 - (h) it is being used for retrieving, duck hunting or other customary sporting purposes.
- (3A) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.
- (3B) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place that is under the care, control or management of the local government to be a rural leashing area.
- (3C) At least 28 days before specifying a place to be —
- (a) a place where dogs are prohibited at all times or at a time specified under subsection (2B); or
 - (b) a dog exercise area under subsection (3A); or
 - (c) a rural leashing area under subsection (3B),
- a local government must give local public notice as defined in the *Local Government Act 1995* section 1.7 of its intention to so specify.
- (3) If a dog is at any time in any public place in contravention of subsection (1) or (2A), every person liable for the control of the dog at that time commits an offence unless the person establishes a defence under section 33B.
- Penalty: a fine of \$5 000.
- (4) This section does not apply to a dangerous dog.
- (5) A local government must specify under subsection (3A) such dog exercise areas as are, in the opinion of the local government, sufficient in number, and suitable, for the exercising of dogs in the district.

Section 1.7 of the *Local Government Act 1995* sets out the local public notice obligations that are necessary under section 31(3C) of the *Dog Act 1976*;

1.7. Local Public Notice

Where under this Act local public notice of a matter is required to be given, notice of the matter must be —

- (a) published on the official website of the local government concerned in accordance with the regulations; and
- (b) given in at least 3 of the ways prescribed for the purposes of this section.

Regulation 3A of the *Local Government (Administration) Regulations 1996* prescribes how a local public notice must be given.

3A. Requirements for Local Public Notice (Act s. 1.7)

- (1) For the purposes of section 1.7(a), notice of a matter must be published on the local government's official website for —
 - (a) the period specified in or under the Act in relation to the notice; or
 - (b) if no period is specified in relation to the notice — a period of not less than 7 days.
- (2) For the purposes of section 1.7(b), each of the following ways of giving notice of a matter is prescribed —
 - (a) publication in a newspaper circulating generally in the State;
 - (b) publication in a newspaper circulating generally in the district;
 - (c) publication in 1 or more newsletters circulating generally in the district;
 - (d) publication on the official website of the Department or another State agency, as appropriate having regard to the nature of the matter and the persons likely to be affected by it, for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days;
 - (e) circulation by the local government by email, text message or similar electronic means, as appropriate having regard to the nature of the matter and the persons likely to be affected by it;
 - (f) exhibition on a notice board at the local government offices and each local government library in the district for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days;
 - (g) posting on a social media account administered by the local government for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days.

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Other than the costs associated with statutory public notice requirements there are no financial implications associated with the recommendations of this report as Rangers Services already provide support at major City events.

Consultation

1. City Governance
2. City's GIS team
3. Ranger and Emergency Services
4. Community Development
5. City's Solicitors
6. Main Roads WA

BACKGROUND

The City's major events are delivered primarily in the locality of the Armadale CBD. Detailed Traffic Management Plans and associated road closures are necessary to ensure there is sufficient space to accommodate the event patrons and to preserve the safety of a large number of people congregating in the city centre.

The City has always discouraged the presence of dogs (assistance dogs excluded) and other animals at the Carols by Candlelight/Christmas Parade and Australia Day Celebration events due to the risk they present in a densely populated setting. This has been indicated in promotion of the events, citing 'No dogs permitted'.

However, it has been identified that for City Officers to legally direct attendees to remove their dogs from the area in order to comply with the abovementioned risk mitigation strategy, a defined dog prohibited area needs to be established for the event zone in accordance with the *Dog Act 1976* ('the Act').

Ordinarily, under section 31(1) of the Act, dogs can be in any public place provided they are being held by a person who is capable of controlling the dog or securely tethered for a temporary purpose. The Act defines a '**public place**' in very broad terms as being "any place to which the public may lawfully have access".

Notwithstanding the above, under section 31(2B) of the Act, a local government may, by absolute majority as defined in section 1.4 of the *Local Government Act 1995*, specify a public place or a class of public place, to be a place where dogs are prohibited absolutely or at specified times, however, this provision can only be applied to public places that are under the care, control or management of the local government.

In the course of establishing a defined dog prohibited area for the major city events, it became apparent that Armadale Road is ordinarily under the care, control and management of Main Roads WA ('MRWA'). However, because the road closures for the Australia Day Celebration event comprise part of Armadale Road it needed to be established whether the City could legally incorporate the road into any proposed dog prohibited area.

The City sought legal advice regarding whether a public place that is ordinarily not controlled by local government may be specified as a dog prohibited area. The advice received informed that areas such as Armadale Road constitute a public place as they are areas to which the public generally may lawfully have access, provided those areas in respect of MRWA areas are not restricted or prohibited access areas (i.e. Kwinana Freeway, Tonkin Highway, etc...).

With regards to the application of section 31(2B) of the Act, further advice from the City's Governance team determined that Armadale Road would be considered to be under the care, control and management of the City for the duration of the Australia Day Celebration event due to the following factors:

The City:

- Appoints a reputable traffic management firm specifically to undertake traffic management duties for the event and the firm takes instructions from the City, not MRWA. Under the Traffic Management Plan the firm's only contact with MRWA is to advise of the commencement and conclusion of the event.

- Provides public notification of the closure of Armadale Road during the event.
- Is the sole party responsible for the planning and management of the road closure in the lead up to the event.
- Is the sole applicant for the road closure.

Therefore, unless MRWA expressed a position to the contrary, it was open for the City to specify MRWA areas as being a dog prohibited area during the Australia Day Celebration event and enforce a ban on dogs on the basis that:

- (a) that land is a public place which is the subject of a specification under section 31(2B) of the Act;
- (b) dogs being present on specified land during those specified times will give rise to potential offences under section 31(2A) of the Act; or
- (c) in the case of any other place on MRWA land, the City can enforce section 33A of the Act on the basis that the relevant land is not a public place and MRWA has not consented to dogs being present on that land.

DETAILS OF PROPOSAL

It is proposed that clearly defined dog prohibited areas be established for the duration of the Carols by Candlelight/Christmas Parade and Australia Day Celebration events.

The attached '*Dog Prohibited Area – Christmas Carols*' and '*Dog Prohibited Area – Australia Day*' maps indicate the proposed areas where dogs are to be prohibited for each event. Therefore, it is recommended that the City do the following:

1. In accordance with section 31(2B) of the Act, endorse the proposed;
 - a. '*Dog Prohibited Area – Christmas Carols Land Description*' map, as being a place where dogs are prohibited during the Carols by Candlelight/Christmas Parade event; and,
 - b. '*Dog Prohibited Area –Australia Day Land Description*' map, inclusive of the relevant MRWA land (portion of Armadale Road), as being a place where dogs are prohibited during the Australia Day Celebration event.
2. Give at least 28 days local public notice of the abovementioned proposal pursuant to Section 31(3C) of the Act and in accordance with the requirements of section 1.7 of the *Local Government Act 1995*, after which time the recommendation will come into effect.
3. Write to MRWA to advise them that the City intends to establish such a specification over their lands and to invite MRWA to express any objections before a specified date, being a date before which notice is to be given under section 1.7 of the *Local Government Act 1995*.

ANALYSIS

According to the legal advice received, the City has the authority to exclude dogs from Armadale Road during the Australia Day Celebration event delivered by the City.

This authority does not extend outside the times that the road is closed for the purpose of the City's events or times where the road may be closed by the City or MRWA for other purposes.

On the 19 September 2023, McLeods Lawyers, on behalf of the City, wrote to MRWA advising them of the City's intention to incorporate a portion of Armadale Road into a proposed 'dog prohibited area' for the Australia Day Celebration event and invite them to provide any objections to the proposal on or before the 3 October 2023. At the time of this report being written the City had not received a response from MRWA.

The proposal within this report is being implemented specifically for the safety and wellbeing of patrons attending major city events.

OPTIONS

Council has the following options:

1. Endorse the proposed '*Dog Prohibited Area – Christmas Carols Land Description*' and '*Dog Prohibited Area – Australia Day Land Description*' maps as being places where dogs are prohibited during the Candlelight/Christmas Parade and Australia Day Celebration events in accordance with section 31(2B)(b) of the Act, and provide a local public notice in accordance with section 1.7 of the *Local Government Act 1995*.
2. Reject the recommendation as proposed and refer the matter back to the Officer for further consideration.

Option 1 is recommended.

CONCLUSION

With community safety being a high priority for the City, it is essential to ensure robust and relevant risk management plans are in place for the major events program.

In support of this, the City must ensure a safe environment is afforded in which attendees can enjoy the surrounds without the fear of a dog becoming a nuisance towards them.

The recommendation set out below is seen as delivering a sound approach to the management of dogs at major city events.

ATTACHMENTS

1. [↓](#) Event - Dog Prohibition - Christmas Carols
2. Event - Dog Prohibition - Australia Day

RECOMMEND

C32/11/23

That Council:

1. Pursuant to Section 31(2B)(b) of the *Dog Act 1976*, subject to any other written law and any law of the Commonwealth about assistance animals as defined under section 9(2) of the *Disability Discrimination Act 1992* (Cth), endorse the;
 - a. ‘*Dog Prohibited Area – Christmas Carols Land Description*’ map, as being a place where dogs are prohibited during the Carols by Candlelight/Christmas Parade event, and the;
 - b. ‘*Dog Prohibited Area – Australia Day Land Description*’ map, inclusive of the relevant MRWA land (portion of Armadale Road), as being a place where dogs are prohibited during the Australia Day Celebration event.
2. Authorise the Chief Executive Officer to give at least 28 days public notice on the proposed change set out in this recommendation pursuant to Section 31(3C) of the *Dog Act 1976* and in accordance with Section 1.7 of the *Local Government Act 1995*, after which time the recommendation will come into effect.
3. Delegate authority to the Chief Executive Officer to determine the specific commencement and cessation times for the operation of the ‘dog prohibited areas’, consistent with the road closure times identified within the relevant Traffic Management Plans.

