



**ORDINARY MEETING OF COUNCIL
MONDAY, 14 AUGUST 2023**

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**TECHNICAL SERVICES COMMITTEE MEETING
HELD ON 7 AUGUST 2023**

**COMMUNITY SERVICES COMMITTEE MEETING
HELD ON 8 AUGUST 2023**

CHIEF EXECUTIVE OFFICER'S REPORT

NOTICE OF MEETING AND AGENDA

CR _____

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

MONDAY, 14 AUGUST 2023

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

9 August 2023

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Apology received from Cr M Silver.

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

Nil

4 PUBLIC QUESTION TIME

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

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

It is also available in the public gallery.

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

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence – Cr Kerry Busby

Request for leave of absence received from Cr Kerry Busby for the period Friday 15 September 2023 until Sunday 8 October 2023 inclusive. (Includes 1 Council Meeting on 26 September 2023)

RECOMMEND

That Council approve leave of absence for Cr Kerry Busby for the period Friday 15 September 2023 to Sunday 8 October 2023 inclusive. (Includes 1 Council Meeting - 26 September 2023).

6 PETITIONS

7 CONFIRMATION OF MINUTES

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BUSINESS ARISING FROM REPORT

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WITHOUT DISCUSSION**

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

15 CLOSURE

CITY OF ARMADALE

MINUTES

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

PRESENT:

Cr G Nixon (Chair)
Cr E J Flynn (Deputy Chair)
Cr R Butterfield
Cr S Peter JP
Cr G J Smith
Cr P Hetherington (Deputy to Cr M S Northcott)

APOLOGIES:

Cr J Keogh (Leave of Absence)
Cr M S Northcott (Leave of Absence)
Cr S S Virk

OBSERVERS:

Cr S J Mosey (*Via Teams 7.15pm*)
Cr K Busby (*7.16pm*)

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr M Andrews	Executive Director Technical Services
Ms S van Aswegen	Executive Director Community Services (<i>Via Teams</i>)
Mr S Morrow	Manager Operational Excellence Technical Services
Ms N Mathieson	Senior Administration Assistant Technical Services

PUBLIC:

Nil

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Technical Services Committee Meeting held on 3 July 2023 be confirmed.

Moved Cr S Peter

MOTION CARRIED

(6/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

Outstanding Matters and Information Items

Various Items

Monthly Departmental Reports

Technical Services Works Programme

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TECHNICAL SERVICES COMMITTEE

7 AUGUST 2023

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1.1 - TENDER 28 OF 2022 - WEED MANAGEMENT SERVICES

Cr S J Mosey joined the meeting at Via Teams 7.15pm

Cr K Busby joined the meeting at 7.16pm

WARD : ALL

FILE No. :

DATE : 14 July 2023

REF : SA

RESPONSIBLE MANAGER : Executive Director
Technical Services

In Brief:

- Tender 28 of 2022 was recently advertised for Weed Management Services.
- Three (3) compliant submissions were received by the specified closing time and evaluated against compliance and qualitative criteria.
- The Report recommends that in regards to Tender 28/2022 for Weed Management Services Council adopts the recommendation detailed within Confidential Attachment 2.

Tabled Items

Nil.

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

- 2.3.3 Assets are to be effectively maintained in order to meet service levels throughout their life cycle;
- 2.3.5 The City maintains its operational infrastructure to the most cost effective manner to sustain service delivery;
- 4.1.2 Develop and maintain a comprehensive suite of strategies and plans to guide the City's delivery of infrastructure and services to the community.

Legal Implications

Assessment of legislation indicates that the following apply:

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

Council Policy/Local Law Implications

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

- Council Policy ADM 19 – Procurement of Goods or Services

Budget/Financial Implications

The budget and financial implications of adopting the recommendation are detailed within Confidential Attachment 2.

Consultation

- Intra Directorate

BACKGROUND

Tender 28 of 2022 for Weed Management Services was advertised in the 22 April 2023 edition of the West Australian newspaper, the City's e-Tendering portal Vendor Panel and in a notice which was displayed on the Administration Centre, Armadale, Kelmscott and Seville Grove Libraries' public notice boards.

Tender 28 of 2022 closed at 2:00pm on 23 May 2023. Procurement staff were present at the tender close and all applicable details were captured in the tender register immediately as per Regulation 16(3) of the *Local Government (Functions and General) Regulations 1996*.

DETAILS OF PROPOSAL

The Scope of Works requires a Contractor to safely and effectively control weeds in main roads and local roads, including verges, roundabouts and median islands, footpaths, kerbing, cycle ways, active reserves and parklands within the boundaries of the City of Armadale. Weed control is achieved by using primarily non-selective, selective, and pre-emergent herbicides, and where applicable non-chemical methods.

A detailed specification for the quotation was prepared in conjunction with Parks Operations – Service Delivery.

Council approval is sought to award the tender for Tender 28 of 2022 for Weed Management Services for a period of two (2) years commencing 11 September 2023 with an option to be extended for a further three (3) periods of twelve (12) months up to 10 September 2028.

COMMENT

Analysis

Tenders were received from:

	Tenderer's OR Respondent's Name
1.	Environmental Industries PTY LTD
2.	Sanpoint Pty Ltd ATF Fiore Family Trust, T/A LD Total
3.	The Trustee for SUPA GROUP DISCRETIONARY TRUST

No tenders were received after the close of deadline and in accordance with Regulation 18 (1) of the *Local Government (Functions and General) Regulations 1996* were rejected.

No non-conforming submissions were received.

Noting that the assessment's qualitative criteria used, is the former standard used by the City and does not account for the recent percentage increase of the 'sustainable impacts' criterion, an evaluation process was undertaken having specific regard to the following:

Criteria	Weighting
Relevant Experience	30%
Key Personnel Skills & Resources	30%
Methodology	30%
Sustainable Impacts	10%

Upon completion of the evaluation, final scores and pricing were entered into the Evaluation Matrix as shown in the Confidential Attachment 2, where a final analysis took place to determine the most suitable Tenderer.

CONCLUSION

Tenders for Weed Management Services were recently invited with three (3) tenders being received and assessed by an evaluation panel against compliance and qualitative criteria.

The evaluation panel therefore recommends that the contract be awarded as per the recommendation detailed within Confidential Attachment 2 for a period of two (2) years, with the option to extend the contract for a further three (3) periods of 12 months each, subject to satisfactory performance.

ATTACHMENTS

1. Confidential Attachment 1 - Pricing Schedule - TEN 28 of 2022 - Weed Management Services
- *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*
2. Confidential Attachment 2 - Tender Evaluation and Recommendation Report - TEN 28 of 2022
- *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*

RECOMMEND

T1/8/23

That Council, in regard to Tender 28 of 2022 for Weed Management Services, accept the recommendation detailed within Confidential Attachment 2 for a period of two (2) years, with the option to extend the contract for a further three (3) periods of 12 months, subject to satisfactory performance.

**Moved Cr G Nixon
MOTION CARRIED**

(6/0)

2.1 - SKEET ROAD TO HARRISDALE SENIOR HIGH SCHOOL - PARALLEL PARKING (COUNCILLOR REFERRAL ITEM)

At the Council meeting held on 13 March 2023, Cr Shanavas Peter referred the following matter to Technical Services Committee.

That the matter of Skeet Road to Harrisdale senior High School – Parallel Parking be referred to the Technical Services Committee.

Comment from Cr Shanavas Peter

Cr Peter requested a report on parallel parking on Skeet Road to the Harrisdale Senior High School.

Harrisdale is one of the high-density suburbs of City of Armadale. Harrisdale Senior High School has over 2,000 students, and the Primary School has over 1,000 enrolments.

Currently, there is a massive shortage of parking in this suburb, especially near the School Zone. There are many complaints about parking on the verge, and Rangers have to visit this area more frequently. In addition, North Harrisdale is a new development area and requires more parking.

Please investigate and provide a report on parallel parking along the Skeet Road from Ranford Road through to Nicholson Road.

Officer Comment

The City has been made aware of Harrisdale Senior High School's intention to improve their car parking facilities, and they have provided advice regarding the matter.

As background, high schools when reserved in the Metropolitan Region Scheme, do not require Local Government planning approval. As such this denies Local Governments the opportunity to apply parking standards which would, in the opinion of City Officers, mitigate this type of problem being raised once the schools have commenced operation.

In the case of Harrisdale Senior High School, City Officers are aware that of their desire to enhance their car parking facilities by implementing a Kiss & Ride facility off Skeet Road car park. In October 2022, City Officers and Harrisdale Senior High School's Manager of Corporate Services met to discuss the matter of parking within the school property. It was conveyed to the School that the City could not offer guidance on the School's parking arrangements due to the fact the School requested modifications within their own premises.

After conducting a thorough assessment of the area, the City does not support the installation of parallel parking along Skeet Road or near the School facility for the following reasons:

- Upon examining this area, it is evident that the verge along Skeet Road, adjacent to the School grounds has drainage assets such as infiltration chambers, subsoil and concrete pipes along the full length. Consequently, modifying it for parallel parking is not a viable option.

- Additionally, if the drainage assets were not situated as they are, the works would significantly impact street trees and other natural assets
- It is noteworthy that Skeet Road stretches approximately 3 kilometres in length, and it is unlikely that parents would opt to park in a location beyond approximately 800m from the school.
- In addition to the school's existing car parking, alternative parking is available within 400m of the school at Harrisdale Pavilion – it has the capacity for both High School and Primary School needs outside of school hours.

The City encourages active and public transport rather than introducing more parking, which are key objectives of the Integrated Transport Strategy which is currently being finalised for endorsement.

Committee Discussion

Drawings of the drainage plans were requested and these are to be provided to Councillors for their consideration. Committee also agreed that an onsite meeting involving City Officers and Cr Peter be arranged to discuss the parking issue.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T2/8/23

That Council:

- 1. Do not request a report from City Officers on this matter.**
- 2. Note that school sites that are zoned within the Perth metropolitan area do not require planning approval from local governments which denies local governments the opportunity to apply parking standards.**

**Moved Cr E J Flynn, Opposed Cr S Peter
MOTION CARRIED**

(5/1)

COUNCILLORS' ITEMS

1 Bulk Waste Flyers (Cr Ruth Butterfield)

Mayor, Cr Butterfield requested that all future Bulk Waste Flyers be reviewed by Councillors prior to distribution.

2 Minute Record of Councillor Items (Cr Shanavas Peter)

Cr Peter requested that matters (with the exception of minor service requests/operational matters), raised as a Councillor item at Committee meetings, that are to be responded to administratively be recorded in the minutes.

T3/8/23

That Council refers the Councillors' items in regard to:

- 1. Bulk Waste Flyers**
- 2. Minute record of Councillors' Items**

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

Moved Cr S Peter

MOTION CARRIED

(6/0)

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 7.39pm

CITY OF ARMADALE

MINUTES

OF COMMUNITY SERVICES COMMITTEE HELD IN THE FUNCTION ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 8
AUGUST 2023 AT 7:00PM.

PRESENT:

Cr M Silver (Chair)
Cr P A Hetherington (Deputy for Cr Northcott)
Cr K Busby
Cr K Kamdar
Cr J Keogh
Cr G Nixon (Deputy for Cr Mosey)

APOLOGIES:

Cr M S Northcott (Leave of Absence)
Cr E J Flynn

OBSERVERS:

Cr R Butterfield (Mayor)
Cr S J Mosey (*via Teams*)

IN ATTENDANCE:

Mrs S van Aswegen	Executive Director Community Services
Ms J Cranston	Executive Assistant Community Services
Mrs R Milnes	Manager Community Development
Mr C Halpin	Manager Recreation Services
Mr N Peyton	Community Facilities Officer - Agreements

PUBLIC:

2

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

DISCLAIMER

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

Public question time was opened at 7.02pm

1. Ruby Sandra Leeder - 18 Bedfordale Hill Road, Mt Richon WA 6112

- Q1. If the lease tender is not allocated to Minnowarra House, what plan does the City have in place for our service to operate out of another building? Minnowarra House was established over thirty years ago and Jennifer Websdale and myself have been with Minnowarra House over this time.

Minnowarra House is highly regarded in the community, with our funded body Department of Communities who has continuously funded us over this thirty year period and is highly regarded by the people that we serve. First National, Multi-cultural peoples and people generally are supported through food sustainability, connectedness, professional counselling and groups.