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

Moved Cr C M Wielinga
MOTION CARRIED

(7/0)

3.1 - BUSINESS DEVELOPMENT MENTORSHIP AND COMPETITION FOR THE PRODUCTION OF ABORIGINAL ART MERCHANDISE FOR NAIDOC WEEK 2024

WARD : ALL
FILE No. : M/590/23
DATE : 17 October 2023
REF : LP/RM
RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- This report presents a proposal comprising a Business Development Mentorship and Competition project for Aboriginal Art Merchandise for NAIDOC Week 2024.
- Recommend that Council endorse the proposed Business Development Mentorship and Competition for Aboriginal Art Merchandise for NAIDOC Week 2024.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

Strategic Community Plan

Community

1.1 Foster and strengthen community spirit

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

Leadership

4.1 Strategic leadership and effective management

- 4.1.5 Establish comprehensive governance policies and processes.

Economy

3.3 Responsive and Flexible Support of Business

3.3.2 Facilitate opportunities for local businesses to gain skills, access support, and build the networks required to grow in a competitive environment.

3.4 Thriving Tourism Industry

3.4.3 Foster strategic partnerships with key stakeholders to market the City's tourism offering and promote investment in new developments.

Economic Development Strategy

Our People and Businesses - The City will support our existing businesses and residents to learn, grow and lead in our economy.

3.3.2 Facilitate access to business skills development opportunities.

- Deliver Business Development Program to upskill and grow local businesses.

3.2.1 Prioritise the creation and promotion of a positive image and identity for the City in order to change the perception and narrative about Armadale and make it a location of choice for residents, businesses and visitors.

- Seek better promotion of the tourism offering and visitor's centre and continuously pursue opportunities to leverage changes to the City's reputation and image.

Tourism Strategy

Product and Destination Development - Cultural Tourism

3.3.2 Facilitate access to business skills development opportunities.

- Develop a workforce training program with a focus on encouraging young people to choose tourism and hospitality as a career path.
- Work with the Armadale Champion Centre, local elders and Aboriginal community leaders to develop a framework for the delivery of Aboriginal tourism opportunities.

Reconciliation Action Plan

Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.

- Develop commercial relationships with Aboriginal and/or Torres Strait Islander businesses

Legal Implications

Nil

Council Policy/Local Law Implications

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

Budget/Financial Implications

The cost of delivering the proposed Business Development Mentorship and Competition, from design, printing and selling merchandise with Aboriginal art themes is \$20,000. Estimated costings comprise business development advisory services, design and production costs, marketing and promotion activities including up to \$2,750 attributed to the in-kind cost of staff time to implement the project.

The proposed expenditure can be accommodated in the 2023/24 Budget.

The Perth Hills Armadale Visitor Centre can contribute to the production of and selling the souvenirs as this is part of its day-to-day retail activities.

Consultation

- Community Development – Aboriginal Development team
- Economic Development team including the Perth Hills Armadale Visitor Centre

BACKGROUND

At the Ordinary Council Meeting held on 10 July 2023, Cr Keogh referred the following matter to the Community Services Committee.

That the matter of apparel options for events such as NAIDOC week be referred to the Community Services Committee

Council resolved the following at the Ordinary Council Meeting held on 11 September 2023 (C22/9/23):

That Council requests City Officers provide a report regarding:

- i. *The logistics and costs of working with local Aboriginal designers and manufacturers to produce and sell apparel, culminating in the launch of locally designed and produced apparel during the NAIDOC event in July 2024.*
- ii. *The logistics and costs to produce Aboriginal apparel that can also be developed and sold for large events held by the City*

Current Partnerships with Aboriginal Designers and Manufacturers

The City has associations with 13 artists, designers and manufacturers, nine of whom are local to Armadale. The nature of the associations comprise the following:

Name	Product	Purpose
Chartay Creations	Accessories and apparel	Stall holder at NAIDOC – sells own products City purchases goods when required for projects for example the Welcome Baby to Country event
Buffie Creative	Commissioned art, both digital and acrylic paint on canvas. Accessories	Stall holder at NAIDOC – sells own products City purchases goods when required for projects for example the Welcome Baby to Country event
Kristy Rodney	Various artwork	Stall holder at NAIDOC – sells own products
Cheryl Biggs	Various artwork	Stall holder at NAIDOC – sells own products
Dushong Art – Rohin Kickett	Various artwork, photography	Commissioned mural for the Champion Centre and the Ocean Swirl logo
Raylene Hayward	Various artwork	Stall holder at NAIDOC – sells own products

Name	Product	Purpose
Kyooya Designs – Chloe & Danikka Calyon	Commissioned art, craft and apparel	Known artist
Djikulu Dreaming - Tammy Hayden	Apparel	Design of Early Years Partnership logo
Ngalla Moort - Page Prior	Apparel	Known artist
Reynold Indich	Various artwork	Known artist
Rose Indich	Various artwork	Known artist
Beelya Yorg – Teresa Miller	Various artwork	Known artist

DETAILS OF PROPOSAL

The short term objective of the proposed mentorship and competition is to incentivise the creation and incubation of microbusinesses to design and manufacture a line of merchandise for sale during NAIDOC Week in July 2024.

A staged approach is recommended, with the goal of having a pilot program running in early 2024. This approach will help identify the need and appetite of the local Aboriginal community, its capabilities, enable securing support from other organisations, and investigating options to unlock further opportunities such as grants, partnerships or related programs.

As part of the recommended staged approach, with sufficient community buy-in, a competition-style program would be a favourable option by encouraging members of the community to design artworks and to receive professional business development advice, with the view of winning a tailored business development mentorship. For the winning designers and those willing to start a business, they would receive seed funding to design and print a souvenir collection to be available for sale during NAIDOC Week in July 2024 and at the Perth Hills Armadale Visitor Centre.

Preliminary stages are:

Stage 1 – Investigating the need, champions and gaining buy-in

- Meet with the Aboriginal Development team, Aboriginal community members, Small Business Development Corporation (SBDC), WA Indigenous Tourism Operators Council (WAITOC), Perth Hills Armadale Visitor Centre, and other relevant stakeholders to identify needs, opportunities and challenges.
- Devise mechanics and eligibility criteria of a competition-style Business Development Mentorship.

Stage 2 – Build program and momentum

- Build a program around the needs and opportunities identified on Stage 1. Also build a campaign to promote the mentorship including design and format, including a communications plan.
- Seek and secure professional business advisor(s) to deliver the mentorship.

- Procurement – seek up to 3 quotes from local merchandise manufactures, to include design and production of a line of products for sale.

COMMENT

The proposed *Business Development Mentorship and Competition for Aboriginal Art Merchandise* will fulfil the short term aim of facilitating the design and production of merchandise for the NAIDOC event in 2024. The longer term objectives of the proposed project comprise the support of local small businesses, promotion of the Aboriginal art and culture locally and promotes the concept of Aboriginal tourism.

OPTIONS

Council has the following options:

1. Endorse the proposed Business Development Mentorship and Competition for Aboriginal Art Merchandise for NAIDOC Week 2024.
2. Do not endorse the proposed Business Development Mentorship and Competition for Aboriginal Art Merchandise for NAIDOC Week 2024.

Option 1 is recommended.

CONCLUSION

As part of the City of Armadale commitment to support its community and to nurture an environment of innovation and for businesses to grow, the proposed *Business Development Mentorship and Competition for Aboriginal Art Merchandise for NAIDOC Week 2024* is a new initiative that could assist in achieving a number of objectives outlined in the City's Strategic Community Plan, its Economic Development Strategy and Tourism Strategy, its Social Priorities Plan and the recently adopted Reconciliation Action Plan.

By investing in incubating and nurturing new businesses, the City can directly incentivise the creation of new micro enterprises that, if successful, could assist in the creation of jobs and overall wellbeing in the community. Additionally, by working closely with the Champion Centre, the City can strengthen its relationship with its Aboriginal community.

The proposed initiative has the ability be staged and delivered in a way presents minimal risk to the City and promotes positive participation from the community.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

C33/11/23

That Council:

- 1. Endorse Stage 1 of the proposed *Business Development Mentorship & Competition for Aboriginal Art Merchandise for NAIDOC Week 2024*.**
- 2. After completion of Stage 1, receive a report on the program for Stage 2 of the Business Development Mentorship and Competition for Aboriginal Art Merchandise for NAIDOC Week 2024.**

**Moved Cr J Keogh
MOTION CARRIED**

(7/0)

COUNCILLORS' ITEMS

Nil

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

The Executive Director Community Services congratulated everyone on their election.