A study has shown that Minnowarra House is a unique service and the only one service found that was comparable, is a service located in Africa.

- Q2. Minnowarra House receives \$560,000 in State Government funding. Who will be able to do what Minnowarra House achieves in the Armadale region?

R. *The Chair advised that the matters raised are addressed somewhat in the confidential report.*

Executive Director Community Services further added that the confidential report will be considered by Council on 14 August after which a decision will be communicated.

2. Samantha Craig - President of the Roberta Jull Community Care Association Inc

- Q1 Minnowarra House sees students from the University of Melbourne and the University of Murdoch. The University of Melbourne is the only University in Australia that provides music therapy training which is a unique speciality allied health program. Minnowarra House provides these students with a unique opportunity in music therapy in a community setting. A lot of these therapists are trained in Hospitals, in disability care facilities and in Paediatrics, and they miss a huge chunk of their training from community centres. Communities offer a variety of people from different backgrounds and all sorts of cultural identities and it is important that students grasp this and take it into their academic future.

Is the City aware of the support that Roberta Jull Community Care Association Inc provides for University and TAFE students?

R. *The Chair advised that this was great information and that Councillors will take this on board.*

Public question time was declared closed at 7.09pm

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 4 July 2023 be confirmed.

Moved Cr Silver

MOTION CARRIED

(6/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

Report on Outstanding Matters – Community Services Committee

Items referred from the Information Bulletin – Issue 11 – July 2023

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

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COMMUNITY SERVICES COMMITTEE

8 AUGUST 2023

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1.1 - REGISTRATION OF INTEREST - REG WILLIAMS PAVILION

MEETING CLOSED TO PUBLIC

MOVED Cr Hetherington that that the meeting be closed to members of the public as the matter to be discussed, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.

Motion Carried (6/0)

Meeting declared closed at 7:10pm

WARD : MINNAWARRA
FILE No. : M/402/23
DATE : 20 July 2023
REF : NP
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- A confidential report is presented as an Attachment to this Agenda.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

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

ATTACHMENTS

1. Confidential Report - 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*

2. Attachment 2 - ROI Submission - McGovern Foundation - *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*
3. Attachment 3 – ROI Submission - Roberta Jull Community Care Association - *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*
4. Attachment 4 - ROI Submission - ARKH Creative Pty Ltd - *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*
5. Attachment 5 - ROI Submission - 4LifeSkills - *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*

RECOMMEND

C18/8/23

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

**Moved Cr K Busby
MOTION CARRIED**

(6/0)

MEETING OPENED TO PUBLIC

MOVED CR Nixon that the meeting be opened to members of the public.
Motion Carried (6/0)

Meeting declared open at 8:07pm

COUNCILLORS' ITEMS

1. Managing Opportunities for Sausage Sizzles at City Events (Cr Kerry Busby)

Cr Busby requested a Policy or similar be introduced on how the City can manage giving out the opportunity to community groups to provide sausage sizzles at community events ie how we do it and who we give these opportunities to.

RECOMMEND

C19/8/23

That Council refer the following Councillor item in regard to:

1. Sausage Sizzles at City Events

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

Moved Cr K Busby

MOTION CARRIED

(6/0)

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 8:11PM

CHIEF EXECUTIVE OFFICER’S REPORT

14 AUGUST 2023

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1.1 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 12/2023

WARD : ALL
FILE No. : M/421/23
DATE : 28 July 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. 12/2023 to be received by Council

The following general information and memorandums were circulated in Issue No 12/2023 on 10 August 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 – July2023

Health

Health Services Manager's Report – July2023

Planning

Planning Applications Report – July2023

Schedule of current Town Planning Scheme No.4 Amendments

Subdivision Applications - WAPC Approvals/Refusals – July2023

Subdivision Applications - Report on Lots Registered for 2023/2024

Compliance Officer's Report – July2023

Building

Building Services Manager's Report – July2023

Building Health/Compliance Officer's Report – July2023

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO1/8/23

That Council acknowledge receipt of Issue 12/2023 of the Information Bulletin



ORDINARY MEETING OF COUNCIL
MONDAY, 24 JULY 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, 24
JULY 2023 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Butterfield, declared the meeting open at 7:03pm.

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 E J Flynn

Heron Ward

Cr G J Smith

Minnawarra Ward

Cr M Silver

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 R Milnes

A/Executive Director Community Services

Ms J Cranston

Executive Assistant Community Services

Public: Nil

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr M J Hancock and Cr S S Virk

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

1. Request for Leave of Absence (Cr John Keogh and Cr Melissa Northcott)

Requests for leave of absence has been received from:

- Cr J Keogh for the period Monday 7 August 2023; and
- Cr M Northcott for the period Sunday 6 August 2023 to Sunday 13 August 2023 inclusive.

MOVED Cr K Busby

That Council grant leave of absence for:

- **Cr J Keogh for the period Monday 7 August 2023 (does not include an Ordinary Council meeting); and**
- **Cr M Northcott for the period Sunday 6 August 2023 to Sunday 13 2023 August inclusive (does not include an Ordinary Council meeting).**

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 10 JULY 2023.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 10 July 2023 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn,
Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1. Mayor's Announcements

Tuesday 11 July 2023

- Was interviewed by ABC TV at the City of Armadale Landfill and Recycling Facility regarding how the City will be dealing with waste (including food and organic waste). The story seemed to be on the Federal Government's targets for FOGO recycling, however might highlight alternative approaches/ treatments for green waste. I spoke our current landfill site, recycling and the fact that the Rivers Local Governments are locked into a contract to supply all municipal waste to the Avertas Waste to Energy plant.

Saturday 15 July 2023

- Attended a regular interview at Heritage FM to talk about all things Armadale.
- Attended the Kelmscott Bulldogs Football Club Sponsors and Supporters Event, at John Dunn Oval. Councillor John Keogh and Councillor Gary Smith also attended the event.

Monday 17 July 2023

- Attended the Funding Acknowledgement event for the Roleystone Karragullen Volunteer Bushfire Station. The Hon Matt Keogh MP, Member for Burt was in attendance, representing Minister Catherine King from the Dept of Infrastructure, Transport, Regional Development and Communications. Mr Hugh Jones MLA, Member for Darling Range and Deputy Mayor Cr Busby, Councillor's Mosey, Northcott, Smith and Hetherington as well as the Brigade Captain Sean Anderson, also attended.
- Attended a meeting with the CEO and Matt Keogh MP, Member for Burt to discuss local issues.
- Attended a regular catchup meeting with the Deputy Mayor and CEO.

Tuesday 18 July 2023

- Met with a local business owner to discuss the expected timing of the Regional Recreation Reserve and development at the Forrestdale Business Park. The CEO and members of the Executive Team also attended the meeting.

Wednesday 19 July 2023

- Met with members of the organizing committee from St Mary in the Valley Church, to discuss their 150th Anniversary event in 2024.

Thursday 20 July 2023

- Attended the official launch of the Western Power South Metro Depot, Boyli Mia, in Forrestdale. Hon Bill Johnston MLA, Minister for Mines and Petroleum, Energy, Hydrogen Industry and Industrial Relations opened the facility. Yaz Mubarakai MLA, Member for Jandakot was also in attendance. The City's Manager of Economic Development and I were able to tour the facility with the Minister and Mr Mubarakai. The facility will be home to 850 employees.

Sunday 23 July 2023

- Undertook (Watsonia) weeding at Banyowla Park in Kelmscott with the Friends of Banyowla Park event. Councillor Mosey also participated in the weeding.
- Undertook seedling planting at Lloyd Hughes Park Kelmscott, with the Friends of Lloyd Hughes group, at their National Tree Day event.

Monday 24 July 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 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 17 July 2023.

MOVED Cr S J Mosey that the report be received.

MOTION not opposed, DECLARED CARRIED

(12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn,
Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation D18/7/23 - Consideration of Minister's Modifications - TPS No.4
Amendment No.121 - Rezoning of Lots 601-603 Balannup Road & Lots 200-202 Skeet
Road, Harrisdale

MOVED Cr S J Mosey

That Council:

1. Notes the Minister for Transport, Planning and Port's direction pursuant to Section 87(2) of the *Planning and Development Act 2005* as advised in the WAPC's letter dated 18 July 2023 to require the implementation of modifications to Amendment No.121 prior to the Amendment receiving final approval; and
2. Authorises the Mayor and the Chief Executive Officer to execute the modified scheme amendment documentation prior to the documentation being returned to the Western Australian Planning Commission.

MOTION not opposed, DECLARED CARRIED

(12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn,
Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

Recommendation D19/7/23 - Health (Miscellaneous Provisions) Act 1911 - Appointment of
Deputies of the Local Government

MOVED Cr S J Mosey

That Council:

1. Pursuant to section 26 of the *Health (Miscellaneous Provisions) Act 1911*, appoint the persons listed below as the City's Deputies for the purposes of exercising and discharging any of the provisions of the *Health (Miscellaneous Provisions) Act 1911* and its relevant *Regulations*, including local laws and orders made under the aforementioned legislation, subject to the condition detailed below:

- a) Chief Executive Officer
- b) Executive Director Development Services
- c) Manager Health Services
- d) Coordinator Health Services
- e) Senior Environmental Health Officers
- f) Environmental Health Officers

Conditions:

The Coordinator Health Services, Senior Environmental Health Officers and Environmental Health Officers may only as Deputies:

- i. *Issue approvals for the construction and installation of apparatus for the treatment of sewage and the disposal of effluent and liquid waste in accordance with Regulation 4 of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.*
- ii. *Prepare and provide a local government report in relation to an application for an approval made to the Chief Health Officer under Regulation 4A of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.*

ABSOLUTE MAJORITY RESOLUTION REQUIRED

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY

RESOLUTION OF COUNCIL

(12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

Recommendation D20/7/23 - DevelopmentWA Referral - Proposed Eleventh Road Bridge And Associated Works - Wungong

MOVED Cr S J Mosey

That Council:

- A) **Recommend that DevelopmentWA approve the development application for the proposed Eleventh Road Bridge and Associated Works pursuant to clause 5.20(1)b of the Armadale Redevelopment Scheme 2 subject to the following conditions and advice:**
 - 1. **The proposed development is to be carried out in accordance with the attached plans approved by DevelopmentWA, subject to any modifications as required by the conditions of approval.**
 - 2. **A public art plan being submitted and approved to the satisfaction of DevelopmentWA, on the advice of the City of Armadale and MetroNet office. Once approved, the plan shall be implemented in its entirety.**
 - 3. **A revised Tree Retention Strategy shall be submitted to and approved by DevelopmentWA, on the advice of the City of Armadale, prior to the commencement of site works. Once approved, the Tree Retention Strategy is to be implemented in its entirety to the satisfaction of DevelopmentWA and the City.**

4. A detailed Landscape Plan shall be submitted and approved by DevelopmentWA, on the advice of the City of Armadale, prior to the commencement of operations. Once approved, the Landscape Plan is to be implemented in its entirety.
5. A revised Construction Management Plan shall be submitted and approved by DevelopmentWA, on the advice of the City of Armadale, prior to the commencement of site works. Once approved, the Construction Management Plan is to be implemented in its entirety to the satisfaction of DevelopmentWA.
6. A revised Traffic Management Plan shall be submitted to and approved by DevelopmentWA, on the advice of the City of Armadale prior to the commencement of site works. Once approved, the Traffic Management Plan is to be implemented in its entirety to the satisfaction of DevelopmentWA.
7. A revised Bushfire Vehicular Access Review shall be submitted to and approved by DevelopmentWA, on the advice of the City of Armadale prior to the commencement of site works. Once approved, the Bushfire Vehicular Access Review is to be implemented in its entirety to the satisfaction of DevelopmentWA.
8. An updated Operational Noise and Vibration Report shall be submitted and approved to the satisfaction of DevelopmentWA, on the advice of the City of Armadale prior to the commencement of site works. Once approved, the Operational Noise and Vibration Report is to be implemented in its entirety to the satisfaction of DevelopmentWA.
9. A Drainage Management Plan shall be prepared to the satisfaction of DevelopmentWA on the advice of the Department of Water and Environmental Regulation and the City of Armadale, prior to the commencement of relevant construction works. Once approved, the plan is to be implemented in its entirety.
10. A revised Urban Design Treatment Strategy shall be prepared, submitted and approved by DevelopmentWA, on the advice of the City of Armadale, to amend the proposed Treatments and related text/measures to be consistent with DWA's future Urban Redevelopment Area prior to the commencement of operations. Once approved, the Urban Design Treatment Strategy is to be implemented in its entirety.
11. All accessible structures within three metres of ground level which are the subject of this application are to be applied with an anti-graffiti coating or other agreed treatment to the satisfaction of DevelopmentWA on the advice of City of Armadale.
12. Any damage to trees that were not identified for removal in the Tree Retention Strategy or removal of vegetation located outside the development area and incurred during the construction process shall be replaced or repaired at the cost of the landowner/applicant, to the satisfaction of DevelopmentWA, on the advice of the City of Armadale.