MEETING DECLARED CLOSED AT 7:17PM

COMMUNITY SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
7 NOVEMBER 2023		
ATT NO.	SUBJECT	
2.1	DOG PROHIBITED AREAS - CAROLS BY CANDLELIGHT/CHRISTMAS PARADE AND AUSTRALIA DAY EVENTS	
2.1.1	Event - Dog Prohibition - Christmas Carols	
2.1.2	Event - Dog Prohibition - Australia Day	

The above attachments can be accessed from the Minutes of the Community Services Committee meeting of 7 November available on the City's website

CHIEF EXECUTIVE OFFICER’S REPORT

13 NOVEMBER 2023

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1.1 - ARMADALE CHRISTMAS LIGHTS TRAIL 2023

WARD : ALL

FILE No. : M/633/23

DATE : 6 November 2023

REF : LP/EST

RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- In 2022, the City of Armadale rolled out its first Connected Community Christmas Lights Trail and competition.
- This competition-style campaign during December 2022 generated positive messaging and increased engagement with the community which gave away \$2,000 in prizes to the winning entries.

Recommend that Council:

- Endorses the roll out of the 2023 Christmas Lights Competition.
- Notes the allocation of \$6,000 from the Communications & Public Relations Consultancy Budget to support operational delivery of the 2023 Christmas Lights Competition and campaign and \$2,500 for prizes.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

Strategic Community Plan and Corporate Business Plan

Aspiration 1 – Community

- 1.1 Foster and strengthen community spirit.
- 1.4 An inclusive and engaged community.

Aspiration 3 – Economy

- 3.2 Positive image and identity for the City.

Aspiration 4 – Leadership

- 4.4 Effective community engagement and communications.

Legal Implications

Nil

Council Policy/Local Law Implications

Based on historical knowledge, there are no applicable Policies/Local Laws.

Budget/Financial Implications

The City is proposing the following categories with \$2,500 in prizes for the 2023 competition:

Best Private Residence	\$750 cash prize
Best Solar/Green Display Private Residence	\$750 cash prize
Heron Ward Best Private Residence	\$100 voucher
Hills Ward Best Private Residence	\$100 voucher
Lake Ward Best Private Residence	\$100 voucher
Minnawarra Ward Best Private Residence	\$100 voucher
Palomino Ward Best Private Residence	\$100 voucher
Ranford Ward Best Private Residence	\$100 voucher
River Ward Best Private Residence	\$100 voucher
Random Prize Draw	6 x \$50 vouchers

Vouchers are to be redeemed at select businesses that hold a membership of the Perth Hills Armadale Visitor Centre.

The Federal Member for Burt the Hon Matt Keogh MP and the WA Member for Armadale Hon Dr Tony Buti MLA will be offered the opportunity to be involved in the campaign, contribute to the prize pool, and be involved in judging of the competition.

Prize costs can be contained within the 2023/24 Budget allocation. However, to effectively deliver this campaign, it is necessary to engage an experienced campaign and competition contract resource to support the City's activities. Quotes received to outsource the entire campaign are between \$8,000 to \$16,000 and would include a comprehensive presentation and summary of activities and results. The recommended sum of \$6,000 for a contract resource for this year's competition takes into account some activities being undertaken internally by City officers and is sourced from the Communications & Public Relations Consultancy Budget..

Consultation

Intra Directorate

BACKGROUND

In December 2022, the City of Armadale rolled out its first Christmas lights competition inviting local residents to register their home lighting displays to enter a competition-style campaign for the opportunity to win a range of prizes in the forms of cash prizes and vouchers from local businesses.

As part of this the Connected Community Christmas Lights Trail, a digital interactive map was generated and promoted showing the locations of households participating in the competition. This map became an interactive trail for residents to use and to plan their journey to visit Christmas lights displays.

DETAILS OF PROPOSAL

This year, the City can roll out a similar campaign and competition to the Connected Communities Christmas Lights Trail done in 2022 by launching an online campaign via the City's engagement portal, supported by social media and traditional promotional activities. Potential timeline:

13 November	Endorsed by Council.
22 November	Website landing page created – information about the Christmas Lights Trail, categories available with prize pool details, terms and conditions for entry, entry form, interactive digital map. Advise when winners will be announced and presentations at Council on 18 December.
23 November	Campaign launched via social media, engage and The Examiner, website page live, promotion starts. Countdown to competition end 12 December 2023.
2 December	Promoted at Carols by Candlelight and Christmas Parade. Ongoing promotion, updates via social media.
12 December	Competition component closes and judging commences.
15 December	Competition winners drawn/verified and invited to attend Council Meeting on 18 December to receive their prize.
18 December	Council meeting – winners presented with prizes by the City of Armadale Mayor
19 December	Winners announced on website and social media.
20 December	Final promotion of the CoA Christmas Lights Trail – thank residents for participating and encouraging people to be safe and to watch out for next year's competition.

COMMENT

Metropolitan Local Governments involved in some form of Christmas lights trail promotion include:

- City of Gosnells - Safe Christmas Lights Competition 2023, prize pool of \$1,950.
- Shire of Serpentine Jarrahdale - Countdown to Christmas 2022, prize pool of \$2,500.
- City of Fremantle - Small business Christmas Window Display.
- City of Kalamunda - Small business Christmas Window Display.
- City of Mandurah – Mandurah Christmas Lights Photo competition.

It should be noted, that the Perth Hills Armadale Visitor Centre is delivering and promoting a new Christmas initiative in the form of a “Scavenger Hunt” across eight locations where participants can listen to a podcast-like story about each location and following a digital trail online to find clues to reach each destination. Locations of this Christmas scavenger hunt are:

- Perth Hills Armadale Visitor Centre
- AFAC
- Armadale Library
- History House Museum
- Shipwreck Park
- Lions Park
- Pioneer Village
- Roley Pools Nature Reserve

ANALYSIS

The 2022 competition had 28 households registered that were part of the Christmas lights map with 15 of these winning a prize. The total cash pool was \$2,000 which was distributed in the form of cash prizes and in vouchers from local businesses.

This campaign was generated via the City’s Engage Armadale portal where local residents could sign up using an online form, enter the competition, follow updates and view the map. Engagement via this site was optimal reaching 1.8 k total visits with up to 173 daily visitors over a 15-day campaign from 1 to 15 December 2022.

Results from the City’s social media channels generated a high number of impressions (66,970) and a high number of engagements (3,886) combined across Facebook and Instagram. The main post launching the campaign was turned into an advertisement generating 402 clicks. Overall, these results are higher than usual campaigns rolled out by the City.

CONCLUSION

A few local governments are supporting a Christmas Lights Trails to foster community spirit and bolster community connection.

The City's 2022 Connected Communities Christmas Lights Trail generated positive engagement with local residents which helped generating content to promote the City, its suburbs and its community spirit during the festive season.

A full review and recommendations will be presented in February 2024 with the potential of the Christmas Lights Trail and competition joining the annual suite of events delivered by the City.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO1/11/23

That Council:

- 1. Endorses the roll out of the 2023 Christmas Lights Competition.**
- 2. Notes the allocation of \$6,000 from the Communications & Public Relations Consultancy Budget, to support operational delivery of the 2023 Christmas Lights Competition and campaign and \$2,500 for prizes.**
- 3. Considers the Christmas Lights Trail and competition as part of the City's annual events suite and includes an ongoing allocation in the City's Long Term Financial Plan.**

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 17/2023

WARD : ALL
FILE No. : M/595/23
DATE : 17 October 2023
REF : MC
RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 17/2023 to be received by Council

The following general information and memorandums were circulated in Issue No 17/2023 on 9 November 2023.

COMMENT

Correspondence & Paper

NIL

Information from Human Resources

Employee Movements

Information from Technical Services

NIL

Information from Community Services

NIL

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)

Design Review Panel Meetings – October 2023

Health

Health Services Manager's Report – October 2023

Planning

Planning Applications Report – October 2023

Schedule of current Town Planning Scheme No.4 Amendments

Subdivision Applications - WAPC Approvals/Refusals – October 2023

Subdivision Applications - Report on Lots Registered for 2023/2024

Compliance Officer's Report – October 2023

Building

Building Services Manager's Report – October 2023

Building Health/Compliance Officer's Report – October 2023

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO2/11/23

That Council acknowledge receipt of Issue 17/2023 of the Information Bulletin



ORDINARY MEETING OF COUNCIL
MONDAY, 16 OCTOBER 2023

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, 16
OCTOBER 2023 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

PRESENT:

Mayor, Cr R Butterfield
presided over

River Ward

Deputy Mayor, Cr K Busby

Minnawarra Ward

Cr J Keogh

River Ward

Cr K Kamdar

Ranford Ward

Cr S Peter JP

Ranford Ward

Cr M S Northcott

Palomino Ward

Cr P A Hetherington

Palomino Ward

Cr M J Hancock

Heron Ward

Cr E J Flynn

Heron Ward

Cr G J Smith

Minnawarra Ward

Cr M Silver

Lake Ward

Cr S S Virk

Lake Ward

Cr G Nixon

Hills Ward

Cr S J Mosey

Hills Ward

IN ATTENDANCE:

Ms J Abbiss

Chief Executive Officer

Mr J Lyon

Executive Director Corporate Services

Mr P Sanders

Executive Director Development Services

Mr M Andrews

Executive Director Technical Services

Mrs S Van Aswegen

Executive Director Community Services

Ms E Stenhouse

Manager Communications & Engagement

Mrs S D'Souza

CEO's Executive Assistant

Public: 18

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME

1 Bree Hartley - 6 Haimlee Street, Kelmscott

In regards to the Lease decision this evening for the Roleystone Theatre I just have two questions.

Q1 Are councillors aware that Roleystone Theatre has 2 specified objectives of our association in our constitution?

The first relates to - The fostering of performing arts for the cultural and social benefits of the members and the wider community. However the second is to assist such charities or community endeavours as the society shall from time to time determine. We work hard to ensure this second objective guides our decision making and our use of volunteer time. For example, in the last decade this has included loan of technical equipment to schools and other community groups, hosting quiz nights for school P & C's, hosting charity previews at our venue for different productions with all funds raised going to the charity. Performing as volunteers at the CoA arts activity like the Armadale Carols, Armadale Writers Group Readings and the Araluen Carols by Torchlight. We support the Red Hat ladies and the Chaplaincies and many other community organisations. We have also hosted many of them at our venue including primary schools doing their musical performances, charity performances for bushfires or severe illnesses and next year will be hosting the Independent Theatre Association Muse Fest.

Mayor: Thank you very much and now we do.

Q2: The City of Armadale's planning documents for Community Development cover many strategies and targets. Are you aware that the Roleystone Theatre Strategic Plan covers 44 of those? Some examples of those are things like providing opportunities to connect individuals to each other and the wider community, building interdependent and resilient community groups, fostering local pride, providing opportunity to promote health outcomes for everybody, protecting and enhancing the character of the cities spaces and places, revitalising existing neighbourhoods whilst retaining the character of the place, broadly promoting Armadale as a place of business and investment, promoting the district and opportunities for visitors to the region, and leveraging existing strengths to diversify and expand tourism in the region. So by being able to address these through the Community Development targets and strategies we are in turn helping you reduce your service delivery costs.

Mayor: Thank you

2 Sarah Stoneham - 31 Wymond Road, Roleystone

I would like to acknowledge the traditional owners of the land upon which we are gathered this evening and pay our respect to elders past present and emerging.

Q1: To the members of council and city staff here present - Do you realise how welcome you have made me feel over the last few weeks? Despite having to read innumerable disclaimers, you have always made me feel welcome and not a nuisance and would like to thank you all for your support.

Mayor: Thank you

3 Liam Gobbert, 45 Adelaide Terrace, East Perth

Q1 I am here in my capacity as Vice-president of Independent Theatre Association of WA representing the 43 members clubs and my questions tonight relate to the item 3.1 Community Services Committee Meeting held 3/10/2023 - Roleystone Theatres Intention to Lease.

Lighting and sound equipment, costumes props, sets and instruments that are required for theatrical performances necessitate a significant voluntary personnel and sponsored investment from Government and private business in order for those performances to be successful for public viewing.

Can the City please consider that short term leases are just not practical for theatre programming for community theatre purposes and can the council consider supporting a longer lease term for any proposal that might be before you as part of tonight's agenda?

Mayor: I am sure we will be considering all options as part of our deliberations.

Q2 The City's Arts and Culture Strategy 2022-26 describes a commitment to facilitating cultural activities, fostering community connections and makes specific mention under the arts programming of Roleystone's Theatre business as usual practice as an example of a good community delivered initiative.

Can the City please confirm it is taking into consideration the business as usual practice for the Roleystone Theatre as part of the intention to lease and that the current business as usual peppercorn lease arrangement is being considered as the preferred option from the Roleystone Theatre for future use.

Mayor: Thank you, Yes we are

4 Daniel Ramsell - 6 Haimlee Street, Kelmscott

Q: Are councillors aware of what the costs would be to complete the fit out to make the Roleystone Theatre Building into an operational theatre? The Roleystone Theatre are bringing in over \$100,000 dollars' worth of technical equipment to make that a reality. Without this the building would just be a shell and unable to be used for its intended purpose.

Mayor Thank you

Question time closed at 7.10pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 26 SEPTEMBER 2023.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 26 September 2023 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayor's Announcements

Wednesday 27 September 2023

Attended a regular meeting with the CEO to discuss local issues.

Friday 29 September 2023

Attended the Let's Play Armadale children's and family event hosted by the City of Armadale in Memorial Park. Councillors Smith and Keogh also attended. Approximately 500 people enjoyed a wide range of free activities and entertainment, to celebrate Children's Week. 800 free sausages were given away by the volunteers from the Rapid Response Team.

Monday 2 October 2023

Attended the opening of the new cross-country course at Fletcher Park ahead of the National Championship Event. The Wallangarra Riding and Pony Club received City of Armadale sponsorship of \$5,000 toward the National Championships event, which attracted state teams (and their horses) from across Australia.

Wednesday 4 October 2023

Attended a site visit at Astley Care in Gosnells who are now providing a bus service to collect elderly clients from suburbs within the City of Armadale.

Thursday 5 October 2023

Hosted 2 x private citizenship ceremonies which welcomed 100 new citizens to the City. Yaz Mubarakai MLA attended, along with Cr's Smith, Northcott and Keogh.

Friday 6 October 2023

Attended an interview with NOVA Radio which was held on Novelli Reserve, to promote the Highland Gathering and Perth Kilt Run. Cr Mosey (who wore his kilt and face paint) and Cr Silver also attended.

Sunday 8 October 2023

Attended the Highland Gathering and Perth Kilt Run, which was held in Minnowarra Park. Crs Mosey, Northcott, Keogh, Smith and Silver also attended. The Hon Matt Keogh MP, Dr Tony Buti MLA and Mr Hugh Jones MLA also attended.

Monday 9 October 2023

Attended a regular meeting with the CEO to discuss local issues.

Tuesday 10 October 2023

Hosted soft opening and Grant Acknowledgement of the Roleystone Karragullen Volunteer Bushfire Brigade building at Springdale Oval. Hon Matt Keogh MP attended representing Hon Catherine King MP, Minister for Infrastructure, Transport and Regional Development of Australia. Also present were Hugh Jones MLA, Member for Darling Range and Superintendent South East DFES Metro Operations - Alan Crossman and members of the Roleystone Karragullen Volunteer BFB, Crs Nixon, Busby, Northcott, Smith, Hetherington and Mosey also attended.

Wednesday 11 October 2023

Attended the South East Regional Energy Group meeting held at the City of Armadale.

Saturday 14th October 2023 Attended the PUMA 10 year anniversary sports carnival and cultural event. Councillors Peter, Silver and Kamdar also attended.

Monday 16 October 2023

Attended a regular meeting with the CEO to discuss local issues.

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

Nil

10 REPORTS

10.1 TECHNICAL SERVICES COMMITTEE MEETING

Report of the Technical Services Committee held on 2 October 2023.

MOVED Cr G Nixon that the report be received.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation T1/10/23 - Local Roads And Community Infrastructure Investment
Program - Phase 4 Extension

MOVED Cr G Nixon

That Council:

**1. Endorse the following projects being submitted for Phase 4 LRCI Program funding
to the amount of \$953,448:**

a) Park Upgrades - Lighting

- Gwynne Park Tennis Club Lights – Lighting and poles

- b) **Sports Upgrades - Lighting**
 - **Cross Park Lighting Upgrades – LED Lighting and poles**
- c) **Community Carpark Upgrades**
 - **Piara Waters Oval Carpark – Provide additional parking**

2. Pursuant to Section 6.8 of the *Local Government Act 1995* (as amended):

Amend the 2023/24 Annual budget as follows:

REVENUE	
LRCI Grant Funding	\$953,448
EXPENDITURE	
Park Upgrades – Lighting	\$350,000
Sports Upgrades - Lighting	\$253,448
Community Carpark Upgrades	\$350,000
Total	\$953,448

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (14/0)**

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation T2/10/23 - Application to Clear Native Vegetation - Roleystone Theatre,
Roleystone

MOVED Cr G Nixon

That Council:

- 1. Authorise the Chief Executive Officer to sign the clearing permit application to facilitate works in the Asset Protection Zone at Roleystone Theatre and submit to the Department of Water and Environmental Regulation in accordance with the *Environmental Protection Act 1986***
- 2. Note that City Officers will determine and carry out a preferred and appropriate offsetting of the loss as described in the ‘offset of impact’ component of this report.**

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

10.2 COMMUNITY SERVICES COMMITTEE MEETING
Report of the Community Services Committee held on 3 October 2023.

MOVED Cr M Silver that the report be received.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation C23/10/23 - New Facility for Harrisdale Men's Shed

MOVED Cr M Silver

That Council:

- 1. Note the Officer's report.**
- 2. Request staff to investigate future longer term options through the Community Infrastructure Plan review.**
- 3. Work with bordering Local Governments to identify potential sites.**

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation C24/10/23 - Armadale Regional Recreation Reserve - Regional Netball and Basketball Facility Business Case

MOVED Cr M Silver

That Council:

- 1. Supports the Armadale Regional Recreation Reserve, Stage 1 - Regional Netball Basketball Facility Business Case.**
- 2. Supports actions to further the City's advocacy efforts.**
- 3. Authorise Officers to progress the detailed planning to have the project 'tender ready' in order to take advantage of and optimise potential funding opportunities as they arise.**

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation C25/10/23 - Draft Reconciliation Action Plan

MOVED Cr M Silver

That Council endorse the proposed draft Reconciliation Action Plan 2023 – 2025.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation C26/10/23 - Roleystone Theatre - Intention to Lease

This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.

MOVED Cr G Nixon that Recommendation C26/10/23 be dealt with under “Matters Requiring Confidential Consideration” at Item 14 on the agenda.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation C27/10/23 - Registration of Interest - Reg Williams Pavilion

This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.