13. A Dilapidation Survey of surrounding properties within an identified Zone of Influence being undertaken to the satisfaction of DevelopmentWA, on the advice of the PTA, prior to the commencement of any site works that may involve substantial earthworks, vibration and/or dewatering.
14. Lighting shall be provided for cyclists and pedestrians on the PSPs and the path on the bridge to the satisfaction of the City.
15. Modification of the proposed civil plans to include a shared path linking the proposed Keenan Street extension to the proposed shared path.
16. Prior to the commencement of any site works, a Dust Management Plan shall be prepared and submitted to DevelopmentWA for approval on advice from the City of Armadale Health Services. The approved plan shall be implemented and all work shall be carried out in accordance with the approved plan thereafter.
17. A Soil Management Strategy shall be submitted and approved by DevelopmentWA, on the advice of the City of Armadale, prior to the commencement of operations. Once approved, the Soil Management Strategy is to be implemented in its entirety.
18. A Dilapidation Survey of road infrastructure within an identified Zone of Influence being undertaken to the satisfaction of DevelopmentWA, on the advice of the PTA, prior to the commencement of any site works that may involve substantial earthworks, vibration and/or dewatering.

ADVICE NOTES

1. In relation to Conditions 3, 4 & 7:
 - a. The proposed vegetation maintenance requirements for Bushfire Protection, and their impact upon existing and proposed vegetation need to be agreed with the City and then consistently reflected across the 3 documents.
 - b. Drawings should clearly indicate the extent of works proposed to be handed over to the City of Armadale for its review and consideration for approval.
 - c. Drawings do not, but should, show the full extent of proposed tree clearing. For example, Page 5 – the area proposed to be cleared in Reserve 14217 is not shown. Page 9, also not shown.
 - d. Request a specific tree and vegetation removal plan that comprehensively considers drainage, hard treatments, access and setbacks from maintenance associated with the WP overhead power lines. The overhead power lines appear to fall outside of the land acquisition boundary on Landscaping Plan – page 21, which will result in additional clearing to achieve vegetation clearance requirements.
 - e. Consideration should be given to the relocation/alteration of the proposed drainage basin and swale within Lot 14 Eleventh Road to reduce the amount of existing vegetation required to be cleared

for this infrastructure.

- f. Civil drawings do not show fencing around proposed drainage basins. Fencing specifications need to be confirmed and agreed to by the City.
 - g. Review scope for additional tree planting along the road embankments, in addition to those shown planted along the proposed footpath. New trees appear to be 5Lt installation size, where larger pot size such as 45Lt would be more suitable.
 - h. The Tree Canopy Calculations should not include tree replacement on privately owned land, where trees are cleared from public managed land.
 - i. Optimise areas for additional new tree planting.
 - j. Planting mix density and species mix to be reviewed by the City.
 - k. Pea gravel above the embankment footpath to be reconsidered as if the material is not contained it will become a slip hazard.
 - l. Modification of the Bushfire Vehicular Access Review and civil plans to identify all Emergency Accessways and Fire Service Access Routes being treated with a minimum standard of compacted road base.
 - m. The proposed low threat vegetation requirements that are proposed to be managed by the City shall be reviewed in the context of the City's expected costs and landscape and environmental objectives in the area.
- 2. In relation to Condition 5, the revised Construction Management Plan shall address:
 - a. A viable alternative route for heavy vehicles needs to be determined, following consultation with affected stakeholders.
 - b. The impact of the road closure upon emergency access/egress from properties in this bushfire prone area to ensure suitable access/egress routes are available throughout the construction period.
- 3. In relation to Condition 8, the finalised version of the Operational Noise and Vibration Report should include:
 - a. Modelling and detailed discussion of LAeq Day and LAeq Night levels as per WAPC's SPP5.4.
 - b. A list and elaboration of any noise mitigation measures (including noise wall specifications, use of sound absorption materials etc.)
- 4. In relation to Condition 9, the Drainage Management Plan should include:
 - a. Drainage Layout Plan sheet 3 shows water flow away from basin. In other plans, it shows flow towards. Clarity over the intention for this swale is requested.
- 5. The developer is reminded of the requirement under the provisions of

the Environmental Protection Act 1986 that all construction work (which includes earthworks and similar) be managed with due regard for noise control. Works generating noise, and rock breaking in particular, are not permitted:-

- a. Outside the hours of 7.00am to 7.00pm; or
- b. On a Sunday or Public Holiday.

6. In relation to Condition 17 requiring a Soil Management Strategy, soil compaction is often responsible for poor performance or failure of plantings. The process of construction usually involves the removal of topsoil and grading of the subsoil. Greater axle loads lead to deeper compaction. Soil compaction has negative impacts on storm- water runoff, infiltration, and vegetative establishment and growth. Therefore, the Soil Management Strategy should address the following:

- a. Controlling Traffic to restrict the amount of soil that is compacted, for example, using the same tracks across the site, restricting equipment within certain radius of specific areas and establishing a Tree Protection Zone for all trees.
- b. Managing axle loads and tire pressure as heavy axle loads and wet soil conditions increase the depth of compaction, for example properly inflate tires as contact pressure between tire & soil affects subsoil compaction, requiring excavated soil to be tilled and renovated post-construction: all effects of compaction are to be reversed.
- c. Aeration of soil with the aim of supplying oxygen to the soil and preparing the soil to support plants: methods include spike, core, liquid and Air (Soil is tilled with an air tool while adding soil amendments, beneficial bacteria/fungi, and organic granular fertilisation).
- d. Ripping of the site prior to establishment to promote the best chance of survival for seeds and plantings in the first year.
- e. Use of Additives and soil conditioners to aerate and provide drainage.
- f. Vertical mulching which involves digging or drilling vertical holes in an area and then filling these holes with organic compost or mulch: this works via the same general principle that surface mulching does, except that it can improve the soil's condition more quickly, as the material is placed deep in the ground.