MOVED Cr K Busby that Recommendation C27/10/23 be dealt with under “Matters Requiring Confidential Consideration” at Item 14 on the agenda.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation C28/10/23 - Sponsorships to Primary Schools

MOVED Cr M Silver

That Council:

- 1. Endorse the addition of the fiscal amount to be allocated to the Annual School Scholarships Initiative of up to \$50 per local primary school.**
- 2. Endorse that the Annual School Scholarships Initiative is now offered to local primary schools to nominate one Year 6 student as an award recipient.**
- 3. That the increase of \$1,450 in the allocation of the Annual School Scholarship Initiative for Primary schools be included in the mid-year budget review.**

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation C29/10/23 - Increase of Budget for Youth Programs

MOVED Cr M Silver

That Council:

- 1. Note the Officer's report.**
- 2. Consider budget allocation for the provision of additional youth programs in the 24/25 Annual Budget review.**

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation C30/10/23 – Councillors' Items

MOVED Cr M Silver

That Council refer the following Councillor item in regard to:

- 1. Renaming of the Armadale Regional Recreation Reserve Facility (ARRR) to the relevant Directorate for action and/or report to the appropriate Committee.**

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

10.3 DEVELOPMENT SERVICES COMMITTEE MEETING
Report of the Development Services Committee held on 9 October 2023.

MOVED Cr M J Hancock that the report be received.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation D25/10/23 - Community Health and Wellbeing Plan Annual Report

MOVED Cr M J Hancock

That Council note the progress update on the actions of the Community Health and Wellbeing Plan 2021-2024 described in this report and attachment.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation D26/10/23 - Amended Application - Grouped Dwellings - Strata Lots 2 and 3 - No.93B & T No.93C River Road, Kelmscott

MOVED Cr M J Hancock

That Council:

- A) Approves the application to amend Development Approval 10.2019.324.1 reducing the floor areas of the two rear Grouped Dwellings on Strata Lot 2 (No.93B) and Lot 3 (No.93C) River Road, Kelmscott respectively subject to the following additional condition:

15. Prior to the submission of a Building Permit, revised plans shall be submitted to and approved by the City's Planning Services, in accordance with Schedule 2, Part 9, Clause 74(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* that modify the proposal by:

- a) Increasing the plate height of both dwellings to 2.7m;
- b) Extending the veranda for Unit 2 forward to match the Unit 2 garage setback.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation D27/10/23 - Amendment No.1 to Anstey Keane Urban Development Precinct East Structure Plan - Recommendation to WAPC

MOVED Cr M J Hancock

That Council:

1. Pursuant to Schedule 2, Part 4, Clause 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommend to the Western Australian Planning Commission that the amended Anstey-Keane East Urban Development Precinct Structure Plan be approved subject to the modifications detailed in the attached Schedule of Modifications.
2. Advise submitters of Council's decision.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation D28/10/23 - Proposed Amendment No.124 to TPS No.4 - Kelmscott District Centre Precinct Structure Plan Implementation

MOVED Cr M J Hancock

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate Amendment No.124 to Town Planning Scheme No.4, as follows:

Proposal 1 – Rezoning of Land to District Centre Zone

- a. **Rezone the following lots as identified on the Scheme Amendment Maps from ‘Residential (R15/60)’ to ‘District Centre’: Lot 12 (No.38), Lot 60 (No.36), Lot 64 (No.32), Lot 65 (No.34), Lot 581 (No.40) and Lot 582 (No.42) Streich Avenue and portion of Lot 800 (No.2907) Albany Highway, Kelmscott;**
- b. **Rezone the following lots as identified on the Scheme Amendment Maps from ‘Residential (R15/40)’ to ‘District Centre’: Lots 1-2 (No.14-14a), Lot 6 (No.8), Lot 7 (No.10a), Lot 10 (No.32), Lot 21, Lot 21 (No.16) Lot 23 (No.12), Lot 32 (No.20), Lot 35 (No.18), Lot 33 (No.28), Lot 34 (No.30) and Lot 40 (No.22) Page Road, Kelmscott and Lot 8 (No.26) Gilwell Avenue, Kelmscott;**

Proposal 2 – Assign Density Codes to Kelmscott District Centre Precinct Structure Plan Area

- c. **Apply the R60, R-AC1, R-AC3 and R-AC 4 residential density codes to various lots within the Kelmscott District Centre as depicted on the Scheme Amendment Maps;**

Proposal 3 – Reclassification of Lot 39 (No.24) Page Road, Kelmscott

- d. **Reclassify Lot 39 (No.24) Page Road, Kelmscott as depicted on the Scheme Amendment Maps from ‘Residential (R15/40)’ zone to ‘Parks and Recreation (Local) Reservation’;**

Proposal 4 – Rezoning of Gilwell Avenue/Clifton Street Lots and Lot 802 (No.11) Erica Street, Kelmscott to Residential

- e. **Rezone the following lots as depicted on the Scheme Amendment Maps from ‘Special Residential’ to ‘Residential’ and assign a density code of ‘R5’: Lot 1 Clifton Street, Kelmscott and Lot 2 (No.54), Lot 3, Lot 4 (No.50), Lot 5 (No.48), Lot 6 (No.46), Lot 7 (No.44), Lot 8, Lot 9 (No.38), Lot 10, Lot 13, Lot 14 (No.41), Lot 18 (No.47), Lot 19 (No.49), Lot 20 (No.51), Lot 21 (No.53), Lot 22 (No.55) and Lot 51 (No.35) Gilwell Avenue, Kelmscott;**
- f. **Rezone Lot 802 (No.11) Erica Street, Kelmscott as depicted on the Scheme Amendment Maps from ‘District Centre’ to ‘Residential’ and assign a density code of ‘R60’;**

Proposal 5 – Removal of Special Use Zone 1 from portion of Page Road Reserve and Fancote Park

- g. **Reclassify portion of Lot 24 Page Road (Fancote Park) as depicted on the Scheme Amendment Maps from ‘Special Use’ zone to ‘Parks and Recreation (Local)’ reservation;**
- h. **Remove the ‘Special Use’ zone from the Page Road reserve as depicted on the Scheme Amendment Maps;**
- i. **Remove the ‘Special Use No.1’ entry from Schedule 4 – Special Use Zones;**

Proposal 6 – Apply Development Area No.67 (Special Control Area Map 3) over the Kelmscott District Centre

- j. **Modify Special Control Area Map 3 to apply Development Area No.67 over various lots in the Kelmscott District Centre as depicted on the Scheme Amendment Maps;**

Proposal 7 – District Centre Zone Objectives Review

- k. **Modify Clause 3.2.6 District Centre to add a new objective in appropriate numerical order as follows:**

“c) to provide for a high amenity mixed use residential environment that enhances the vibrancy and diversity of activity of the place.”;

Proposal 8 – District Centre Zone Land Use Permissibility Review

- l. **Modify the Table 1 (Zoning Table) land use permissibility for the ‘District Centre’ zone in the following manner:**
- i. **Industry – Cottage from ‘P’ to ‘D’;**
 - ii. **Single House from ‘P’ to ‘D’; and**
 - iii. **Veterinary Centre from ‘D’ to ‘A’;**

Proposal 9 – District Centre Zone Plot Ratio Provisions

- m. **Modify Clause 4C.3.1 b) to insert the following text after “District Centre Zone: 1.0”:**

“unless a maximum plot ratio is otherwise specified in an approved Structure Plan or Precinct Structure Plan”;

Proposal 10 – Schedule 8 Development (Structure Planning) Areas Provisions

- n. **Insert the following text in Schedule 8 Development (Structure Planning) Areas for the Kelmscott District Centre identified as Development Area No.67 on Special Control Area Map 3:**

No.	Description of Land	Additional provisions applicable to subdivision and development
67	Kelmscott District Centre	<p>67.4 The subdivision and development of all land shall comply with the following provisions as contained within Part 1 of the Kelmscott District Centre Precinct Structure Plan. In the event of any inconsistency between the standards outlined below and the standards outlined in Part 4C of this Scheme, the standards outlined below shall prevail.</p> <p>a) Interim Land Uses</p> <p>i. Applications for development</p>

		<p>approval (including changes of use) proposing an interim land use as defined in Part 1 of the Kelmscott District Centre Precinct Structure Plan may only be considered where the requirements specified in Part 1 are satisfied.</p> <p>b) Tree Retention, in addition to TPS No.4 Clause 4C.9</p> <p>i. In the assessment of subdivision applications, the local government will recommend to the WAPC that the location of significant trees be shown on subdivision plans as 'to be retained' to ensure protection where possible.</p> <p>ii. Where subdivision/development is proposed in areas with existing mature trees, proponents shall undertake a Significant Tree Survey and the results shall be used to inform the subdivision design process and prioritise significant tree retention. The 'significance' of trees shall consider qualities such as age and condition, height, spread, girth, species, historical association, habitat value and landscape amenity value.</p> <p>c) Landscaping</p> <p>i. Landscaping for developments is to be provided in accordance with this Scheme, Local Planning Policies and applicable guidelines. Landscaping shall also achieve the objectives and provisions of State Planning Policy 7.3 - Residential Design Codes (Volume 2) (as amended) where applicable to residential and mixed use developments.</p> <p>ii. Applications for development approval shall be accompanied by a landscape plan addressing the requirements of the Precinct Structure Plan, this Scheme, Local Planning Policies and applicable guidelines.</p> <p>iii. In addition to the requirements of SPP 7.3 and/or the relevant Scheme provisions, local planning policies and guidelines, applications for</p>
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		<p>subdivision or development approval shall demonstrate the preservation of trees in private lots, road reserves and recreation reserves. Evidence of proposed tree retention is to be provided regardless of the number of lots proposed under a subdivision or the extent of development proposed. Information required by the local government for assessment is to be in accordance with the requirements of the relevant local planning policies.</p> <p>iv. The locations of landscaping areas and tree planting are to be consistent with the locations shown on Plan 6 Street Interface Type Plan of the Kelmscott District Centre Precinct Structure Plan, for lots where Plan 6 identifies that buildings are to be setback to enable tree planting and/or where landscaped parking is to be provided in the front setback.</p> <p>v. Where a proposed development includes portions of a car parking area abutting a street, an area no less than 2.0m wide within the lot along all street alignments shall be set aside, developed and maintained as landscaping.</p> <p>vi. For non-residential development, a minimum of 10% of the development site, or 7% of the development site if an existing tree with a diameter of 500mm at 1.0m height is retained on site, shall be allocated for landscaping</p> <p>vii. For non-residential and mixed use development, shade trees shall be planted, spaced and maintained in car parking areas at a rate of 1 tree for every 4 car parking bays at intervals of no greater than 10m.</p> <p>viii. For non-residential development, further trees in addition to vii) above are to be provided at the rate of 1 tree per 500sqm of the development site area (minimum).</p> <p>ix. For grouped dwelling residential development within the Precinct Structure Plan area, the local government may impose a condition</p>
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		<p>of development approval to require the planting of a new street tree where no street tree(s) exist or are to be retained, at the applicant's cost, on an abutting road reserve.</p> <p>x. In accordance with clause 4C.9 of this Scheme, a tree with a diameter of 500mm at 1.0m height in the District Centre zone shall not be removed, lopped, topped, chopped, ringbarked or otherwise trimmed or destroyed without the prior written approval of the local government.</p>
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- o. Amend the Scheme Maps accordingly.
2. The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
 - a. The Amendment relates to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
 - b. The Amendment is consistent with the local planning strategy for the scheme that has been endorsed by the Commission;
 - c. The Amendment is consistent with a region planning scheme that has been endorsed by the Commission;
 - d. The Amendment to the scheme map is consistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all types that are outlined in the plan;
 - e. The Amendment has minimal impact on land in the scheme area that is not the subject of the amendment;
 - f. The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - g. The Amendment does not meet the definition of a complex or a basic amendment.
3. Refer the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the *Planning and Development Act 2005*.
4. Refer the above Amendment to Town Planning Scheme No.4 to the Minister for Planning, Lands, Housing and Homelessness pursuant to Section 83A of the *Planning and Development Act 2005* for approval to advertise the Amendment.
5. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents, including in the instance that the Minister requires minor modifications to the Amendment prior to advertising.
6. Should the EPA advise that the Amendment does not require assessment, and the Minister for Planning, Lands, Housing and Homelessness grant approval to

advertise the Amendment, conduct advertising for a period of 42 days in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

10.4 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 9 October 2023
(meeting adjourned on 18 September 2023 and reopened on 9 October 2023).

MOVED Cr M J Hancock that the report be received.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation D29/10/23 - Dedication of portions of Land as a Public Road - Lot 10 (2883) Albany Highway, Kelmscott

MOVED Cr M J Hancock

That Council:

- 1. Request DevelopmentWA, the Public Transport Authority and/or relevant State Government agency to indemnify the City of Armadale in regard to this request.**
- 2. Subject to No.1 above, request the Minister for Lands to dedicate as a public road Lots 300, 301 and 301 as shown shaded and stippled on the attached copy of the Lot 10 (2883) Albany Highway Road Dedication Plan pursuant to Section 56 of the *Land Administration Act 1997*, subject to:
 - a) DevelopmentWA and/or Public Transport Authority fulfilling and providing the administrative requirements of Section 56 of the *Land Administration Act 1997* to the satisfaction of the Department of Planning, Lands and Heritage.****
- 3. The City indemnifying the Minister for Lands in respect of the proposed road dedication of the portions of Albany Highway, Davis Road, Streich Avenue and Denny Avenue pursuant to Section 56 (4) of the *Land Administration Act 1997*.**
- 4. Advise DevelopmentWA, Public Transport Authority and the Department of Planning, Lands and Heritage accordingly.**

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation D30/10/23 - Proposed Infrastructure Handover From Denny Avenue Level Crossing Removal Project

MOVED Cr M J Hancock

That Council:

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

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

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

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

Public Art Maintenance Account by \$3,380

Kelmscott Landscaping Additional Works Account by \$74,055

Kelmscott Landscaping Maintenance Account by \$154,673.50

Bins Maintenance Account by \$3,490

Increase in Transfer to Reserve

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

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

*** ABSOLUTE MAJORITY RESOLUTION REQUIRED FOR PARTS 3 & 4**

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL**

(14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation D31/10/23 - Request to revoke Management Orders for Reserves 22186 & 25940 Albany Highway, Kelmscott

MOVED Cr M J Hancock

That Council:

1. **Requests the Minister for Lands revoke the current management orders for Reserve No.22186 (Lot 1092) and Reserve No.25940 Albany Highway, Kelmscott (Lot 1751) pursuant to Section 50 (1a) of the *Land Administration Act 1997* subject to:**
 - a) **Specific trees shall be retained in the Crown Reserve and the balance of the Reserves be included in the land sale.**
2. **Authorise the Chief Executive Officer to execute a statutory declaration regarding potential contamination for Reserve No.22186 (Lot 1092) and Reserve No.25940 (Lot 1751) Albany Highway, Kelmscott.**
3. **Support the dedication of a portion of Reserve No.22555 (Lot 1091) as road reserve for Streich Ave to be under the care, control and management of the City as shown on the Attachment.**
4. **Support the closure of a portion of Streich Ave road reserve for its amalgamation with a Crown Reserve to create the Kelmscott Plaza.**
5. **Advise the Department of Planning, Lands and Heritage, PTA and DevelopmentWA that in addition to Condition 1 above the City is seeking the retention of Tree No's 4, 5, 6, 8 and the existing shrubs abutting the southern boundary of the two Reserves No.22186 (Lot 1092) and Reserve No.25940 (Lot 1751) Albany Highway, Kelmscott.**
6. **Advise the Department of Planning, Lands and Heritage, PTA and DevelopmentWA accordingly.**

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation D32/10/23 - UDIA National Congress - Melbourne 18-20 March 2024

MOVED Cr M J Hancock

That Council nominates Cr Hetherington to attend the UDIA National Congress 2024 at the Crown Melbourne from Monday 18th to Wednesday 20th March 2024.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

10.5 CORPORATE SERVICES COMMITTEE MEETING
Report of the Corporate Services Committee held on 10 October 2023.

MOVED Cr K Busby that the report be received.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation CS43/10/23 - Statement of Financial Activity - August 2023

MOVED Cr K Busby

That Council:

- 1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* accept the Statement of Financial Activity for the second (2) month period ended 31 August 2023; and:**
- 2. Note that there are reportable actual to budget material variances for the period and this report is preliminary only for the end of August; and**
- 3. Note the \$37.34 small rates debts written off under Primary Delegation 1.0 and Secondary Delegation CORPS 1.1.**

MOTION not opposed, DECLARED CARRIED

(14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation CS44/10/23 - List of Accounts Paid - August 2023

MOVED Cr K Busby

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

Municipal Fund

Accounts paid totaling \$10,944,690.91 on cheque numbers 229 to 238, transactions 10407 to 12393 and Payrolls dated 6 August and 20 August 2023.

Credit Card

Accounts Paid totalling \$5,150.09 for the period ended August 2023.

MOTION not opposed, DECLARED CARRIED

(14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation CS45/10/23 - Review of Redundant Delegations of Authority

MOVED Cr K Busby

That Council:

- 1. In accordance with section 5.42(1) of the *Local Government Act 1995*, delegate to the Chief Executive Officer the exercise of the powers and duties prescribed in the following instruments of delegation:**
 - 1.1.19 Disposing of property involving land or buildings; and**
 - 1.1.5 Power of entry**

2. In accordance with section 5.45(1)(b) of the *Local Government Act 1995*, repeal the following instruments of delegation to the Chief Executive Officer:

CORPS 11.0 Disposal of property;

DS 3.0 Sale of land assets; and

NEW TBC Action, notices, proceedings, prosecutions and withdrawals – any other written law

3. Authorise the Chief Executive Officer to correct any identified minor grammatical, formatting or punctuation errors to the delegations once adopted, provided the correction does not represent a change to the function or power delegated.

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL**

(14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation CS46/10/23 - Draft Access and Inclusion Reference Group Terms of
Reference

MOVED Cr K Busby

That Council:

1. Endorse the draft City of Armadale Access and Inclusion Reference Group Terms of Reference as attached to this report.

MOTION not opposed, DECLARED CARRIED

(14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation CS47/10/23 – Rivers Regional Council to Subsidiary

MOVED Cr K Busby

That Council adopt the recommendation as presented in the Confidential Report.

MOTION not opposed, DECLARED CARRIED

(14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

10.6 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

(14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation CEO1/10/23 - Councillors Information Bulletin - Issue No 16/2023

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue 16/2023 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation CEO2/10/23 - 2022-23 CEO Performance Review & Key Performance Indicators for 2023-24 - Chief Executive Officer

Recommendation CEO3/10/23 - Remuneration Review - Chief Executive Officer

Recommendation CEO4/10/23 - Contract Review - Chief Executive Officer

MOVED Cr K Busby that Items CEO2/10/23, CEO3/10/23 and CEO4/10/23 be dealt with under “Matters Requiring Confidential Consideration” at Item 14 on the agenda. *(Section 5.23(2)(a) (c) of the Local Government Act, as the matter affects an employee of Council; AND the matter relates to a contract entered into or which may be entered into by the City of Armadale.*

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Ms Abbiss, CEO declared a financial interest in the above items on the basis that it relates to her contract of employment at the City and indicated that she would leave the meeting at the time of discussion on these items.