B) Advise PTA/MetConnx that the following matters in relation to the area outside the Redevelopment Area are required to be addressed:

- 1. The City's advice on the development application and the DWA's decision should not be construed as acceptance of management of assets by the City. The City's acceptance of management responsibilities will require further discussions and the contractors and PTA/MetroNet achieving the City's standards for assets.

2. Revised civil plans are required to be submitted identifying the following:
 - a. The provision of a vehicle access gate into Fletcher Park from the proposed cul-de-sac within the adjacent Lot 1 Eleventh Road and parking bays within Lot 1 Eleventh Road to service visitors to Fletcher Park.
 - b. Civil plans do not show fencing of the new boundary of reserve 14217. An “Accommodation Works Plan” supplied by PTA as part of separate discussions shows a 1.8m chain-link fence with 3 rows of barbwire on the new reserve boundary. This is not supported. Fencing specifications need to be confirmed and agreed to by the City.
 - c. Drawings do not, but should, show the full extent of proposed tree clearing. For example, Page 5 – the area proposed to be cleared in Reserve 14217 is not shown. Page 9, also not shown.
 - d. Proposed firebreaks/maintenance tracks constructed with an appropriate treatment to the satisfaction of the City.
3. Information is to be provided to determine the extent of the proposed drainage infrastructure on the *Diuris purdiei* (Purdie’s Donkey orchid) and its habitat.
4. A revised Tree Retention Strategy shall be prepared, prior to the commencement of site works addressing the following matters:
 - a. *Drosera oreopodion* (Pygmy Drosera) and *Johnsonia pubescens subsp. cygnorum* have also identified as priority species within the development area. These areas have not been marked on any of the design drawings. The City recommends this species be identified and protected.
 - b. Suitable Acid Sulphate Soils and Dieback mitigation measures and procedures.
 - c. The proposed overhead powerlines could be modified to underground power minimising the area of vegetation clearing required (for the infrastructure itself and the long term infrastructure maintenance) in the current Reserve 14217.
 - d. The consideration of incorporating joint access tracks to service the bridge, drainage, power lines, Fletcher Park reserve and firebreak maintenance activities both between Eleventh Road, Reserve 14217 and extending to Mitchell Street to reduce the amount of vegetation clearing required.
 - e. The proposed swale on the north side of Eleventh Road could be piped to reduce the horizontal separation distance between the proposed bridge and the swale and therefore reduce the amount of clearing needed for the swale.
5. A Fauna Relocation and Management Plan is to be prepared addressing the following:
 - a. Management methods during construction; and
 - b. Provision of fauna tunnel to enable the continued north-south and east-

west connectivity for bandicoots. Details and specifications are to be included to confirm tunnels are above winter groundwater level and provide suitable connectivity to habitat areas.

- c. The fencing around the base of the bridge on the eastern side of the railway being modified to enable fauna to move north/south under the bridge between Fletcher Park and the land south of Eleventh Road in a corridor between the railway line and bridge structure.

6. The Bushfire Vehicle Access Review report be revised to acknowledge alterations proposed to access to Fletcher Park.

7. Engagement with BEWG, Armadale Gosnell's Landcare Group and the Wallangarra Riding and Pony Club is required with a consolidated information package with regards to changes in the City of Armadale managed reserves is recommended.

- C) Request a Deputation by the City officers to the Armadale LRC to present the City's Submission.

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

Recommendation D21/7/23 - Review of the City's Developable Freehold Land Assets

MOVED Cr S J Mosey

That Council:

1. Acknowledge that the following land parcels will be considered as Public Open Space under a freehold land tenure by the City:
 - a) Lot 86 Church Avenue, Armadale;
 - b) Lot 39 Page Road, Kelmscott;
 - c) Lot 201 Carawatha Avenue, Mount Nasura;
 - d) Lot 298 Emerald Place, Mount Richon; and
 - e) Lot 163 Church Avenue, Armadale.
2. List for consideration in the next review of the City's Long Term Financial Plan minor landscaping improvements on the following lots:
 - a) Lot 86 Church Avenue, Armadale;
 - b) Lot 39 Page Road, Kelmscott;
 - c) Lot 201 Carawatha Avenue, Mount Nasura; and
 - d) Lot 163 Church Avenue, Armadale.
3. Note future report on the preparation of Town Planning Scheme No.5 or a scheme amendment and will include for consideration:
 - a) Lot 298 Emerald Place, Mount Richon from "Residential" Zone to "Parks and Recreation" Reserve; and
 - b) Additional Land uses over Lots 1, 301 and 302 Abbey Road, Armadale to expand the range of development options for the land.
4. Authorise the City to commence subdivision of the following sites to allow excision of the Primary Regional Road Reserves and/or road widening and authorise the

City to engage with Main Roads Western Australia, DevelopmentWA and the Western Australian Planning Commission regarding the acquisition of the road widening in the relevant areas:

- a) Lot 17, 18 and 19 Forrest Road, Hilbert;**
- b) Lot 163 Church Avenue, Armadale; and**
- c) Lot 86 Church Avenue, Armadale.**

- 5. Authorise the City to engage with Main Roads Western Australia and the Western Australian Planning Commission regarding the reduction and/or acquisition of the Metropolitan Region Scheme Primary Regional Road Reservation of Lot 304 Abbey Road, Armadale.**

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

10.2 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 18 July 2023.

MOVED Cr K Busby that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation CS29/7/23 - List of Accounts Paid - May 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 \$11,702,557.04 on cheque numbers 189 to 202, transactions 8213 to 9237 and Payrolls dated 14 May and 28 May 2023.

Credit Card

Accounts Paid totalling \$3,843.07 for the period ended May 2023.

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

Recommendation CS30/7/23 - Statement of Financial Activity - May 2023

MOVED Cr K Busby

That Council:

- i. Pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996 (Financial Activity Statement Report) accept the Statement of Financial Activity for the eleven (11) month period ended 31 May 2023; and:**

- a. Note that there are reportable actual to budget material variances for the period
 - b. Note the \$161.24 small rates debts written off under Primary Delegation 1.0 and Secondary Delegation CORPS 1.1.
- ii. Approve an amendment to the 2022/23 Annual Budget to transfer the following funds to reserves:
 - a. \$120,000 to the Workers Compensation reserve; and
 - b. \$1,380,000 to the ICT Reserve.

ABSOLUTE MAJORITY RESOLUTION REQUIRED

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

(12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

Recommendation CS31/7/23 - 2023 WALGA Local Government Convention and
Registration of Voting Delegates for the Annual General Meeting - 18-19 September 2023

MOVED Cr K Busby

That Council:

1. authorise the registration of those Councillors with an electoral terms of less than 6 months to be registered for the 2023 WALGA Convention;
2. register Cr Butterfield and Cr Northcott as its voting delegates for the 2023 WALGA Annual General Meeting to be held on Monday 18 September 2023.
3. register Cr Silver and Cr Mosey as its deputy voting delegates in the event that either Cr Butterfield or Cr Northcott are unable to attend the WALGA AGM on this day.

MOTION not opposed, DECLARED CARRIED

(12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

Recommendation CS32/7/23 - Confidential Award Nomination

MOVED Cr K Busby

That Council endorse the matter to be progressed for research.

MOTION not opposed, DECLARED CARRIED

(12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington,
Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer.

MOVED Cr M S Northcott that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

BUSINESS ARISING FROM REPORT

Recommendation CEO3/7/23 - 2023 Performance Review - Chief Executive Officer

Ms Abbiss, CEO declared an interest in this item on the basis that it relates to her contract of employment. Ms Abbiss left the meeting at 7.16pm

MOVED Cr E J Flynn

That Council:

- 1. In accordance with the City's Procurement Policy and Procedures, appoint an independent consultant to facilitate the process and provide professional advisory services for the 2022/23 annual performance review for the CEO and the setting of the 2023/24 CEO KPIs.**
- 2. Endorses the CEO Evaluation Panel to have the additional function of agreeing with the CEO and documenting the process for the setting of the annual CEO KPIs for presentation to Council.**

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

Ms Abbiss returned to the meeting at 7.17pm

Recommendation CEO4/7/23 - Annual Budget - Financial Year 2023/24

MOVED Cr K Busby that part (1) of Recommendation CEO4//723 be adopted.

That Council:

- 1. NOTES the approval of the Minister for Local Government provided on 21st July 2023 under s.6.35(5) of the *Local Government Act 1995*, to impose a minimum payment on vacant land of \$1,175, that does not comply with subsections (2), (3) or (4) of Section 6.35 of the *Local Government Act 1995*.**

MOTION not opposed, DECLARED CARRIED (12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

MOVED Cr P A Hetherington that part (2) of Recommendation CEO4/7/23 be adopted.
SECONDED Cr K Busby
OPPOSED Cr S Peter

2. Pursuant to sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995*, IMPOSE differential rates for the 23/24 financial year, based on whether the land is vacant land; the zoning of the land; or the purpose for which the land is held, in accordance with the following table:

Gross Rental Value Properties

<i>Differential Rate Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate</i>
<i>Vacant Land</i>	<i>14.5778c</i>	<i>\$1,175</i>
<i>Residential Improved</i>	<i>9.4040c</i>	<i>\$1,356</i>
<i>Business Improved</i>	<i>9.8134c</i>	<i>\$1,577</i>

Unimproved Value Properties

<i>General & Minimum Rate</i>	<i>0.4755c</i>	<i>\$1,624</i>
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**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL**

(9/3)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith,
Cr Mosey, Cr Nixon
Against: Cr Kamdar, Cr Peter, Cr Silver

MOVED Cr E J Flynn that part (3) to (16) of Recommendation CEO4/7/23 be adopted.
SECONDED Cr K Busby
OPPOSED Cr S Peter

3. Pursuant to sections 6.32 and 6.37 of the *Local Government Act 1995*, IMPOSE specified area rates for the 2023/24 financial year in accordance with the following table and as set out in Note 1 of the annual budget:

Specified Area	Rate in \$/ (Cents)	No. of Properties	Rateable Value (\$GRV)	SAR to be Levied
A- Armadale Town Centre	0.4356	88	29,292,669	\$127,600
B- Kelmscott Town Centre	0.8800	79	8,232,869	\$72,400
C- Kelmscott Industrial Area	0.1697	342	12,549,884	\$21,300
D- South Armadale Industrial Area	0.3496	140	6,950,798	\$24,300
E- Harrisdale/Piara Waters	0.2712	4,997	117,806,734	\$319,745
F- Champion Lakes	0.2313	332	6,138,900	\$14,200

4. In accordance with the provisions of 36B and 36L of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSE the 2023/24 State Government Emergency Services Levy Rates and Minimum and Maximum Payments on Residential, Vacant Land, Commercial, Industrial and Miscellaneous Lots as follows:

ESL Category	Rate per \$ GRV	Minimum ESL Charge	Maximum ESL Charges		
	All Property Uses	All Property Uses	Single-unit Residential, Vacant Land and Non-Commercial Farming	Multi-unit Residential (residential with more than 1 sub)	Commercial, Industrial and Miscellaneous
Category 1	0.013953	\$98	\$491	\$491 x relevant no. of units (subs)	\$280,000
Category 2	0.010465	\$98	\$368	\$368 x relevant no. of units (subs)	\$210,000
Category 3	0.006976	\$98	\$246	\$246 x relevant no. of units (subs)	\$140,000
Category 4	0.004883	\$98	\$172	\$172 x relevant no. of units (subs)	\$98,000
Category 5	Fixed Charge \$98				
Mining Tenements	Fixed Charge \$98				

5. In accordance with the provisions of section 67, Division 3, Part 6 of the *Waste Avoidance and Recovery Act 2007*, IMPOSE the following domestic and commercial waste charges for the 2023/24 financial year:

Residential Waste Charge (weekly rubbish and fortnightly recycling)	Per Annum	\$417
Commercial Waste Charge (weekly rubbish and fortnightly recycling)	Per Annum	\$416
Additional Waste Refuse Service	Per Annum	\$297.50
Additional Recycling Service	Per Annum	\$95.50

6. In accordance with the provisions of section 6.45 of the *Local Government Act 1995*, OFFERS the following payment options for the payment of rates, specified area rates (where applicable), emergency services levy, domestic refuse charge and private swimming pool inspection fees:

One instalment:

Payment in full (including all arrears) within 35 days of the issue date of the annual rate notice.