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

1 Footpath - Ward Crescent (Cr Michael Hancock)

That the matter of a footpath on Ward Crescent be referred to the Technical Services Committee.

2 Co-sharing of Roleystone Community Garden Green shed (Cr Grant Nixon)

That the matter of the Roleystone Community Garden Green Shed being co-shared with Roley Bushcare be referred to the Community Services Committee.

3 Waiver of Seasonal Ground usage fees (Cr John Keogh)

That the matter of provision of waiver of seasonal ground usage fees per player of Integrated teams be referred to the Community Services Committee.

4 Signage - Kelmscott Roos (Cr John Keogh)

That the matter of street signage for Kelmscott Roos be referred to the Technical Services Committee.

5 Club Memorabilia - Policy (Cr John Keogh)

That the matter of a Policy on club memorabilia be referred to the Community Services Committee.

6 Signage - Frye Park Pavilion (Cr John Keogh)

That the matter of signage for Frye Park Pavilion be referred to the Community Services Committee.

7 Notifications – Blackspot Roadworks & Footpath works (Cr John Keogh)

That the matter of blackspot roadworks and footpath notification be referred to the Technical Services Committee

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

MEETING CLOSED TO PUBLIC

MOVED Cr Butterfield that the meeting be closed to members of the public as the items to be discussed, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person. (*Section 5.23(2) (e iii) of the Local Government Act*)
Motion Carried (14/0)

Meeting declared closed at 7.31 pm. Members of the public left the meeting.

Recommendation C26/10/23 - Roleystone Theatre - Intention to Lease

MOVED Cr Keogh that Standing Orders be suspended (Clause 9.5 – Limitation of Number of Speeches and 9.6 Limitation of Duration of Speeches).
Motion Carried (14-0)

MOVED Cr Flynn that Standing Orders be resumed.
Motion Carried (14-0)

Cr Nixon put forward an alternate motion.

MOVED Cr G Nixon

That Council adopt the alternate recommendation as outlined in the Confidential Report as amended.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation C27/10/23 - Registration of Interest - Reg Williams Pavilion

Cr Busby put forward an alternate motion.

MOVED Cr K Busby, SECONDED Cr G Nixon
OPPOSED Cr E Flynn

That Council adopt the alternate recommendation as outlined in the Confidential Report as amended.

MOTION LOST (3/11)

FOR: Cr Busby, Cr Peter, Cr Nixon

AGAINST: Cr Butterfield, Cr Keogh, Cr Kamdar, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey

In opposing the motion put forward by Cr Busby, Cr Flynn foreshadowed an amendment to the alternate motion. Cr Flynn put forward the amended alternate motion.

MOVED Cr E Flynn, SECONDED Cr K Busby
OPPOSED Cr J Keogh

That Council adopt the amended alternate recommendation as outlined in the Confidential Report as amended.

MOTION CARRIED (12/2)

FOR: Cr Butterfield, Cr Keogh, Cr Kamdar, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey

AGAINST: Cr Keogh, Cr Mosey

The CEO and other Officers in attendance, except for Mrs S D'Souza, left the meeting at 8.31pm

The following items are considered to be confidential in accordance with Section 5.23(2)(a) (c) of the Local Government Act, as the matter affects an employee of Council; AND the matter relates to a contract entered into or which may be entered into by the City of Armadale.

Recommendation CEO2/10/23 - 2022-23 CEO Performance Review & Key Performance Indicators for 2023-24 - Chief Executive Officer

MOVED Cr G Nixon

That Council adopt the recommendation as outlined in the Confidential Report.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation CEO3/10/23 - Remuneration Review - Chief Executive Officer

MOVED Cr J Keogh

That Council adopt the recommendation as outlined in the Confidential Report.

MOTION not opposed, DECLARED CARRIED (14/0)

FOR: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Hancock, Cr Smith, Cr Silver, Cr Virk, Cr Mosey, Cr Nixon

Recommendation CEO4/10/23 - Contract Review - Chief Executive Officer

MOVED Cr E Flynn, SECONDED Cr G Nixon

OPPOSED Cr S J Mosey

That Council adopt the recommendation as outlined in the Confidential Report.

MOTION DECLARED CARRIED (8/6)

FOR: Cr Flynn, Cr Nixon, Cr Busby, Cr Northcott, Cr Hetherington, Cr Hancock, Cr Smith, Cr Silver,
AGAINST: Cr Keogh, Cr Mosey, Cr Butterfield, Cr Virk, Cr Peter, Cr Kamdar

MEETING OPENED TO PUBLIC

MOVED Cr Butterfield

That the meeting be opened to members of the public.

Motion Carried (14/0)

Meeting declared open at 8.57pm. Ms Abbiss, Mr Sanders and Mr Andrews returned to the meeting as well as some members of the public.

15

CLOSURE

The Mayor expressed her thanks to the Councillors for their perseverance, contributions and participation during the last 2 years. It has been a pleasure working with the Council for the benefit of the community and she acknowledged the invaluable support from the CEO and the Executive team.

To the retiring Councillors, Cr Nixon and Cr Flynn, she extended her thanks for their contribution and wished them well for the future.

Cr Nixon and Cr Flynn thanked the Mayor, Councillors and Executive Team for their support during their tenure on Council. Cr Nixon ruminated on some of the achievements during his 12 year journey on Council and extended his wishes to current and future Councillors in continuing the great work in the community.

The Mayor, Cr Butterfield, declared the meeting closed at 9.05pm

MINUTES CONFIRMED THIS 13 NOVEMBER 2023

MAYOR

**SPECIAL COUNCIL MEETING
THURSDAY, 26 OCTOBER 2023**

MINUTES

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CITY OF ARMADALE

MINUTES

OF SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON THURSDAY,
26 OCTOBER 2023 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The CEO, Joanne Abbiss, declared the meeting open at 7.00 pm.

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

PRESENT:

Her Worship, Mayor R Butterfield (presided over following her Declaration)

Deputy Mayor, Cr J Keogh	River Ward
Cr J Joy	River Ward
Cr K Kamdar	Ranford Ward
Cr S Peter JP	Ranford Ward
Cr L Sargeson	Palomino Ward
Cr P A Hetherington	Palomino Ward
Cr M J Hancock	Heron Ward
Cr C M Wielinga	Heron Ward
Cr K Busby	Minnawarra Ward
Cr G J Smith	Minnawarra Ward
Cr M Silver	Lake Ward
Cr S S Virk	Lake Ward
Cr S Stoneham	Hills Ward
Cr S J Mosey	Hills Ward

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr J Lyon	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr M Andrews	Executive Director Technical Services
Ms M Bell	Head of City Legal
Mr D Baker	Senior Governance Adviser
Mrs S D'Souza	CEO's Executive Assistant

Public: 26

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Nil

3 **WELCOME & DECLARATIONS OF OFFICE OF NEWLY ELECTED MAYOR & COUNCILLORS**

The Chief Executive Officer welcomed Elected Members of the Council, Councillors Elect, Staff and families to the Swearing-In Ceremony.

3.1 Declaration of Office – Mayor

The Chief Executive Officer requested Ruth Butterfield, the newly Elected Mayor of the Council, take the **DECLARATION OF OFFICE** in accordance with Section 2.29 of the *Local Government Act 1995*, after which the Declaration document was signed.

Ruth Butterfield was sworn in as Mayor for the period 2023 to 2027 by the Chief Executive Officer, Joanne Abbiss. The Mayor assumed the Chair.

3.2 Declarations of Office – Councillors

The Mayor then requested the newly Elected Members of the Council to individually take the **DECLARATION OF OFFICE** in accordance with Section 2.29 of the *Local Government Act 1995*, after which the Declaration documents were signed.

The following Members were sworn in as Councillors.

<u>Councillor</u>	<u>Ward</u>	<u>Term</u>
Cr John Keogh	River Ward	2023 - 2027
Cr Jiby Joy	River Ward	2023 - 2025
Cr Shanavas Peter	Ranford Ward	2023 - 2027
Cr Laurie Sargeson	Palomino Ward	2023 - 2027
Cr Caroline Wielinga	Heron Ward	2023 - 2027
Cr Kerry Busby	Minnawarra Ward	2023 - 2027
Cr Michelle Silver	Lake Ward	2023 - 2027
Cr Sarah Stoneham	Hills Ward	2023 – 2027

4 **ELECTION OF DEPUTY MAYOR**

The Election of Deputy Mayor was conducted in accordance with Schedule 2.3 Division 1 and Schedule 4.1 of the *Local Government Act 1995*.

At 7.18pm the Mayor invited nominations for the office of Deputy Mayor for the period 2023-2025.

The following written nominations were received.

- (1) Cr Peter
- (2) Cr Keogh
- (3) Cr Hetherington
- (4) Cr Kamdar
- (5) Cr Busby

The Mayor closed the nominations at 7.19pm and gave each of the candidates an opportunity to make a brief 2-minute presentation to the meeting.

The Chief Executive Officer then conducted the Election. Ballot papers were authenticated and a ballot was conducted. The count was done using the “optional preferential voting” method.

The first preference votes received as follows:

Cr Kamdar	-	2 votes
Cr Keogh	-	4 votes
Cr Busby	-	4 votes
Cr Hetherington		3 votes
Cr Peter	-	2 votes

As there was no majority, the count proceeded to a second, third and fourth count using the preferences of the eliminated candidates.

The result at the end of the fourth count was as follows, with Cr Keogh securing the majority of the votes (with 2 votes exhausted):

Cr Keogh	-	7 votes
Cr Busby	-	6 votes

As a result of the ballot, the Mayor declared **Cr Keogh elected as Deputy Mayor of the City of Armadale** from October 2023 to October 2025.

5 DECLARATION OF OFFICE OF DEPUTY MAYOR

The Mayor requested the newly elected Deputy Mayor to make the **DECLARATION OF OFFICE** in accordance with Section 2.29 of the *Local Government Act 1995*, after which the Declaration document was signed.

6 PUBLIC QUESTION TIME

Nil

7 BUSINESS OF THE MEETING

7.1 SPECIAL CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer.

BUSINESS ARISING FROM REPORT

Recommendation CEO5/10/23 - Appointment of Councillors to Council Established Committees

MOVED Cr S Peter

- 1. That Council endorses an additional member to each Committee that the Mayor wishes to be appointed to as a member.**

MOTION not opposed, DECLARED CARRIED (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr P A Hetherington, SECONDED Cr M Hancock

- 2a. That Council appoints the following Councillors and their deputies to the Corporate Services Committee from October 2023 to October 2025.**

Ward	Members	Deputies
River Ward	Cr Joy	Cr Keogh
Ranford Ward	Cr Peter	Cr Kamdar
Palomino Ward	Cr Sargeson	Cr Hetherington
Heron Ward	Cr Hancock	Cr Wielinga
Minnawarra Ward	Cr Smith	Cr Busby
Lake Ward	Cr Virk	Cr Silver
Hills Ward	Cr Mosey	Cr Stoneham

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr S J Mosey, SECONDED Cr K Busby that part 2b be deleted, i.e.

- ~~2b. If a member's deputy is unavailable, it is acknowledged that any other deputy member of the Corporate Services Committee may attend.~~**

OPPOSED Cr M J Hancock

MOTION CARRIED (12/3)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Smith, Cr Busby, Cr Silver, Cr Mosey, Cr Stoneham

AGAINST: Cr Hancock, Cr Peter, Cr Virk

MOVED Cr K Busby SECONDED Cr M J Hancock

3a. That Council appoints the following Councillors and their deputies to the Community Services Committee from October 2023 to October 2025.

Ward	Members	Deputies
River Ward	Cr Keogh	Cr Joy
Ranford Ward	Cr Kamdar	Cr Peter
Palomino Ward	Cr Hetherington	Cr Sargeson
Heron Ward	Cr Wielinga	Cr Hancock
Minnawarra Ward	Cr Busby	Cr Smith
Lake Ward	Cr Silver	Cr Virk
Hills Ward	Cr Stoneham	Cr Mosey

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (15/0)**

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr S J Mosey SECONDED Cr K Busby that part 3b, 4b, 5b and 6b be deleted, i.e.

~~3b. If a member's deputy is unavailable, it is acknowledged that any other deputy member of the Community Services Committee may attend.~~

OPPOSED Cr S Peter

MOTION DECLARED CARRIED (13/2)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Smith, Cr Busby, Cr Silver, Cr Mosey, Cr Stoneham, Cr Virk

AGAINST: Cr Hancock, Cr Peter

MOVED Cr P A Hetherington SECONDED Cr L Sargeson

4. That Council appoints the following Councillors and their deputies to the Development Services Committee from October 2023 to October 2025.

Ward	Members	Deputies
River Ward	Cr Keogh	Cr Joy
Ranford Ward	Cr Peter	Cr Kamdar
Palomino Ward	Cr Sargeson	Cr Hetherington
Heron Ward	Cr Wielinga	Cr Hancock
Minnawarra Ward	Cr Smith	Cr Busby
Lake Ward	Cr Silver	Cr Virk
Hills Ward	Cr Stoneham	Cr Mosey
	Mayor Butterfield	

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (15/0)**

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr K Kamdar SECONDED Cr S Stoneham

5. That Council appoints the following Councillors and their deputies to the [Technical Services Committee](#) from October 2023 to October 2025.

Ward	Members	Deputies
River Ward	Cr Joy	Cr Keogh
Ranford Ward	Cr Kamdar	Cr Peter
Palomino Ward	Cr Hetherington	Cr Sargeson
Heron Ward	Cr Hancock	Cr Wielinga
Minnawarra Ward	Cr Busby	Cr Smith
Lake Ward	Cr Virk	Cr Silver
Hills Ward	Cr Mosey	Cr Stoneham
	Mayor Butterfield	

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (15/0)**

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr K Kamdar SECONDED Cr S Stoneham

6. That Council appoints the following Councillors and their deputies to the [Technical Services Committee](#) from October 2023 to October 2025.

Ward	Members	Deputies
River Ward	Cr Joy	Cr Keogh
Ranford Ward	Cr Kamdar	Cr Peter
Palomino Ward	Cr Hetherington	Cr Sargeson
Heron Ward	Cr Hancock	Cr Wielinga
Minnawarra Ward	Cr Busby	Cr Smith
Lake Ward	Cr Virk	Cr Silver
Hills Ward	Cr Mosey	Cr Stoneham
	Mayor Butterfield	

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (15/0)**

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

Recommendation CEO6/10/23 - Appointment of Councillors to Occasional Advisory Groups,
Reference/Working Groups and External Organisations

MOVED Cr C M Wielinga

- 1a. That Council appoint Mayor Butterfield to the Local Emergency Management Committee for the period October 2023 to October 2025.**

MOTION not opposed, DECLARED CARRIED (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

Moved Cr S Peter that the meeting be adjourned. Motion Carried (15/0)

Meeting adjourned at 8.31pm. Meeting resumed at 8.40pm

MOVED Cr M Silver, SECONDED Cr K Busby
OPPOSED Cr J Keogh

- 1b. That Council make the following member appointments to the South East Metropolitan Zone (WALGA) for the period October 2023 to October 2025.**

Members (2)

Cr Butterfield

Cr Silver

MOTION DECLARED CARRIED (10/5)

FOR: Mayor Butterfield, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Smith, Cr Busby, Cr Silver, Cr Stoneham, Cr Virk
AGAINST: Cr Keogh, Cr Joy, Cr Kamdar, Cr Hancock, Cr Mosey

MOVED Cr S J Mosey

- 1c. That Council make the following deputy member appointments to the South East Metropolitan Zone (WALGA) for the period October 2023 to October 2025.**

Deputy Members (2)

Cr Keogh

Cr Virk

MOTION not opposed, DECLARED CARRIED (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr S J Mosey

1d. That Council make the following appointments to the Standing Order & House Advisory Group for the period October 2023 to October 2025.

- 1. Mayor Butterfield**
- 2. Cr J Keogh**
- 3. Cr S Peter**
- 4. Cr S J Mosey**
- 5. Cr S Stoneham**

MOTION not opposed, DECLARED CARRIED (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr M J Hancock

1e. That Council make the following appointments to the Perth Airports Municipalities Group Inc for the period October 2023 to October 2025.

Member Deputy Member

Cr Peter Cr Kamdar

MOTION not opposed, DECLARED CARRIED (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr S J Mosey

1f. That Council make the following appointment to the Pickering Brook & Surrounds Sustainability & Tourism Strategy Working Group for the period October 2023 to October 2025.

Member – Cr Wielinga

MOTION not opposed, DECLARED CARRIED (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

Moved Cr J Keogh that the meeting be adjourned. Motion Carried (15/0)

Meeting adjourned at 8.53pm. Meeting resumed at 8.58pm

MOVED Cr S J Mosey

2. That Council make the following nominations to the Minister for consideration of appointment of members and alternate members to Outer Metro Joint Development Assessment Panel (JDAP)

Members **Alternate Members**

Cr Wielinga Cr Peter

Cr Hancock Cr Keogh

MOTION not opposed, DECLARED CARRIED (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr C M Wielinga

3. That Council make the following three nominations to the Minister for his consideration of appointment of a member to the DevelopmentWA Land Redevelopment Committee.

1. Cr Keogh

2. Cr Kamdar

3. Cr Peter

MOTION not opposed, DECLARED CARRIED (15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

MOVED Cr M J Hancock

4. That Council refer appointments as listed below to the respective Committees for recommendation to Council.

Occasional Advisory Groups & Reference/Working Groups Established by Council	Committees/Groups Established by External Entities
Community Services Committee	
City of Armadale Highland Reference Group	Neighbourhood Watch (CoA) Committee
Access & Inclusion Reference Group	
History Reference Group	
Reconciliation Action Plan Working Group	
Corporate Services Committee	
CEO Performance Review Panel	

Development Services Committee	
Community Heritage Advisory Group	
Technical Services Committee	
Armadale Settlers Common Working Group	Armadale Gosnells Landcare Group
Bushcare & Environmental Working Group	Jandakot Regional Park Community Advisory Committee
Wirra Willa Working Group	Metropolitan Regional Road Sub-Group
	Parks Darling Range Community Advisory Committee
	Rivers Regional Council
	South East Regional Energy Group
	South East Regional Centre for Urban Landcare

MOTION not opposed, DECLARED CARRIED

(15/0)

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Mosey, Cr Stoneham

8 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 9.01pm

MINUTES CONFIRMED THIS 13 NOVEMBER 2023

MAYOR