Two Instalments:

The first instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of the issue date of the annual rate notice.

The second instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable 63 days after the due date of the first instalment.

Four Instalments:

The first instalment of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of the issue date of the annual rate notice;

The second, third and fourth instalments, each of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable as follows:

- the second instalment 63 days after due date of the first instalment
- the third instalment 75 days after due date of the second instalment
- the fourth instalment 62 days after the due date of the third instalment.

7. In accordance with *section 6.45(b) of the Local Government Act 1995*, OFFERS A Smarter Way To Pay in accordance with the City's Policy and as a further alternative option for the payment of rates.
8. In accordance with the provisions of section 36S of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES the State Government's interest on all current and arrears amounts of Emergency Services Levy at the rate of 7% per annum, calculated on a simple interest basis on amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of an instalment and continues until the arrears is fully paid. Excluded are instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance.
9. In accordance with the provisions of section 6.45 of *the Local Government Act 1995*, for the 2023-24 financial year, IMPOSES the following administration fees and interest charges for payment of rates (including specified area rates), refuse charge and private swimming pool inspection fees:

Two Instalment Option:

Interest on instalments of 5.5% *

An administration fee of \$nil;

Four Instalment Option:

Interest on instalments of 5.5%*

An administration fee of \$nil;

Special Payment Arrangements:

An administration fee of \$55.50 for non-direct debit is charged on each special payment arrangement. Interest of 7% may be charged on overdue amounts.

*calculated in accordance with Regulation 69 of the *Local Government (Financial Management) Regulations 1996*

10. In accordance with the provisions of section 6.13 and 6.51 of the *Local Government Act 1995*, IMPOSE interest on all current and arrears of rates, specified area rates (where applicable), current and arrears of refuse charges, current and arrears of private swimming pool inspection fees at a rate of 7% per annum, calculated on a simple interest basis on arrears amounts which remain unpaid and current amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of the instalment as the case may be and continues until the instalment is paid in full. Excluded are deferred rates and approved City payment

arrangements. Interest is calculated daily on the outstanding balance.

11. In accordance with the provisions of section 6.49 of the *Local Government Act 1995*, AUTHORISE the Chief Executive Officer to enter into special payment arrangements with ratepayers for the payment of general rates, specified area rates (where applicable), emergency services levy, refuse charges and private swimming pool inspection fees during the 2023/24 financial year.
12. Pursuant to section 245A (8) of the *Local Government (Miscellaneous Provisions) Act 1960*, and regulation 53 of the *Building Regulations 2012*, IMPOSE a fee of \$35 per annum, to cover the actual costs of mandatory swimming pool inspections, which occur every four years.
13. Following a review by the Western Australian Salaries and Allowances Tribunal, and ADOPT the following:
 - a) Set the annual attendance fee at \$32,957 for 2023/24, to be paid quarterly in advance to Councillors, or at such intervals as determined by individual Councillors, pursuant to section 5.99 of the *Local Government Act 1995* and regulation 30 of the *Local Government (Administration) Regulations 1996*;
 - b) Set the annual attendance fee at \$49,400 for 2023/24, to be paid quarterly in advance to the Mayor, pursuant to section 5.99 of the *Local Government Act 1995* and regulation 30 of the *Local Government (Administration) Regulations 1996*;
 - c) Set the annual Mayoral Allowance at \$93,400 for 2023/24, to be paid quarterly in advance, pursuant to section 5.98(5) of the *Local Government Act 1995* and the Western Australia Salaries and Allowances Tribunal Determination pursuant to *Western Australia Salaries and Allowances Act 1975* section 7A and 7B;
 - d) Set the annual Deputy Mayoral Allowance at \$23,400 for 2023/24, to be paid quarterly in advance, pursuant to section 5.98A of the *Local Government Act 1995* and the Western Australia Salaries and Allowances Tribunal Determination pursuant to *Western Australia Salaries and Allowances Act 1975* section 7A and 7B; and
 - e) Set an annual Information and Communications Technology Allowance of \$3,647 for 2023/24, to be paid quarterly in advance, pursuant to section 5.99A of the *Local Government Act 1995* and the Western Australia Salaries and Allowances Tribunal Determination pursuant to *Western Australia Salaries and Allowances Act 1975* section 7A and 7B.
14. Pursuant to section 6.16 of the *Local Government Act 1995*, ADOPT the fees and charges set out in the Attachment.
15. ADOPT the Annual Budget for the year ended 30 June 2024 as detailed in the Attachment, comprising the Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Statement of Cash Flows, Rate Setting Statement and supporting notes to and forming part of the Statutory Budget.

16. Pursuant to section 6.8 (1)(b) of the *Local Government Act 1995*, AUTHORISE in advance;

- (i) **all capital expenditure incurred from 1 July 2023 to 27 August 2023, which were provided for in the previous financial year's budget and commenced in the previous financial year;**
- and;**
- (ii) **non-recurrent operational projects, which were provided for in the previous financial year's budget and commenced in the previous financial year, under contract.**

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

(9/3)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Mosey, Cr Nixon

Against: Cr Kamdar, Cr Peter, Cr Silver

Recommendation CEO5/7/23 - Councillors Information Bulletin - Issue No 11/2023

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue 11/2023 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED

(12/0)

For: Cr Butterfield, Cr Busby, Cr Keogh, Cr Kamdar, Cr Peter, Cr Northcott, Cr Hetherington, Cr Flynn, Cr Smith, Cr Silver, Cr Mosey, Cr Nixon

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 New Facility for Harrisdale Men's Shed (Cr Shanavas Peter)

That the matter of finding a new facility for Harrisdale Men's Shed be referred to the Community Services Committee.

2 Increase of Budget for Youth Programs (Cr Shanavas Peter)

That the matter of increasing the budget for Youth Programs in the 2025 Budget be referred to the Community Services Committee.

3 Commencement of Improvements/Treatments to the Public Realm of Kelmscott (Cr John Keogh)

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

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 7:34pm

MINUTES CONFIRMED THIS 14 AUGUST 2023

MAYOR